



Administrative Procedure 3540 Sexual and Other Assaults

Reference: *Education Code Section 67385*
20 U.S.C. Section 1092(f)
34 C.F.R. Section 668.46(b)(11)

Any sexual assault or physical abuse including, but not limited to, rape as defined by California law, whether committed by a current employee, student, or by a member of the public, on District property 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. Sexual and other assaults are subject to all applicable punishment including criminal procedures and employee or student discipline.

Sexual assault includes, but is not limited to, rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, and threat of sexual assault. All current active students and employees who allege they are the victims of a sexual assault on District property are entitled to information regarding options and assistance available. This information is available on the District's website and from the Human Resources Department, which confidentially maintains the identity and other demographic information of those involved in alleged sexual assault cases, unless and until authorized to release such information.

The Chancellor or his/her designee provides all alleged victims of sexual assault with the following, upon request:

- A copy of the District's policy and procedure regarding sexual and other assaults;
- A list of personnel on campus and at the District Office who may be notified of an assault;
 - West Hills College Coalinga/North District Center, Firebaugh
 - IN AN EMERGENCY 911
 - Maintenance & Operations Security 288-8796
 - Director of Residential Living 288-8786
 - Dean of Learning Resources 934-2404
 - Dean of Student Learning 934-2307 or 934-2222
 - Associate Dean of Student Learning 934-2974
 - Director, North District Center, Firebaugh 934-2957
 - President's Office 934-2200
 - West Hills College Lemoore/Naval Air Station Lemoore
 - IN AN EMERGENCY 911
 - Maintenance & Operations Security 925-3250
 - Vice President of Educational Services 925-3221
 - Dean of Educational Services 925-3213
 - Dean of Student Services 925-3149
 - Dean of Learning Resources 925-3404
 - Associate Dean of Evening College 925-3224
 - Naval Air Station Lemoore Student Services 925-3216
 - President's Office 925-3200

Administrative Procedure 3540
Sexual and Other Assaults

- West Hills Community College District Office
 - IN AN EMERGENCY 911
 - Director of Human Resources 934-2157
 - Vice Chancellor of Business Services 934-2160
 - Chancellor 934-2100
- Available services and points of contact available to provide those services if requested
 - Transportation to a hospital, if necessary
 - West Hills College Coalinga/North District Center, Firebaugh
Director of Maintenance & Operations 934-2250
 - West Hills College Lemoore/Naval Air Station Lemoore
Director of Maintenance & Operations 925-3253
 - Counseling or referral to a counseling center
 - West Hills College Coalinga/North District Center, Firebaugh
Counselor 934-2324
 - West Hills College Lemoore/Naval Air Station Lemoore
Counselor 925-3324
 - West Hills Community College District Office
Director of Human Resources 934-2157
 - Notice to the police, if desired
 - Coalinga Police Department 935-1525
 - Firebaugh Police Department 659-3051
 - Lemoore Police Department 924-9574
 - Other available resources
 - Coalinga Fire Department 935-1651
 - Coalinga Paramedics 935-1651
 - Firebaugh Fire Department 659-2061
 - Lemoore Fire Department 924-6797
 - Lemoore Paramedics 925-1000
- Available procedures
 - Criminal prosecution
 - Coalinga Police Department 935-1525
 - Firebaugh Police Department 659-3051
 - Lemoore Police Department 924-9574
 - Civil prosecution (i.e., lawsuit)
 - Talk to your attorney
 - District disciplinary procedures, both student and employee
 - Administrative Procedure 3420, Equal Employment Opportunity
 - Administrative Procedure 3430, Prohibition of Harassment
 - Administration Procedure 3510, Workplace Violence Plan
 - Board Policy 311, Dismissal or Suspension of Certificated Employees
 - Board Policy 312, Staff Infractions
 - Board Policy 409, Classified Staff Disciplinary Actions
 - Board Policy 520, Student Discipline
 - Board Policy 523, Student Grievance
 - Board Policy 906, Public Complaints

Administrative Procedure 3540
Sexual and Other Assaults

- Modification of class schedules and tutoring, if necessary
 - West Hills College Coalinga/North District Center, Firebaugh
 - Dean of Learning Resources 934-2404
 - Dean of Student Learning 934-2307 or 934-2222
 - Associate Dean of Student Learning 934-2974
 - Director, North District Center, Firebaugh 934-2957
 - President's Office 934-2200
 - West Hills College Lemoore/Naval Air Station Lemoore
 - Vice President of Educational Services 925-3221
 - Dean of Educational Services 925-3213
 - Dean of Student Services 925-3149
 - Dean of Learning Resources 925-3404
 - Associate Dean of Evening College 925-3224
 - Naval Air Station Lemoore Student Services 925-3216
 - President's Office 925-3200

Telephones are provided in each classroom and may be used to report incidents.

All alleged victims of sexual assault on District property are kept informed of pertinent, ongoing investigations. Such information includes the status of student or employee disciplinary proceedings or appeals. Alleged victims of sexual assault are required to maintain, in confidence, any such information they come to possess, unless alleged assailants waive their rights in writing.

The District maintains, in confidence, the identity of all alleged victims or witnesses of sexual assault unless they waive those rights in writing. All inquiries from reporters or other media representatives about alleged sexual assaults on District property are referred to the District Chancellor's Office, which works with the District public relations office to ensure confidentiality is maintained.

Additionally, the Annual Security Report includes statements regarding District programs to prevent sexual and other assaults and procedures followed after a sexual or other assault occurs. These statements include:

- A description of educational programs to promote awareness of rape, acquaintance rape, and other forcible and non-forcible sex offenses;
- Procedures to follow if a sex offense occurs including who should be contacted, the importance of preserving evidence, and to whom the alleged offense should be reported;
- Information on student options to notify appropriate law enforcement authorities, including local police and campus personnel willing to assist the student in notifying authorities, upon request;
- Information for students about existing on- and off-campus counseling, mental health, or other student services for victims of sex offenses;
- Notice to students that the District may reasonably change a victim's academic situation after an alleged sex offense, as well as the options for those changes if requested by the victim;
- Procedures for disciplinary action in cases of an alleged sex offense, including a clear statement that:

Administrative Procedure 3540
Sexual and Other Assaults

- The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and
- Both the accuser and the accused may know the outcome of institutional disciplinary proceedings resulting in a final determination by a District disciplinary proceeding regarding rape, acquaintance rape, or other forcible or non-forcible sex offenses from an alleged sex offense. (Compliance with this does not violate the Family Education Rights and Privacy Act). The outcome of a disciplinary proceeding means the final determination with respect to the alleged sex offense and any sanction imposed on the accused.

Board approval date: 11/21/06