



## **Sexual Misconduct Policy Governing Students**

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## CAMPUS SECURITY-CLERY ACT:

California Career Institute is committed to helping the campus community provide for their own safety and security. Information on campus security and personal safety, including alerts, crime prevention tips and crime statistics found within this document and the school catalog.

## INTRODUCTION:

California Career Institute and (herein referred to as “CCI” or “the Institution”) is committed to maintaining a respectful and professional academic and working environment for students, faculty, associates, staff, and visitors. This includes having an environment free from unlawful sexual misconduct. This Sexual Misconduct Policy applies to all settings and activities of the institution, whether on individual campus properties owned or controlled by California Career Institute or off campus. This policy governs students and covers all students, employees and other individuals (e.g., contractors, vendors, etc.) who have a relationship with CCI that enables the Institution to exercise some control over the individual’s conduct in places and activities that relate to the institution’s work. So that CCI may continue to foster a climate of respect and security on campus as it relates to preventing and responding to acts of sexual misconduct, this policy has been created and serves to demonstrate the institution’s commitment to:

- Prohibiting sexual misconduct to include sexual harassment, sexual assault, sexual exploitation, stalking, dating violence, and domestic violence;
- Disseminating clear policies and procedures for responding to sexual misconduct reported to the institution;
- Delivering primary prevention and awareness programs and ongoing training and education campaigns to students and employees so they may identify what behavior constitutes sexual misconduct; understand how to report such misconduct; recognize warning signs of potentially abusive behavior and ways to reduce risks; and learn about safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than such individual;
- Engaging in investigative inquiry and resolution of reports that are prompt, fair, equitable, and independent of other investigations that may occur;
- Supporting complainants and respondents and holding persons accountable for established violations of this policy; and
- Providing a written explanation of the rights and options available to every student or employee that has been the victim of domestic violence, dating violence, sexual assault or stalking, regardless of whether the offense occurred on or off campus. In addition, this policy:



1. Identifies the Institution's Title IX Coordinator, Campus President and describes their roles in compliance with Title IX as it relates to guidance from the Department of Education's Office of Civil Rights and in compliance with the Clery Act, as amended by the Violence Against Women Reauthorization Act of 2013.
2. Identifies how students and employees can report sexual misconduct to the institution confidentially and what resources are available both on and off campus to aid them, including employees' and students' rights to notify local law enforcement and their right also to decline to notify such authorities.
3. Provides information about how reports are assessed, investigated, and resolved.
4. Provides the institution with a means to take all reasonable steps to identify harassment, prevent recurrence of any harassment, and to correct its discriminatory effects on the complainant and others, if appropriate.

#### **NOTICE OF COORDINATION WITH NON-DISCRIMINATION POLICY & NOTICE OF NON-DISCRIMINATION**

California Career Institute recognizes that it is important to coordinate this policy with other existing policies related to harassment and discrimination, knowing that harassment related to an individual's sex, sexual orientation, or gender expression can occur in conjunction with misconduct and harassment related to a person's race, ethnicity, national origin, religion, age, pregnancy or parenting status, disability, or other protected status. Therefore, when a report is made of harassment or discrimination based on sex as well as harassment or discrimination based on some other protected status, the Institution will use all applicable policies respectively to address the reports and will coordinate the investigation and resolution efforts.

CCI is committed to maintaining an environment free from harassment and discrimination for everyone and does not discriminate on the basis of race, sex, national origin, religion, sexual orientation, gender identity or expression, or any other protected status. Further, the Institution does not discriminate on the basis of sex in any educational, employment, or extracurricular activity. Sexual misconduct, as described in this policy, is a form of sexual harassment, which is a form of discrimination and is prohibited by Title IX of the Education Amendments of 1972.

Domestic violence, dating violence and stalking also are prohibited conduct, are classified by CCI as a form of sexual misconduct, and are additionally defined by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended by the Violence Against Women Reauthorization Act of 2013.

An individual violates this policy when:

- (1) submission to unlawful conduct is made as an expressed or implicit term or condition of an individual's employment, performance, appraisal, or evaluation of academic performance; or



(2) unlawful conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, humiliating, or offensive working, living or learning environment.

### **TITLE IX COORDINATOR & DEPUTY TITLE IX COORDINATORS/CAMPUS TITLE IX ADMINISTRATORS/INVESTIGATORS**

California Career Institute has designated a primary Title IX Coordinator who is responsible for the oversight of this policy and any procedures related to it for the Institution and all students, employees, and third parties associated therein. The Title IX Coordinator/Campus President is responsible for overseeing and resolving all Title IX reports and identifying and addressing any patterns or systemic problems that arise during the review of such reports. The Coordinator's responsibilities include oversight of a prompt, fair, equitable investigation and resolution process for reports of sexual misconduct at California Career Institute. The Title IX Coordinator also evaluates trends on campuses by using information reported to her and makes recommendations for institution specific student training and education programs.

The Title IX Coordinator is the primary contact person for the United States Department of Education (ED) and ensures that as new guidance is provided by ED that this policy and procedures document is updated to reflect new guidance. In the event that this policy is under review because of new guidance, the Title IX Coordinator and his designees have the right to implement those changes in any complaint that comes forward to ensure that the most recent procedures are utilized in order to remain in compliance with Title IX and the Clery Act. Therefore, if that should occur, the Title IX Coordinator will provide, in writing, all changes that deviate from this written policy to the complainant and respondent so that they are aware of the timeframes for resolution and the process that will be used to investigate and resolve the complaint. California Career Institute has a Deputy Title IX Coordinator, who oversees cases specific to their campuses; functions as a secondary conduit of information flow between the various campuses and the primary Title IX Coordinator; and oversees, in conjunction with the investigator(s), the investigative inquiry into the complaint.

Because California Career Institute has one main campus, Campus Title IX Administrators is designated at that campus but provide an oversight at the satellite location to ensure that each location of the College has representation with regards to the intake and resolution of complaints involving sex-based discrimination. The Title IX Investigator conducts thorough and impartial investigations into the facts of a case including interviewing the complainant, respondent, witnesses or others who may have relevant information, and will collect any other evidence deemed relevant to a case. To report sexual misconduct as defined in this policy, use the contact chart below. At any time, any person may contact the Title IX Coordinator regardless of who their campus contact is. Persons may also contact the United States Department of Education's Office for Civil Rights by utilizing the contact information at the bottom of the contact chart.

### **Name and Contact Information Position Institution**



## **Campus Title IX Co-Ordinator**

### **Josie Villanueva**

Director of Education/Title IX Coordinator

California Career Institute

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DEFINITIONS Terms used in this policy are defined below.

NOTE: The definitions in this policy may differ from those used in the civil or criminal laws of California. In some cases, the definitions include behaviors that, while not torts or crimes under state law, still violate the institution's standards of conduct for faculty, staff, and students. In addition, certain conduct may be punishable under state or federal criminal statutes, civil law, and institutional policy. These processes are separate and distinct from one another, however, can run concurrently if the complaining party chooses to report an incident to the local police in addition to the Title IX Coordinator. Sexual misconduct is a broad umbrella term used by CCI to collectively identify several forms of discrimination based on sex. Sexual misconduct includes sexual harassment, sexual assault, and sexual exploitation. This policy also prohibits interpersonal violence, which may include dating violence, domestic violence, and stalking. Sexual misconduct also includes other acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature. Sexual harassment is unwelcome conduct of a sexual nature. It can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature.

Sexual harassment can include lesser conduct such as unwelcome speech to the most egregious forms of sexual harassment, which include unwelcome sexual touching or sexual penetration. Other examples include inappropriate touching, suggestive comments and public display of pornographic or suggestive calendars, posters, or signs where such images are not connected to any legitimate academic or workplace purpose. In cases of sexual harassment, the Title IX team determines if the conduct was severe or pervasive in that it created a hostile environment for the student or employee. It is unlikely that one unwelcome sexual joke will rise to this level however the team determines each case based on the facts and circumstances uncovered in the investigation. Sexual touching and penetration always



creates a hostile environment on campus and will always be investigated to the best ability of CCI. Examples of behavior that constitute sexual harassment include the following:

- Calling someone a person by a sexually-oriented or demeaning name, like hunk, babe, doll, sugar, or the like.
- Giving someone unwanted gifts of a sexual nature.
- Displaying sexually suggestive materials or sending notes, email, or jokes to a person that are sexually explicit.
- Touching someone sexually without their consent.
- Massaging someone without permission.
- Brushing up against someone repeatedly.
- Continuously asking out a person who has already said they are not interested.
- Exposing your private parts to another person. Sexual Assault is an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. Sex offenses include the criminal terms of rape, fondling, incest and statutory rape and those terms have specific meaning under federal law.

At CCI, Sexual Assault includes: Non-consensual Sexual Contact (or attempts to commit) defined as any intentional sexual touching with any object(s) or body part that is without consent and/or by force. For example, touching a woman's breasts, buttocks, or groin without her permission.

Sexual contact is defined as kissing or touching other's intimate parts. Intimate parts include but are not limited to a person's groin, buttocks, mouth or breasts.

Non-consensual Sexual Intercourse (or attempts to commit) is defined as penetration, no matter how slight, of a person's vagina, anus or mouth with any object(s) or body part that is without consent and/or by force.

Sexual assault can be perpetrated against victims who identify as both male and female and to those who identify as heterosexual, lesbian, gay, bi-sexual, transgendered, asexual or who may not identify at all. No person is immune to sexual assault and sexual assault is never the victim's fault. CCI encourages persons who have been sexually abused to seek the help and resources contained in this document.

Consent defined in the State of California, in order for individuals to engage in sexual activity of any type with each other, there must be affirmative consent prior to and during sexual activity. Affirmative consent is defined as affirmative, conscious, and voluntary agreement to engage in sexual activity. To obtain consent, a clear, "yes" is necessary. Consent cannot be inferred from the absence of a "no." Non-verbal consent is not as clear as talking about what an individual wants or does not want sexually. Consent can be revoked at any time and the existence of a dating or marital relationship between the parties in no way infers consent.



What constitutes lack of consent?

Consent cannot be inferred through silence or lack of resistance. Consent to one activity does not constitute consent to other sexual acts. Past sexual activity does not constitute consent for future acts. If at any time consent is uncertain, the initiating party should stop and obtain verbal consent. Consent can be withdrawn at any time. The use of any force, display of force, coercion, or intimidation negates consent. Consent is also not present if someone is incapacitated by alcohol, illegal drugs, or over the counter medication. Individuals who are incapacitated may not legally give consent to sexual activity. Incapacitation includes, but is not limited to, being highly intoxicated, passed out, or asleep. A person who is incapacitated for purposes of this policy is one who is not legally able to give consent because they are mentally or physically helpless. "Mentally helpless" is when a person suffers from a mental illness or a condition (like being passed out, asleep, or highly impaired) that renders them incapable of understanding the nature of their conduct or rendering their own self-care. "Physically helpless" means a person has restriction of movement, either temporarily or permanently. When incapacitation occurs due to alcohol or drug use, indicators of incapacitation may include the following:

- Slurred speech
- Bloodshot or unfocused eyes
- Unsteady gait; needing assistance to walk/stand
- Vomiting
- Outrageous or unusual behavior
- Concern expressed by others about the individual
- Expressed memory loss or disorientation

Examples of behaviors that may constitute sexual assault include the following:

- Having sex with an unconscious or semi-conscious person. • Having sex with someone who is asleep or passed out.
- Having sex with someone who has not said yes or has verbalized a no.
- Having sex with someone who is not reciprocating body movement.
- Allowing another person to have sex with your partner without his or her consent.
- Having someone perform sexual acts as a condition of acceptance into a fraternity, athletic, or student organization, or any other organization affiliated with the institution, which includes acts of intercourse; penetration of the vagina, anus or mouth with any object; being made to facilitate the abuse of another; assisting with physically assaulting another's private parts; or purchasing or providing alcohol or drugs to another for the purposes of facilitating a sexual assault (includes all forms of sex-based Hazing).



- Having sex with a person who is vomiting, unable to stand without assistance, or has had to be carried to bed by a partner.
- Telling someone you will “out” them if they don’t engage in sex (disclose their sexual orientation without their consent).
- Touching, without a person’s consent, any private body parts or forcibly kissing them.
- Telling someone you will fail them or give them a grade different from what they deserve if they don’t agree to have some form of sexual contact.

Sexual Exploitation occurs when a person takes advantage of another without that individual’s consent for the initiator’s own advantage or benefit or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses.

Examples of behaviors that may constitute sexual exploitation include the following:

- Prostituting another.
- Allowing a third party to watch consensual sexual contact without the permission of both parties involved in the sex act or showing voluntarily recorded sexual activity to others without permission.
- Knowingly giving another a sexually transmitted infection (STI) or HIV.
- Allowing others to have sex with an incapacitated person.

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 cohabitating with or has cohabitated with the victim as a spouse, 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.

Examples of behaviors that may constitute domestic violence include the following:

- Hitting, punching, pinching, slapping, or choking someone with whom the person is intimately involved.
- Violating a protective order.
- Harming a person’s animals or children while in an intimate relationship.

Dating Violence means violence committed by a person— (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship will be determined based on a consideration of the following factors: (i) The length of the relationship. (ii) The type of relationship. (iii) The frequency of interaction between the persons involved in the relationship. Dating violence includes the use or threat of physical force or restraint carried out with the intent of causing pain or injury to another within a dating relationship.



Examples of behaviors that may constitute dating violence include the following:

- Taking away a person's cell phone during an argument so the person cannot call a friend or the police for help.
- Threatening to self-harm if another does not do what is said.
- Threatening to physically assault someone the individual is dating if the person does not do what is said.

Stalking: Means engaging in a course of conduct directed at a specific person that would cause a reasonable person to— a) fear for his or her safety or the safety of others; or b) suffer substantial emotional distress.

Examples of behavior that constitute stalking include:

- Spreading lies about a person on more than one occasion.
- Repeatedly communicating with a person who doesn't wish to be communicated with.
- Follow a person or lying in wait for another on more than one occasion.
- Repeatedly sending unwanted gifts to another.

The person complaining of sexual misconduct is called the "complainant," "reporting party" or "accuser" and those terms may be used interchangeably in this policy. The person alleged to have engaged in sexual misconduct is called the "respondent" or "accused party" and those terms may be used interchangeably in this policy.

CONFIDENTIALITY Only licensed mental health counselors, health care providers (acting in that capacity), and licensed athletic trainers are designated confidential resources. Students and employees who do not wish to disclose to CCI a complaint of sexual misconduct should utilize health and counseling services either on campus or in the community where their confidentiality may be protected. (See Off-Campus Resources.)

If the complainant reports to the Institution and requests confidentiality or asks that the complaint not be pursued, the Institution will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation. If a complainant insists that his/her name or other identifiable information not be disclosed to the accused individual, the Institution's ability to respond may be limited. If the complainant continues to ask that his or her name not be revealed, the Institution will take all reasonable steps to investigate and respond to the complaint consistent with the party's request as long as doing so does not prevent the Institution from responding effectively to the harassment and preventing harassment of other parties. At the same time, the Institution will evaluate the confidentiality request in the context of its responsibility to provide a safe and nondiscriminatory environment for all persons. It is a violation of the Institution policy to



retaliate against an individual bringing a complaint or providing information for an investigation. Education records are maintained in accordance to Family Educational Rights and Privacy Act of 1974 (FERPA).

All documentation related to a student's complaint, investigation, and resolution are protected by FERPA and not available to the public. Non-identifying information may be shared with the Safety and Security in order to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. A complainant's name will never be published nor does the Institution house identifiable information regarding victims in the Daily Crime Log or online. Victims may request that directory information on file be removed from public sources by request. To request removal of directory information, students should contact the Campus President.

**REPORTING** Any person who believes she/he has been the subject of discrimination or harassment due to sex (sexual misconduct as defined above) or is aware of a member of the community who has been subject to discrimination or harassment is strongly encouraged to contact the Title IX Coordinator, the VP of Compliance or the Campus President.

A "report" is made when the Institution knows or reasonably should know based on the statements of a complainant that sexual misconduct is being alleged. A complainant need not supply a written statement, although it is preferable. Actual notice, which consists of direct statements from a complainant of sexual misconduct, are desirable, although the Institution accepts verbal or written statements from any party who has knowledge of an incident occurring either on or off campus that has the potential to interfere with the educational mission of the Institution. To report sexual misconduct, contact the Title IX Coordinator for your campus via email, telephone, or by coming in to their office in person.

Title IX Coordinator oversee all reports of sexual misconduct and associated acts that fall under the purview of this policy.

All faculty members, volunteers on campus who work with students or minors, and every person identified as Campus Security Authorities (CSAs) under the Clery Act have responsibility to report to the Title IX Coordinator any reports of sexual misconduct made to them or observed by them, to include the name of the complainant and accused, if known. The only offices that are exempt from reporting sexual abuse of an adult are licensed counselors and medical staff. CCI requires everyone in the campus community to report the suspected abuse of children (those under the age of 18.)

CCI has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of medical, counseling and support services, and additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. CCI takes seriously their responsibility to stop harassment, remedy the effects, and prevent the recurrence of harassment. After an incident of sexual assault or domestic violence, the victim should consider seeking medical attention



as soon as possible at the closest emergency room. Victims who agree to have forensic evidence collection conducted as part of their care can locate hospitals with such emergency rooms stated on this policy or by calling local law enforcement at 911 or non-emergency numbers listed respective to the jurisdiction in which the crime occurred. Incidents of sexual assault and domestic violence are criminal incidents as well as violations of the sexual misconduct policy if perpetrated by a person whom CCI has some degree of control over (educational or employment.) CCI encourages and supports victims of crimes involvement with law enforcement and CCI will support any person in reaching law enforcement and assisting them with filing a report.

In the state of California, evidence may be collected even if you chose not to make a report to law enforcement.<sup>1</sup> It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 72-96 hours so that evidence as may be necessary to the proof of criminal activity may be preserved. In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted disease. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to CCI administrators or police. Although CCI strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report and victims have the right to decline involvement with the police. The Safety and Security for CCI, Skip Mann, or any security officer employed by or for CCI will assist any victim with notifying local police if they so desire. Local law enforcement in the jurisdiction of each of CCI's campuses may also be reached directly by calling their number, which is referenced in the "Off Campus" resources section of this policy specific to the campus the student is associated with. To contact the CCI Administration, use the information contained in Appendix A of this document.

To contact the local police off campus but in the jurisdiction of your campus, see the chart below. The CCI Administration will assist any person with accessing local law enforcement.

1. Under the Violence Against Women and Department of Justice Reauthorization Act of 2005, starting in 2009, states must certify that they do not "require a victim of sexual assault to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a forensic medical exam, reimbursement for charges incurred on account of such an exam, or both."
2. Different states provide different amounts of time between the incident of sexual or domestic violence and when evidence can no longer be collected. Normally, throughout the United States, a victim of sexual or domestic violence can present at a hospital that has Sexual Assault Nurse Examiners (SANEs) between 72-96 hours post assault and have evidence collected in the event that they decide to cooperate with law enforcement/file a police report. Persons are encouraged to contact their local hospital or call local police in their respective jurisdiction to determine how much time they have following an assault to receive the services related to evidence collection.



If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Title IX Coordinator or the Deputy Title IX Coordinator and Safety and Security (if the victim so desires.)

3. The Institution will provide resources to persons who have been victims of sexual assault, domestic violence, dating violence, or stalking, and will apply appropriate disciplinary procedures to those who violate this policy.

The procedures set forth below are intended to afford a prompt response to charges of sexual assault, domestic or dating violence, and stalking, to maintain confidentiality and fairness consistent with applicable legal requirements, and to impose appropriate sanctions on violators of this policy. As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with the Safety and Security or local law enforcement to preserve evidence in the event that the victim changes her/his mind at a later date. Anonymous reports are also accepted and should be directed to the Title IX Coordinator, Manal Alawneh, via the contact information previously listed in this policy, but the supplier of the anonymous report should be mindful that failure to disclose identifying information about the accused party, the victim of the misconduct, or the facts and circumstances regarding the misconduct severely limits the Institution's ability to respond to, address, and remedy the effects of sexual misconduct. Anonymous reports that provide enough information to constitute a criminal offense will be reported to the Safety and Security less any identifying information regarding the complainant for purposes of inclusion in the Annual Security Report and to assess for purposes of sending out a Timely Warning Notice.

#### JURISDICTION AND REPORTING TIMEFRAMES

Because sexual misconduct that occurs off-campus is likely to impact a person's work, academic, or extracurricular experience, CCI assumes jurisdiction to adjudicate off campus complaints should they become known. In addition, CCI encourages prompt reporting of all allegations of sexual misconduct so that administrators can respond promptly and equitably; however, CCI does not limit the timeframe for reporting. If the accused person is no longer affiliated with CCI at the time the report is made, then the Institution will still conduct an inquiry for purposes of complying with Title IX and take steps to prevent the recurrence of such conduct and remedy the effects, if appropriate.

#### WHAT DO YOU DO IF YOU ARE SEXUALLY ASSAULTED?

- Get to a safe place. (For example -- someone's home, the nearest hospital or police department)

4. The Title IX Coordinator is regarded as a "Responsible Employee" under Title IX and also a "Campus Security Authority" under the Clery Act. Statistical information less the victims identifying information will be provided to campus security & safety authority or whomever at the institution compiles the annual crime statistics even if the victim chooses not to alert campus public safety personally.



- Call 911 to be taken to an emergency room for medical care and/or for immediate police protection and assistance.

A complete medical evaluation will include a physical examination, treatment, evidence collection, and/or counseling. Remember, you will not be made to do anything you do not want to do and may decline any of the elements of this evaluation.

If you have been raped, it is important to seek medical care, especially if you have been physically injured. Even if you do not have any visible physical injuries from the assault, there may be physical injuries that you cannot see, and medical and health centers can provide additional services such as testing for sexually transmitted diseases and emergency contraception.

- When you call 911, explain what has happened and request to be sent to an emergency department that has a SANE nurse (Sexual Assault Nurse Examiner.)
- In the meantime, do not change clothes, bathe, douche, or brush your teeth. This is important for the evidence collection process that will occur at the hospital.
- If you seek to place a report with the police or press charges, it is best for evidence collection to occur within 72-96 hours of the rape.

Keep in mind that evidence collection does not require you to place a report with the police or press charges, it just preserves these options for the future.

- Alternatively, go directly to the nearest Emergency Room. If you go to the nearest emergency department that does not have SANE services, you can be transferred to the nearest facility. See this policy to determine which hospital closest to your campus has SANE services in addition to Emergency Rooms services for survivors of domestic/dating violence closest to your campus or home (depending on where the incident occurred. How to be an Active Bystander Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.”

5. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

1. Watch out for your friends and fellow students. If you see someone who looks like they could be in
2. Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
3. Speak up when someone discusses plans to take sexual advantage of another person.
4. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.



5 Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

## **RESTRAINING ORDERS AND NO CONTACT ORDERS IN CALIFORNIA**

If the accused individual is a member of the CCI community, a no contact instructions or a letter will be given to all parties involved by the Institution until the conclusion of the investigation. This will prohibit communication between the parties, including contact verbally, in writing, through technology, or third parties. If you have been the victim of domestic or dating violence, stalking or sexual abuse, you may also want to consider obtaining an order of protection from the State of California. Are You in Danger Now? If you need help right now, call "911."

You can also call:

- Your local Domestic Violence Shelter, or
- The National Domestic Violence Hotline: 1-800-799-7233  
TDD: 1-800-787-3224

Ask for a Restraining Order (Helpful information from [www.courts.ca.gov](http://www.courts.ca.gov) —click the underlined information to access the specific webpage and get more info) To ask for a domestic violence restraining order there are several steps you have to take. But first make sure that:

1. A restraining order is right for you. Read [Can a Domestic Violence Restraining Order Help Me? \(Form DV-500-INFO\)](#). You qualify for a domestic violence restraining order. You and the person you want to restrain must be: o married or registered domestic partners, o divorced or separated, o dating or used to date, o living together or used to live together, o parents together of a child, OR o closely related (parent, child, brother, sister, grandmother, grandfather, in-law).

2. You get legal help from a local domestic violence agency in your county.

Once you are sure you qualify for a domestic violence restraining order, you are ready to fill out the forms (or have a lawyer or domestic violence clinic help you with the forms). If you are not sure you qualify, ask your local domestic violence agency. Your court's family law facilitator or self-help center may also be able to help you with the restraining order.

If you live in an Indian tribal community or reservation with a tribal court, you may be able to get help. Click to find a list of California tribal courts. And find domestic violence resources in your tribal community.

**FILING A REQUEST FOR A RESTRAINING ORDER—CLICK THE STEP TO ACCESS SPECIFIC INFORMATION—**

**[WWW.COURTS.CA.GOV](http://WWW.COURTS.CA.GOV)**

(IF THIS POLICY IS IN PRINT FORM, TYPE <http://www.courts.ca.gov/1264>. into your browser to reach the information.

(<http://www.courts.ca.gov/1264>.)



STEP 1. Fill Out Your Court Forms and Prepare to File

STEP 2. File Your Court Forms With the Court

STEP 3. "Serve" Your Papers on the Restrained Person

STEP 4. Get Ready and Go to Your Court Hearing

STEP 5. After the Court Hearing

THE TYPES OF RESTRAINING ORDERS ARE:

- Emergency Protective Order: Protects victims of abuse, serious harassment, or stalking. An emergency protective order is available 24 hours a day from the police.
- Domestic Violence Restraining Order: Protects individuals from family members, spouse or former spouse, parties that have a child together, or parties that have a current or past dating relationship.
- Civil Harassment Restraining Order: Protects individuals from others than those listed in a Domestic Violence Protective Order.
- Elder and Dependent Adult Abuse Restraining Order: Protects elders and dependent adults from physical and financial abuse, neglect, isolation, abduction, harm, or deprivation by a caregiver.
- Workplace Violence Prevention Restraining Order: Protects employees from workplace violence.
- Criminal Restraining Order: Protects victims and witnesses from the defendant in a criminal case.
- Juvenile Restraining Order: A Juvenile Restraining Order is a court order to protect a person suffering unlawful violence or credible threats of violence from a juvenile.
- Private Postsecondary School Violence Prevention Restraining Order: Protects students from violence in a private postsecondary school.
- Transitional House Misconduct Restraining Order: Protects participants in transitional housing program or program employees or neighbors of the program site.

**Multiple Restraining Orders** It is not uncommon to have more than one type of Protective Order. A party may seek a restraining order in a family law or civil court even when there is a Criminal Protective Order. Tell the judge and the District Attorney if you have another restraining order. The Criminal Protective Order takes precedence over other conflicting orders. That means if the criminal order is different from another restraining order, it will supersede any other orders as the primary order that must be obeyed.

**INTERIM MEASURES AND PROTECTIVE MEASURES:**



The Institution may pose interim actions or protective measures at any point during an investigation. These actions are designed to eliminate the harassment and prevent its recurrence. These measures may include, but are not limited to, no contact orders, change in class assignment for the accused and/or complainant, academic accommodations, removal from campus facilities or grounds, social restriction, and/or emotional support.

#### **INVESTIGATION AND RESOLUTION:**

Upon notice of a potential discrimination or harassment situation related to this policy, the Title IX Coordinator will conduct an assessment to determine if the complaint constitutes a potential violation of this policy. If it does not, the complaint will be dismissed (or could be referred to another department if the complaint constituted a violation of another CCI policy.) If the complaint could constitute a violation of this policy, a fair and impartial investigation will be conducted by at least one trained CCI staff member.

CCI reserves the right to employ external investigators if it determines that the investigation would be best conducted in this way. The investigation will typically include interviewing all involved parties (accused, complainant, witnesses) and the collecting of any documentation or evidence relevant to the allegation. Upon completion of the investigation, the investigator and the Title IX Coordinator shall meet to determine if the investigation is complete. If the investigation is complete, the investigator will meet with the complainant and respondent separately after fact-finding but before a finding of responsibility and advise them of the facts that will be used in determining if it was more likely than not that the respondent violated this policy. The parties will be offered an opportunity to correct any information that is factually inaccurate or to present any new information to the investigator at this time. If new information is presented that prompts the need for further investigation, the investigator will complete it based on the new information shared. If no further investigation needs to occur, the investigator will provide the final report to the respective Title IX Coordinator.

The investigator will include in their findings their determination of whether or not it is more likely than not that the respondent violated this policy and will include that rationalization in the report.

\*It is important to note that each complainant and respondent has the right to an advisor of choice to be present at any meeting or disciplinary proceeding in which either party is required to be present. CCI will not restrict who this advisor is but can and will restrict the role the advisor plays within the meeting or proceeding. More information is provided in the notice of rights afforded to the parties. If at the conclusion of the investigation the investigator has determined that it is more likely than not that sexual misconduct occurred in violation of this policy, the Title IX Coordinator will confer with Student Director of the Campus and decide on the appropriate sanction.

After determining sanction, the Coordinator will issue the finding, the reason for the finding and the associated sanctions in writing and simultaneously to the complainant and respondent. Student Affairs will impose the sanctions as identified by the Coordinator, which could include options ranging from education or training to suspension or expulsion from CCI. The Title IX Coordinator will routinely confer on all cases to ensure consistent application of this policy. CCI reserves the right to bring complaints



forward against a student or employee and to act as the complainant for purposes of this policy. Further, a complainant need not be a member of the CCI community. The standard of proof used to determine whether or not a violation of this policy has occurred is a preponderance of evidence, which means it is more likely than not the misconduct occurred to have a finding of responsibility. Typically, the investigation, resolution, and appeal will not exceed 60 days although CCI reserves the right to exceed this timeframe in order to conduct a thorough investigation. If the investigation does or is anticipated to exceed 60 days, CCI will notify the complainant and respondent in writing and will advise them of the reason for the delay and the anticipated timeframe for the completion of the investigation. The outcome/finding, the rationalization for the finding, and the sanctions imposed, if any, shall be conveyed to the complainant and respondent simultaneously and in writing as noted above via the CCI email system and will be delivered via certified US Mail at the same time. Both the complainant and the respondent have a right to appeal the finding or non-finding of responsibility or the associated sanction. Appealing the finding of responsibility or non-responsibility must be based on a process error, (i.e., a procedural error, not that the party didn't feel the resolution or sanction was appropriate) or the discovery of new evidence. Both parties will have five business days from notification to appeal in writing to the next level of authority, whose decision is final: Appellate Officer 12141 Brookhurst Street # 101 Garden Grove CA 92840

Both individuals will be informed in writing and simultaneously of any change to the results that occur prior to the time that such results become final and when such results become final. The complainant will be notified of any sanctions/outcomes that are specific to the complainant (e.g., respondent has interim suspension and is ordered by the institution to have no contact with the complainant.)

**NON-RETALIATION** Retaliation is defined as the taking of an adverse action against a complainant or witness because of his or her opposition to unlawful discrimination or participation in a complaint, investigation, or lawsuit about discrimination. Retaliation includes acts like taking actions to affect a person's academic or school-related activities such as threats, unjustified negative evaluations, unjustified negative references, or increased surveillance, and any other action such as an assault or unfounded civil or criminal charges that are likely to deter reasonable people from pursuing their rights. Adverse actions do not include petty slights and annoyances, such as stray negative comments in an otherwise positive or neutral evaluation, "snubbing" a student, not talking to a student, or negative comments that are justified by a student's poor performance or history. It is unlawful and a violation of this policy to retaliate against any person who has brought a good-faith complaint of discrimination or harassment or who has assisted in the investigation of a complaint of discrimination or harassment. Retaliation, whether actual or threatened, destroys the sense of community and trust that is critical to a learning and work environment. CCI considers acts or threats of retaliation in response to such disclosures or participation to constitute a serious violation of CCI's policy, which may result in disciplinary action, up to and including dismissal, against the retaliator. It is important to note that impermissible retaliation can occur even in those circumstances where it is determined that the complaint brought was without merit. If you believe that you are being retaliated against because of making a complaint or assisting in an investigation in violation of this policy, you should promptly report your concerns to the Title IX Coordinator assigned to your case.



Consensual Relationships CCI strongly discourages romantic or sexual relationships between an employee and his or her manager, between junior and senior faculty members, between faculty members and students, and between administrators/staff and students. The rationale of the College is that, even when both parties have consented, the relationship can give rise to problems that compromise the professional integrity of staff and faculty and may generate charges of unfair treatment or of sexual harassment.

Sexual or romantic relationships with students are particularly problematic. The respect and trust accorded an instructor/professor by a student, as well as the power exercised by the professor in an academic or evaluative role, make voluntary consent by the student suspect. Even when both parties initially have consented, the development of a sexual relationship renders both the faculty member and the institution vulnerable to possible later allegations of sexual harassment in light of the significant power differential that exists between faculty members and students.

CCI views romantic or sexual relationships between employees and their managers, between junior and senior faculty members, and between administrators and students in the same light; these relationships are also characterized by significant power differentials and are subject to the same potential liabilities.

At no time is an CCI employee permitted to engage in a sexual or intimate relationship with a current student.

Please note: In the event you are the subject of a legal complaint of sexual harassment and if the facts show that you were engaged in a romantic or sexual relationship with someone whom you instructed or any student at CCI, CCI may decline to assist you in your legal defense against the allegation(s), and you, not CCI, may bear any litigation costs or fees associated with your legal defense.

#### RISK REDUCTION:

With no intent to victim blame and in recognizing that only abusers are responsible for the abuse they perpetrate, 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](http://www.rainn.org))

1. Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to avoid isolated areas. It is more difficult to get help if no one is around.
3. Walk with purpose. Even if you don't know where you are going, act like you do.
4. Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
6. Make sure your cell phone is with you and charged and that you have cab money.



7. Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
8. Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
9. When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.).
11. Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
12. Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
14. If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 911 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation here are some things that you can try:
  - a. Remember that being in this situation is not your fault. You did not do anything wrong, it is the person who is making you uncomfortable that is to blame.
  - b. Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - c. Have a code word with your friends or family so that if you don't feel comfortable you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - d. Lie. If you don't want to hurt the person's feelings it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything you may regret later.

RESOURCES FOR VICTIMS OF DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT & STALKING



NOTE: CCI does not offer on campus resources in health, mental health, counseling, victim advocacy, legal assistance, or visa and immigration assistance. Students should access the off-campus resources in their area of residence or use the chart below to utilize resources near campus. If you need help, contact your Campus Title IX Administrator or Safety and Security on your campus. Either of those offices can assist you with connecting with the resource you need. If you need immediate assistance, call 9-1-1. CALIFORNIA CAREER INSTITUTE Or the local Police department.

Assistance in Immigration Legal Documents Application for Citizenship Application for Green Card Application for Visa Application for USA Passport Family and Spouse Sponsorship Application Asylum and Refugees Application Deportation Defense Petitions Investors Visa Application Professional Working Visa Application Green Cards through an Employer VAWA Visa Application and Petitions U and Gender Abuse Cases Visa Petitions Humanitarian Grounds Visas

2-1-1 Orange County is the equivalent of 9-1-1 but for human services. Callers seeking assistance dial 2-1-1, 24 hours a day, seven days a week and are connected with certified, multi-lingual Information and Referral Specialist who utilize a robust database to provide information on requested services.

Community Services Program (CSP) provides Victim/Witness's a wide range of services and helps locate important resources in the community. They also have highly skilled and well trained "Victim Advocates" which are located in all the court centers and the District Attorneys office to help varying crime victims.

CSP Victim Assistance Program

714-957-2737

CSP Sexual Assault Victim Services

714-957-2737

Seeking to improve the quality of life for those victimized by sexual assault, we strive to expand awareness in the community on issues related to sexual violence. In a safe, non-judgmental atmosphere, the YWCA GLA offers rape survivors the support they need and extends this support to family and friends. The program also strives to provide information on the rape trauma syndrome and refer survivors to appropriate medical, legal and social services.

24-HOUR SEXUAL ASSAULT CRISIS LINE

877-Y-HELPS-U (877-943-5778)

Su Casa Ending Domestic Violence is a nonprofit, community-based organization dedicated to the philosophy that every individual has the right to live free from violence or the threat of violence. Our Mission is to empower individuals and families to live free from domestic abuse and build partnerships with communities to end domestic violence. Resources for the LGBTQ community The Center Long Beach 2017 E 4th St Long Beach, CA 90814 Ph:(562) 434-4455



Orange County

Off-Campus LOCAL Police Department Anaheim Police Department 320 S. Beach Blvd., Anaheim, CA. 92804 (714) 765-1900

Crime reports taken 24 hours a day. Online services include crime mapping, filing police reports, traffic accident reports and more.

STATE Police Department California Highway Patrol 13200 Goldenwest St., Westminster, CA. 92683 (714)892-4426

24 hours a day/ 7 days a week State Police with jurisdiction over state highways.

Closest Emergency Room : Garden Grove Hospital

12601 Garden Grove Blvd., Garden Grove, CA 92843 714.537.5160

Hawthorne:

Centinela Hospital Medical Center

555 E. Hardy Street, Inglewood, CA 90301 310.341.7601

Her Medical Clinic 2502 S Figueroa St, Los Angeles, CA 90007 Phone 213-747-4391

Knights of Malta Free Clinic 2222 Ocean View Ave. # 112 Los Angeles, CA 90057 Phone 213-384-4323

Victim Advocacy Family Crisis Center 2116 Arlington Ave. Suite 200, Los Angeles, CA 90018 Phone 323-737-3900

Hotline 310-379-3620, 310-370-5902, 213-7456434, 562-388-7652

East Los Angeles Women's Center 1255 South Atlantic Blvd Los Angeles, CA 90022 Phone 323-526-5819  
Hotline 800-585-6231

Legal Assistance Neighborhood Legal Services of Los Angeles County 1102 East Chevy Chase Drive, Glendale, CA 91205 Phone 818-291-1765

<http://www.nlsla.org/> Legal Aid Foundation of Los Angeles 1102 East Chevy Chase Drive, Glendale, CA 91205 Phone 818-291-1765

<http://www.lafla.org/index.php>

Financial Assistance with Financial Aid Department of Public Social Services 2415 W. 6th St. Los Angeles, CA 90057 Phone 213-738-4505

Updated Aug 14, 2020



<http://dpps.lacounty.gov/default.cfm>

Visa & Immigration Assistance Visa and Immigration Assistance Public Counsel – Immigrant’s Rights  
Project 610 S. Ardmore Ave. CA 90031 Phone 213-385-2977

<http://www.publiccounsel.org/>

Mental Health Center for Individual & Family Counseling

5445 Laurel Canyon Blvd. North Hollywood, CA 91607 Phone 818-761-2227