

Title IX: Mandatory Training, Sexual Harassment and Sexual Violence, and How to Report It

Members of the Los Rios Community College District (LRCCD) Community:

LRCCD requires that every new employee complete Title IX and Sexual Harassment Prevention training within 30 days of their initial hire date.

To complete this training, go to <https://losriosccd-keenansafecolleges.com/login>, then login to the training site with your username. Your username is your Los Rios 7 digit employee ID number. DO NOT use a "W" as part of your username. Log in. Once logged in, find and click on the "Title IX and Sexual Harassment Prevention for Employees" training and start the course. This course takes 28 minutes to complete all the training modules. After completion, you will have the option to print a certificate. Human Resources is also automatically notified of your completion.

Each year we must distribute to all enrolled students an Annual Notice of Consumer Information that covers a wide range of topics. The four Los Rios colleges collect this information on their websites. Visit losrios.edu/consumer-information to find links to each college's consumer information. This memo is to inform you of new developments and information regarding one of these topics: required information on sexual assault prevention, education and response.

The US Department of Education mandates that colleges and universities take the necessary and appropriate steps to ensure a positive learning and working environment for students on campus, free from unlawful discrimination and sexual harassment. It is important to note that sexual assault – including sexual violence, relationship violence, and stalking – is a violation of Title IX and a form of sexual harassment or discrimination.

We invite you to familiarize yourself with the resources we have compiled online at losrios.edu/title-ix, so you can refer students as needed. Those resources include the following:

- District interim Title IX policies (<https://losrios.edu/shared/doc/board/regulations/r-2423-5.pdf>)
- Sexual Assault: Reporting and Resources Guide (losrios.edu/docs/lrccd/title-ix/reporting-resources-guide.pdf)
- Sexual Assault: Education and Prevention Program (losrios.edu/docs/lrccd/title-ix/education-prevention-program.pdf)
- Contact information for the WEAVE Confidential Advocate (losrios.edu/weave)
- Title IX: Education and Prevention (<https://losrios.edu/sexual-violence-education-and-prevention/sexual-violence-education-and-prevention/sexual-violence-education-and-prevention>)

This memo further explains what employees must do if they receive a report of sexual harassment or assault. It incorporates existing practices and provides a common understanding of how the District and/or colleges will respond to complaints of sexual harassment or assault.

If you have any questions about any of this information, then contact your District or college's Title IX Officer. The Title IX Officers are responsible for the coordination and administration of the District's non-discrimination and harassment policies and the Title IX grievance process. The current list of officers can be found at losrios.edu/compliance-officers.

A Person Reports Sexual Harassment or Violence (Reporting Party)

A complaint of sexual harassment or violence generally must come to the attention of the District or college in one of two ways. The person who has experienced sexual violence (reporting party) or a third party close to them may report it to the:

- A. Los Rios Police Department (LRPD); or
- B. Title IX Officer (or any other employee of the District); or
- C. WEAVE Confidential Advocate, who is not an employee of the District or college and will not disclose the crime to the District/college or LRPD without permission.

A. THE LRPD'S INVOLVEMENT

| | |
|---------|---|
| WHO | Los Rios Police Department (LRPD) On-campus police who provide police services at all Los Rios locations. Staffed with sworn armed police officers. |
| WHAT | <ul style="list-style-type: none">• Provide safety• Discuss confidentiality• Report to Title IX Officer• May report to local law enforcement, who may take over the investigation• Provide info about on- and off-campus resources• Refer matter to district attorney's office for prosecution |
| CONTACT | Any LRPD Police Officer (916) 558-2221 or 911 |

A1. If Sexual Harassment or Violence is Reported to the LRPD

A Reporting Party may report the matter to the LRPD. The LRPD should provide for the safety of the reporting party, discuss confidentiality and provide information about on- and off-campus resources. As an arm of the justice system, the LRPD investigates and reports its findings to the District Attorney's Office. The LRPD's investigation is independent of and takes primacy over the Title IX Officer's investigation, but must be coordinated with that investigation. The LRPD will notify the college's Student Discipline Officer as necessary.

A2. Investigation

Based on the District's Memoranda of Understanding with the local police and sheriff's departments, the LRPD's investigation is often transferred to those agencies for further investigation.

A3. Criminal Process

The District Attorney decides, based on the investigation report it receives from the LRPD or local law enforcement agency, whether criminal charges will be filed, and how the criminal case is resolved.

B. THE DISTRICT/COLLEGE TITLE IX OFFICER'S INVOLVEMENT

| | |
|---------|--|
| WHO | <p>Title IX Officer</p> <p>The employee charged with addressing claims of sexual assault.</p> |
| WHAT | <ul style="list-style-type: none">• Provide safety• If you ask, connect you to police• Discuss confidentiality• Investigate• Take action to end any harassment or violence• Provide notice of outcome• Provide info about on- and off-campus resources |
| CONTACT | <p>Title IX Officer</p> <p>Online directory: tinyurl.com/grrjyzh</p> |

B1. If Sexual Harassment or Violence is Reported to the Title IX Officer (or Any Other Employee of the District)

A reporting party may report the matter to the college's Title IX Officer or any responsible employee. If a reporting party reports sexual violence to a District/college faculty member, staff member or administrator, the person receiving the complaint should:

- Immediately report the matter to the District/college's Title IX Officer and LRPD if there is sexual violence; and
- Refer the reporting party to the Title IX Officer and LRPD.

Upon receipt of a report, the Title IX Officer should ensure the reporting party is safe and confirm the matter has also been reported to the LRPD, if the reporting party has requested it. The Title IX Officer should discuss confidentiality with the reporting party.

B2. Investigation and Grievance Process

Upon the receipt of a complaint of sexual harassment and/or violence, the District/college must:

- Provide interim measures to both parties;
- Determine if the complaint falls within Title IX (federal law) or title 5 (state law);
- Investigate to determine if sexual harassment or violence has occurred;
- If Title IX, follow the District's Title IX grievance process regarding evidence, a live hearing, and appeals;
- If sexual harassment or violence has occurred, take remedial action to halt it immediately;
- Provide appropriate notices to both parties pursuant to Title IX grievance process.

These obligations are the District/college's and exist independent of the LRPD function.

In the case of sexual violence, the District/college's investigation will take place after the LRPD investigation, to not interfere with the investigation. However, the District/college's investigation cannot be indefinitely delayed.

B3. Investigation Report Conclusions

Upon the conclusion of the investigation, the Title IX Officer will issue a report confirming or denying that sexual violence occurred based upon the preponderance of evidence standard.

If sexual violence occurred: the matter is referred to Student Discipline or Human Resources.

If sexual violence did not occur: the reporting party has three appeal choices: a) to the Board of Trustees; b) to outside agencies; or c) to the state Chancellor's Office.

B4. Discipline

If the report concludes that sexual violence has occurred, either Human Resources (for employees) or Student Discipline (for students) will take the next steps in assessing what remedy to impose against the responding party. Depending on the misconduct, for students, the sanctions can range from counseling, to a reprimand, to suspension, to permanent expulsion. For employees, the sanctions can range from counseling, to a reprimand, to suspension, to termination.

Both the Student Discipline Process and the Human Resources Process are independent of the criminal process. Due process must be afforded to both the reporting party and the responding party, which typically means notice of the charges and the right to be heard. Responding parties who are employees have the added right to confront the reporting party.

Human Resources Process: This process starts with a notice of intent to discipline. If the discipline is more than a letter of reprimand, the District's Policies and Collective Bargaining Agreements allow the employee to appeal the findings and discipline by way of a hearing before an arbitrator. This hearing is very similar to a court hearing and the employee has the right to notice of the charges, to present evidence, to call witnesses and to cross-examine witnesses. At the hearing, the District must prove those charges to be true by a preponderance of the evidence. Upon the conclusion of the hearing, the hearing officer provides a recommendation to the Board of Trustees, which imposes the ultimate action.

Student Discipline Process: The Student Discipline Officer provides a notice of discipline to the student. The student against whom the charges are made has the right to appeal the matter to a student/faculty panel. That hearing is also similar to a court hearing; however, it is less formal. All questioning is done through the faculty/student panel. There is no right to confront, challenge or cross-examine. Students can appear by television or other means, if appropriate, to avoid further trauma to the reporting party.

C. WEAVE'S INVOLVEMENT

| | |
|---------|---|
| WHO | <p style="text-align: center;">WEAVE Confidential Advocate</p> <p>Person designated to receive a confidential report of sexual assault and to provide access to confidential assistance.</p> |
| WHAT | <ul style="list-style-type: none"> • Provide support services (advocacy, resources and information) • If you ask, connect you to police or college <p><i>*A report to WEAVE is not a report to the college and the college will take no further action on those reports</i></p> |
| CONTACT | <p>WEAVE Confidential Advocate</p> <p>(916) 568-3011</p> <p>WEAVEConfidentialAdvocate@losrios.edu</p> |

C1. If Sexual Violence is Reported to WEAVE Confidential Advocate

WEAVE Confidential Advocates provide reporting parties with the opportunity to report sexual harassment or violence confidentially and obtain care and services they need.

- a. The WEAVE Confidential Advocate will provide support services and materials to the reporting party and inform them about the processes and resources available at the District/college, in the legal system and in the community.
- b. The WEAVE Confidential Advocate must also provide anonymous information regarding the circumstances of the sexual violence to the Title IX Officer in writing.
- c. The Title IX Officer must provide this information to the LRPD in writing for inclusion in the annual Clery statistics.
- d. The WEAVE Confidential Advocate should ask the reporting party if he or she wishes to report to the Title IX Officer, to the LRPD, or to the local law enforcement agency, and/or participate in the process.

C2. Advocacy Function

If requested by the reporting party, the WEAVE Confidential Advocate will assist him or her in obtaining medical care, legal assistance and assistance at the District/college, as well as act as a support and advocate for him or her in the hospital, in the legal system and at the District/college.