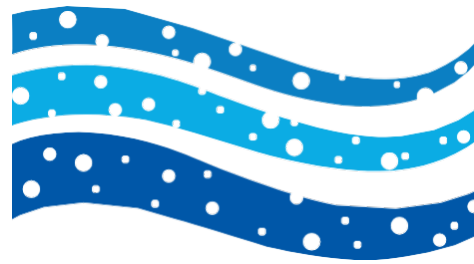


# Annual Security Report:

## Safety, Security and Fire Report 2023

CENTRAL COAST  
**COLLEGE**  
a Legacy Education Institution



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## JEANNE CLERY DISCLOSURE

### **Campus Security Policy and Campus Crime Statistics Act (Clery Act), and the Safe and Drug-Free Colleges and Communities Act (DFSCA): Policies, Reporting, Warnings, Notifications, and Sanctions**

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, more commonly known as the Clery Act, is contained (along with other security-related disclosure requirements) in section 485 of the Higher Education Act, codified at 20 U.S.C. § 1092. It requires all postsecondary education Colleges to keep records and report annually on the nature, date, time, and place of crimes occurring on campus, including hate crimes. It prescribes a number of security-related protocols for emergency response procedures, timely notifications for on-campus crimes.

For your information, a copy of the Central Coast College Annual Campus Safety and Security Report (also known as our Annual Security Report, or ASR) is attached. This report is distributed in compliance with the Clery Act. Also included is a copy of information relating to the Central Coast College Drug and Alcohol Abuse Prevention Programs. The ASR and Drug and Alcohol and Abuse Prevention programs information is available online at [www.centralcoastcollege.edu/](http://www.centralcoastcollege.edu/)

Central Coast College's commitment to safety and security includes:

- Providing a secure and crime free environment for students, faculty and staff.
- Performing regular evaluation of security programs.
- Monitoring and following up on each crime reported at a Central Coast College location.

We believe student, faculty, and staff behavior which promotes security awareness is important in all aspects of our lives and we encourage all students, faculty and staff to accept responsibility for their own security as well as the security of other members of the Central Coast College community. As you read the following report, comments, questions or concerns may be addressed to:

Central Coast College  
Attention: LeeAnn Rohmann, President/CEO  
Student Services  
111 East Navajo Drive  
Suite 100  
Salinas, California, 93906

### **STATEMENT OF CURRENT POLICIES REGARDING PROCEDURES FOR STUDENTS AND OTHERS TO REPORT CRIMINAL ACTIONS AND POLICES CONCERNING THE COLLEGE'S RESPONSE TO SUCH REPORTS**

Students, faculty or staff who wish to report criminal actions, should immediately contact the Campus Security Authority (CSA). The criminal action should then be immediately reported by students, faculty or staff to the local law enforcement authorities for assistance and /or investigation. In an emergency, dial 911. The Central Coast College Incident Report Form is completed with the assistance of the person reporting the criminal action. The report should be filed as soon as possible with the CSA or Campus President/Vice President who will follow up on the report personally or assign responsibility to another appropriate administrator to follow up and report on the outcome as well as any preventative or other actions taken to ensure the safety and security of all staff, faculty, and students.

Additional copies of the Central Coast College Incident Report Form may be requested from the CSA's Office.

See [www.centralcoastcollege.edu/](http://www.centralcoastcollege.edu/)

## CRIME REPORTING

Efforts are made to inform members of the campus community on a timely basis about campus crime and crime-related issues. These efforts include the following:

- Crime Alerts – Crime Alerts are published when a crime occurs on or near campus that potentially threatens the campus community. The crime alerts are distributed in a variety of methods, depending upon the incident. (See Timely Campus Warnings below.)

### How to Report Crimes on Campus

Students and employees are cautioned never to attempt to apprehend or pursue a suspected criminal. Crimes or suspected criminals should be reported to the CSA or other designated staff member, and then to local law enforcement at the non-emergency number, (831) 758-7321. In an emergency, dial 911. Immediately report any crimes or suspicious activity on campus by:

- Calling Tony Walston, Campus Security Authority (CSA) Officer at (831) 216-4201
- Completing the Central Coast College Accident/Incident Report form and submitting to the CSA.
- Stopping by the CSA's office.

If you have any doubts about whether to report something that has occurred, report it. Victims of, or witnesses to, crimes may disclose them on a voluntary, confidential basis to the CSA, which can then determine whether the event constitutes a crime that has to be collected and statistically reported. Your cooperation in timely reporting assists Central Coast College in issuing equally timely warnings to the campus community. All crimes must be reported immediately.

Always use your eyes, ears, and telephone to keep campus officials advised of what you see and hear. Call the CSA's Office when you see:

- Strangers loitering in office areas, hallways, classrooms, or lounge areas, etc.
- Unsecured doors or windows in campus buildings that are supposed to be locked
- Anyone tampering with a motor vehicle or loitering in a parking lot
- Persons publicly displaying a weapon
- Persons loitering in dark or secluded areas
- Suspicious persons carrying articles, equipment, luggage, or other packages out of campus buildings

## STATEMENT OF CURRENT POLICIES CONCERNING SECURITY & ACCESS TO CAMPUS FACILITIES

The security of the educational and work environment is a high priority at Central Coast College. The Vice President of Facilities is responsible for the basic security of facilities, which includes the identification of unsafe conditions, lighting that is not working, and facilitating any and all required maintenance.

As an effort to demonstrate this, the College utilizes security cameras in appropriate public areas of the campus, both inside and outside the buildings. Access to the buildings is secured between the hours of 10:00 p.m. and 7:30 a.m. so that unauthorized individuals are not able to lawfully enter the buildings. During normal business hours and hours in which the buildings are accessible, visitors (including vendors, etc.) are required to sign in at the main campus entrance (the main lobby). Additionally, during the course of time on campus, students and staff should wear appropriate College-authorized IDs. (See the student and employee handbooks for additional information on this.) Visitors are provided a temporary identification tag.

## PREPARING THE ANNUAL DISCLOSURE

The person, serving as the Campus Security Authority (CSA) for the College, has the responsibility of gathering the data used to prepare the annual campus crime statistics report. Campus crime data is gathered the same day that it is reported. The data is obtained from reports made to local law enforcement. Crimes are counted in the disclosure based upon the crime having been reported, not whether there was a conviction. Data is obtained annually from local law enforcement and compared with the data gathered at Central Coast College. The resulting data is used to prepare the annual crime statistics report.

The ASR is published and distributed by October 1 of each year to current students and employees. A notice of the ASR's availability is also provided to prospective students and employees, with a notice that a paper copy is available upon request.

## REPORTABLE OFFENSES UNDER THE CLERY ACT

*The Clery Act requires reporting on the following offenses:*

- murder;
- manslaughter (negligent and non-negligent)
- sex offenses, forcible and non-forcible;
- robbery;
- aggravated assault;
- burglary;
- motor vehicle theft;
- arson;
- arrests, or persons referred for campus disciplinary action for liquor law violations;
- arrests, or persons referred for campus disciplinary action for drug-related violations;
- domestic violence\*\*
- dating violence\*\*
- sexual assault\*\*
- stalking\*\*
- arrests, or persons referred for campus disciplinary action for weapons possession, carrying, etc., and
- hate crimes, [which for Clery Act purposes include any crime listed in the preceding points and, as of 2008, larceny theft; simple assault; intimidation; and destruction, damage, or vandalism of property in which the victim is intentionally selected because of his or her actual or perceived race, gender, religion, sexual orientation, ethnicity, national origin, or disability.]

\*\*On March 7, 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013 (VAWA). Among other provisions, this law amended the Clery Act to require postsecondary Colleges to include in their Annual Campus Security Report all instances of domestic violence, dating violence, sexual assault, and stalking; and instances of gender identity and national origin crimes which fall under the category of Hate Crimes. These new reportable items must be included in the ASR released by October 1, 2014, using a good faith effort to comply with the law until the final regulations are published with an effective date of July 1, 2015 for the October 1, 2015 ASR reporting deadline.

## GEOGRAPHICAL AREA

The Clery Act requires each College to disclose crime statistics that occur on three types of property: campus, non-campus buildings or property, and public property areas.

"Campus" is defined as buildings or property owned or controlled by the College within the same reasonably contiguous geographic area and used by the College in a manner related to the College's educational purpose. It also includes property in that contiguous area owned by the College but controlled by another person if that property is used by students and supports Collegial purposes (e.g. a food or retail vendor). Branch campuses and geographically disconnected administrative divisions or Colleges would be considered separate campuses for the purposes of reporting.

"Public property" is property that is located within the same reasonably contiguous geographic areas of the campus, like a sidewalk, street or public parking lot, that is adjacent to a facility owned or controlled by the College for purposes related to the College's educational purposes. Crimes occurring on "public property" must also be reported in the crime statistics.

A "non-campus building or property" is one that is owned or controlled by a College recognized student organization, or one that is owned or controlled by the College and used by students or by the College for education-related purposes and that is not within the same reasonably contiguous geographic area of the campus. Crimes occurring on "non-campus property" must be reported. However, incidents occurring on public property adjacent to "non-campus buildings or property" do not have to be included. Our College does not have such property in this category for which we must report.

## **TIMELY CAMPUS WARNINGS or ALERTS**

A timely warning to the campus community is distributed regarding any of the above listed crimes (see Reportable Offenses under the Clery Act) which are deemed to represent a threat to the students and employees, and which are reported to campus officials or to local police agencies. The campus crime alert is issued in a manner that is timely and will aid in the prevention of similar crimes. The manner of dissemination to alert the campus community may include one or more of the following methods: e-mail, voice mail, and text messages. In addition, the CSA or other campus officials will post relevant warnings, updates and advisories on our website, [www.centralcoastcollege.edu](http://www.centralcoastcollege.edu) and may also utilize campus bulletin boards, and our social media Web page, as well as on the main line (831) 424-6767. Campus officials may decide to issue an alert about a crime occurring off-campus but in a location frequented by students, even though such a crime would not be included in the annual report.

## **PROCEDURES FOR PROFESSIONAL ADVISOR TO ENCOURAGE STUDENTS TO REPORT CRIMES ON A VOLUNTARY, CONFIDENTIAL BASIS**

Professional Advisors are encouraged, if and when they deem it appropriate, to verbally inform their clients to report a crime to the President on a voluntary or confidential basis for inclusion in the College's Annual Security Report and Web- based report to the Department of Education. The College is not required to provide a timely warning with respect to crimes reported to a pastoral or professional Advisor.

## **A STATEMENT OF CURRENT POLICIES CONCERNING CAMPUS LAW ENFORCEMENT AND POLICIES THAT ENCOURAGE PROMPT REPORTING OF ALL CAMPUS CRIME TO THE CAMPUS AUTHORITIES AND LOCAL POLICE**

Central Coast College is essentially a non-residential College and does not have a campus police force. Therefore, all crimes are reported to local authorities as described in the first section regarding policies and procedures to report crimes. All crimes should be reported immediately in order to enhance the opportunity for a quick resolution.

The Central Coast College Accident/Incident Report Form (referenced above) may be requested from the CSA's office (Administration Office) to assist in the description and recording of an incident of crime or emergency.

Voluntary confidential reporting: As Central Coast College is essentially a non-residential College, and does not have a campus police force; all crimes must be reported to local authorities. Local law enforcement will allow a victim or witness to report crime on a voluntary and confidential basis. All victims are encouraged to report all crimes to the appropriate campus CSA and local law enforcement. In the event the victim is unable to make such a report, the campus CSA or third- party witness is encouraged to report the crime promptly.

In very limited circumstances, an College may remove from its crime statistics (but not from its crime log) reports of crimes that have been determined to be "unfounded" by law enforcement officials. Central Coast College will report to the Department and disclose in the annual security report statistics of the number of crime reports that were "unfounded" and subsequently withheld from its crime statistics during each of the three most recent calendar years.

Central Coast College does not have a Memorandum of Understanding with the Salinas Police Department for the investigation of alleged criminal offenses. However, they do provide crime data to us on an annual basis.

Crime is a serious problem with no easy solutions. Therefore, all members of the College campus community are encouraged to assist one another by taking responsibility for personal safety and assisting with the security needs of others. While College staff and security measures may offer assistance regarding safety and security concerns, ultimately the primary responsibility for your personal safety rests with you.

## Safety Tips

- Stay alert of your surroundings, wherever you are.
- If you feel uncomfortable in a place, leave right away.
- Keep eyes and ears open, hands free.
- Choose busy streets and avoid going through deserted areas.
- At night, walk in well-lit areas whenever possible.
- Try not to walk or jog alone. Take a friend or walk in group.
- Avoid carrying large sums of cash.
- When in public spaces, keep valuable items including jewelry, mobile phones and wallets out of sight.
- Carry a pepper or mace spray as a precautionary measure.
- Avoid returning to campus after dark or walk in groups to and from buildings.
- Communicate suspicious behavior immediately to a staff or faculty.

## A STATEMENT OF PROGRAMS AVAILABLE TO STUDENTS AND EMPLOYEES RELATED TO CAMPUS SECURITY, PERSONAL SAFETY, AND CRIME PREVENTION

Central Coast College provides information on personal safety and crime prevention. The College provides this information at new student and new employee orientation. During the orientation of students, faculty, and staff, procedures are also outlined to cover the reporting of all criminal acts. Additionally, the Administration Office has a directory of services that are available, within the community, to assist those who have suffered from a criminal act. These services are usually free and are provided by organizations or agencies within the community. The Administration Office also has available resource materials that address Domestic Violence, Dating Violence, Sexual Assault and Stalking.

## A STATEMENT ADVISING OF AVAILABILITY OF INFORMATION ON REGISTERED SEX OFFENDERS

The federal Campus Sex Crimes Prevention Act that became effective October 27, 2002 requires eligible Colleges participating in the Title IV Federal Student Aid programs to issue a statement advising the campus community where the State law enforcement agency information concerning registered sex offenders/predators may be obtained. Sex offenders are required to be registered according to the State law in the State in which they reside and are also required to notify appropriate State officials of each postsecondary College at which the offender is employed or is a student. Any such offender is also required to give notice to the appropriate State authorities of any changes in enrollment or employment status at the postsecondary College.

In the State of California information concerning registered sex offenders and predators may be obtained from:

California Department of Justice Sex Offender Tracking Program

P. O. Box 903387

Sacramento, CA 94203-3870

Phone: (916) 227-4974

Email: [MegansLaw@doj.ca.gov](mailto:MegansLaw@doj.ca.gov) <https://www.meganslaw.ca.gov>

Information is also available in the United States Department of Justice national sex offender registry at

<https://www.nsopw.gov>

## TITLE IX POLICY STATEMENT

Title IX of the Education Amendments of 1972 ("Title IX") protects people from discrimination based on sex in education programs or activities that receive Federal financial assistance. Title IX states:

*No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.*

Central Coast College not only complies with the letter of Title IX's requirements but also endorses the law's intent and spirit. The College is committed to compliance in all areas addressed by Title IX, including access to higher education, career education, math and science, standardized testing, athletics, education for pregnant and parenting students, learning environment, and technology, as well as sexual harassment.



The purpose of this policy is to ensure that the College policies are applied and interpreted in ways consistent with Title IX and other applicable law.

It is the policy of Central Coast College to provide educational, preventative and training programs regarding sexual or gender-based harassment; to encourage reporting of incidents; to prevent incidents of sexual and gender-based harassment from denying or limiting an individual's ability to participate in or benefit from the College's programs; to make available timely services for those who have been affected by discrimination; and to provide prompt and equitable methods of investigation and resolution to stop discrimination, remedy any harm, and prevent its recurrence. Violations of this policy may result in the imposition of sanctions up to, and including, termination, dismissal, or expulsion, as determined by the appropriate officials at the College.

## Discrimination

Central Coast College prohibits discrimination and harassment based on race, color, creed, religion, sex, gender, national origin, citizenship, ethnicity, marital status, age, disability, sexual orientation, gender identity and gender expression, genetic information, veteran status, or any other status protected by applicable law to the extent prohibited by law.

Central Coast College TITLE IX Officer. The College appoints Title IX Officers.

The College's Title IX Officer is:

Shari Goldman, Registrar (831) 216-5673

## Sexual Harassment

Central Coast College defines sexual harassment as unwelcome behavior of a sexual nature that relates to the gender or sexual identity of an individual and that has the purpose or effect of creating an intimidating, offensive or hostile environment for study. This policy applies to all interactions between students and College faculty members and other faculty, staff, and administrative personnel, and other students.

Conduct alleged to be sexual harassment will be evaluated by considering the totality of the particular circumstances, including the nature, frequency, intensity, location, context, and duration of the questioned behavior. Repeated incidents or a pattern of harassing behavior may be cause for serious corrective action. However, a more serious incident, even if isolated, may be sufficient cause for action under this policy including referral to law enforcement when applicable.

Quid pro quo sexual harassment can occur whether a person resists and suffers the threatened harm, or the person submits and avoids the threatened harm. Both situations could constitute discrimination on the basis of sex. A hostile environment can be created by persistent or pervasive conduct or by a single severe episode. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment. Sexual violence, including rape, sexual assault, and domestic and dating violence, is a form of sexual harassment. In addition, the following conduct may violate this policy:

- Observing, photographing, videotaping, or making other visual or auditory records of sexual activity or nudity, where there is a reasonable expectation of privacy, without the knowledge and consent of all parties.
- Sharing visual or auditory records of sexual activity or nudity without the knowledge and consent of all recorded parties and recipients.
- Sexual advances, whether or not they involve physical touching.
- Commenting about or inappropriately touching an individual's body.
- Requests for sexual favors in exchange for actual or promised job benefits, such as favorable reviews, salary increases, promotions, increased benefits, or continued employment.
- Lewd or sexually suggestive comments, jokes, innuendoes, or gestures.
- Stalking

Other verbal, nonverbal, graphic, or physical conduct may create a hostile environment if the conduct is sufficiently persistent, pervasive, or severe so as to deny a person equal access to the College's programs or activities. Whether the conduct creates a hostile environment may depend on a variety of factors, including: the degree to which the conduct affected one or more person's education or employment; the type, frequency, and duration of the conduct; the relationship between the parties; the number of people involved; and the context in which the conduct occurred.

## Unwelcome Conduct

Conduct is unwelcome if a person (1) did not request or invite it and (2) regarded the unrequested or uninvited conduct as undesirable or offensive. That a person welcomes some sexual contact does not necessarily mean that person welcomes other sexual contact. Similarly, that a person willingly participates in conduct on one occasion does not necessarily mean that the same conduct is welcome on a subsequent occasion.

Whether conduct is unwelcome is determined based on the totality of the circumstances, including various objective and subjective factors. The following types of information may be helpful in making that determination: statements by any witnesses to the alleged incident; information about the relative credibility of the parties and witnesses; the detail and consistency of each person's account; the absence of corroborating information where it should logically exist; information that the Respondent has been found to have harassed others; information that the Complainant has been found to have made false allegations against others; information about the Complainant's reaction or behavior after the alleged incident; and information about any actions the parties took immediately following the incident, including reporting the matter to others.

In addition, when a person is so impaired or incapacitated as to be incapable of requesting or inviting the conduct, conduct of a sexual nature is deemed unwelcome, provided that the Respondent knew or reasonably should have known of the person's impairment or incapacity. The person may be impaired or incapacitated as a result of drugs or alcohol or for some other reason, such as sleep or unconsciousness. A Respondent's impairment at the time of the incident as a result of drugs or alcohol does not, however, diminish the Respondent's responsibility for sexual or gender-based harassment under this policy.

## Gender-Based Harassment

Gender-based harassment is verbal, nonverbal, graphic, or physical aggression, intimidation, or hostile conduct based on sex, sex-stereotyping, sexual orientation or gender identity, but not involving conduct of a sexual nature, when such conduct is sufficiently severe, persistent, or pervasive that it interferes with or limits a person's ability to participate in or benefit from the College's education or work programs or activities. For example, persistent disparagement of a person based on a perceived lack of stereotypical masculinity or femininity or exclusion from an activity based on sexual orientation or gender identity also may violate this policy.

## Investigations of Complaints

A complaint that a student, staff or faculty member has committed sexual harassment or engaged in nonconsensual sexual activity may be made to the Title IX Compliance Officer, or a staff or faculty member. The College will conduct an investigation, as appropriate under the circumstances.

The investigative process involves interviewing the parties involved and any witnesses while gathering documentary or other evidence. In cases involving alleged criminal conduct, the complainant may file a criminal complaint with the local police department. A complainant need not pursue a criminal complaint in order to seek or to hold the accused responsible through the College's Student Code of Conduct. As soon as possible, the complainant and the accused will be offered appropriate assistance, and our Registrar will be contacted if course adjustments are required.

Based on the outcome of the investigation, the Title IX Officer or their designee will determine if there is sufficient cause to proceed with the complaint. If so, the Title IX Officer or their designee will arrange for an informal resolution conference with the accused. (Complainants do not attend informal resolution meetings but are apprised of the meeting's outcome.) If the accused does not accept responsibility for the allegations and/or the proposed sanction, the Title IX Officer or their designee will determine if the evidence warrants a formal hearing before the Grievance Committee appointed by the college President.

The exact nature of the responsive action depends on the circumstances, but may include discipline up to and including suspension or dismissal from the College for a student, staff or faculty who is found to have violated College policies.

## Implementing Provisions/Policies

The College will take appropriate action (i.e., an investigation, adjudication and disciplinary and remedial/corrective steps) in response to a complaint made pursuant to the complaint policies/procedures listed above. The College will make every effort to handle complaints and investigations with sensitivity to both the rights of the person who complains and the rights of the accused.

The College handles complaints discreetly and attempts to maintain privacy throughout the investigative process, to the extent practicable and appropriate under the circumstances. However, in order to conduct an investigation, it is generally necessary to discuss the allegations with the accused and other potential witnesses. Additionally, the College may have legal obligations to disclose information to law enforcement or in the context of legal proceedings.

Complaints may be made anonymously. While the College endeavors to investigate all complaints, including anonymous complaints, the nature of anonymous complaints makes investigation, determination, and remediation more difficult and, at times, impossible. Further, while the College attempts to protect the identity of complainants who do not wish to be identified, this may not always be possible.

In appropriate cases as determined by the College, conflict resolution may be possible. This is permitted only where both the complainant and accused voluntarily agree to participate, and either party may terminate informal resolution attempts and commence formal Grievance procedures at any time prior to reaching a mutually acceptable resolution. Depending on the circumstances, a mediated resolution may not necessarily involve face-to-face discussions between the complainant and the accused. Certain cases are not appropriate for conflict resolution, such as complaints of particularly egregious sexual harassment or cases involving sexual assault or violence.

Occasionally, an individual makes a complaint and later wishes to revoke or discontinue the investigation or adjudication process. Similarly, it may occur that someone other than the victim reports an incident, and the victim declines to participate in the investigation or adjudication process. In other instances, complaints may be received anonymously and/or the victim may not wish to be personally identified. The College endeavors to respect the wishes of a victim to either not be identified and/or not participate in the process. In these situations, the College attempts to investigate and address complaints in accordance with the victim's wishes.

If a victim wishes to talk about an incident with the assurance that the discussion will be confidential and will not result in an investigation or follow up action, the College offers confidential resources through the President. Contact with the President that does not result in a complaint being filed with the College or result in action being taken by the College. Anyone wishing to have an incident investigated, mediated or adjudicated must make a complaint either orally or in writing in accordance with the procedures described above.

In determining whether sex discrimination, sexual harassment or sexual misconduct occurred, the College does not apply the criminal standard of "beyond a reasonable doubt," nor do formal court rules of evidence apply. Instead, the College uses a "preponderance of the evidence" standard, and the College may consider any evidence it deems relevant. A "preponderance of the evidence" means the evidence which is of greater weight or is more convincing than opposing evidence such that it is "more likely than not" that an act occurred.

If the applicable investigative or adjudication process allows for parties to offer witnesses and evidence, the complainant and the accused will have an equal opportunity to do so. The complainant and the accused will be informed in writing of the outcome of the complaint, to the extent permitted by law. An accused that is a student may appeal the outcome to an impartial decision maker. An employee who is deemed guilty shall have whatever rights granted under law. The particular method and grounds for appeal are explained in the student policies listed above.

Central Coast College will, upon written request, disclose to the alleged victim of a crime of violence (see definition below), or a non-forcible sex offense, the results of any disciplinary hearing conducted by the college against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Central Coast College will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

*18 U.S. Code § 16. Crime of violence defined. The term “crime of violence” means— (a) an offense that has as an element the use, attempted use, or threatened use of physical force against the person or property of another, or (b) any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against the person or property of another may be used in the course of committing the offense.*

The College endeavors to resolve complaints promptly. Ordinarily, the investigative stage will take no longer than 60 calendar days from the time the complaint is received. In exceptional circumstances (including but not limited to especially complex cases or when the College is not in session), it may be necessary to extend these timelines. If that occurs, the parties will be informed of the expected timeline for completion.

The College prohibits retaliation against any individual who in good faith makes a complaint of sex discrimination, sexual harassment, or sexual misconduct or participates as a witness in a proceeding under this or any other College policy. Retaliation is also unlawful pursuant to Title IX and other laws.

**Both the Accuser and the Accused must be informed of the outcome of any Disciplinary Proceeding brought alleging a Sex Offense.** The College will simultaneously notify, in writing, both the accuser and the accused of:

- 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 victim to appeal the result of the institutional disciplinary proceeding, if such procedures are available
- Any change of the result
- When such results become final.

### Written Explanation of Rights

When a student or employee reports to the College that the student or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking, whether the offense occurred on or off- college, the College will provide the student or employee a written explanation of the student’s or employee’s rights and options as described above.

Compliance with the provisions of the changes that VAWA made to the Clery Act does not constitute a violation of the *Family Educational Rights and Privacy Act (FERPA)*.

### Sanctions the Institution may impose, following a final Determination of the Institution Disciplinary Proceeding

The college may seek to impose sanctions following a final determination of an institutional disciplinary proceeding regarding dating violence, domestic violence, sexual assault, and stalking.

Each of these crimes is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures. Possible sanctions **for students** may include;

- Reprimand
- Loss of Privileges
- Restitution
- Removal from Class
- Administrative Hold
- Suspension:
- Summary: Interim suspension of a student for good cause up to 10 days
- Disciplinary: Formal dismissal for good cause up to 10 days and /or one or more school terms
- Expulsion

A student may appeal a sanction issued by College within five business days to the Office of the President.

Possible sanctions for **employees** may include:

- Suspension without pay
- Demotion to a lower class in which qualified
- Reduction of pay step within class; and/or
- Dismissal

An employee may appeal a sanction within five calendar days to the Office of the President.

### **Protective Measures**

All reasonable and available protective measures may be provided if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to the College administration or local law enforcement. All efforts will be made to minimize the burden on the victim. Protective measures may include but are not limited to;

- Safety escorts
- Giving “no contact” orders
- Preventing offending third parties from entering college
- Adjusting class locations/schedules and or
- Adjusting work office locations/schedules

### **Prompt, Fair and Impartial Process from the Initial Investigation to the Final Result**

The College will make all efforts to complete proceedings within reasonably prompt timeframes according to the College’s policy. Including a process that allows for the extension of timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay.

The proceedings must be conducted in a manner as follows:

- Is consistent with the College’s policies and transparent to the accuser and the accused
- Includes timely notice of meetings at which the accuser or accused, or both, may be present
- Provides timely and equal access to the accuser, the accused and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings
- Is conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused

### **Proceedings Conducted by Trained Officials**

These proceedings will be conducted by officials who receive annual training on the issues related to domestic violence, dating violence, sexual assault, and stalking, and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. These trainings may include online video/tutorials, webinars, and in-person trainings. The trainings, at minimum address relevant evidence and how it should be used during proceedings, proper techniques for questioning witnesses, basic procedural rules for conducting a proceeding and avoid actual or perceived conflicts of interest.

The College will provide the accuser and the accused with the same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice. An advisor is defined as any individual who provides the accuser or accused support, guidance or advice; The choice of advisor and presence for either the accuser or the accused in any meeting or institutional disciplinary proceedings will not be limited by the College; however, the role of the advisor will be limited to consulting and advising the accuser/accused only, and the advisor is not allowed to speak on behalf of the accuser/accused at any meeting or hearing.

### **A STATEMENT OF CURRENT POLICIES CONCERNING THE SEXUAL ASSAULT PREVENTION PROGRAM AND THE PROCEDURES THAT ARE FOLLOWED**

The new Campus Sexual Violence Elimination Act of 2013 (SaVE Act) requires Colleges to educate students, staff, and faculty on the prevention of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. As part of Central Coast College’s compliance with the SaVE Act requirements for prevention and awareness programs that address the specified areas above, the College has several relevant brochures available on display in the student

breakroom. These brochures are from nationally recognized organizations and include awareness and preventive information. These brochures also include help hotlines related to these specific topics.

## Male Victims

While most victims of sexual assault are women, some men are also victims and will be treated the same as a female victim and have the same rights, resources and access to help.

## College Notice of Petitioner's Rights Under the Violence Against Women Act (VAWA)

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

Central Coast College not only complies with the letter of Title IX's requirements but also endorses the law's intent and spirit. The College is committed to compliance in all areas addressed by Title IX including access to higher education, career education, math and science, standardized testing, education for pregnant and parenting students, learning environment, and technology, as well as sexual harassment.

Sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and include dating violence, domestic violence, sexual assault and stalking. As such should you report a form of sex-based discrimination, The College wants to inform you of our policy and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus as well as your rights, and the College's responsibilities.

The **Violence Against Women Reauthorization Act of 2013** requires that institutions report incidents of sexual assault, domestic and dating violence (also known as 'intimate partner violence) and stalking in its annual security report. The following federal law definitions apply to this reporting requirement. In addition, VAWA requires that institutions publish state law jurisdictions of the same crimes.

As a petitioner of sexual assault, dating violence, domestic violence or stalking, you will receive a full copy of our College's Title IX Policy. This policy has procedures in place that serve to be sensitive to those who report sexual assault, domestic violence, dating violence, and stalking. These procedures include our right to inform you of your rights to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims, both within the institution and in the community. We also offer additional remedies to prevent contact between a complainant and an accused party. The policy also addresses possible sanctions and interim and/or long-term protective measures that the College may impose.

### Federal Definitions

**Domestic Violence:** Is defined as 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;
- 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.

**Dating Violence:** Is defined as 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 and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition. Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered

under the definition of domestic violence.

**Stalking:** is 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.

### **California Penal Code Definitions**

The following is a summary of the definitions applicable to Title IX and the Violence Against Women Reauthorization Act (2013) offenses (sexual assault, dating violence, domestic violence, and stalking) under California state law.

**Consent:** Positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved. A current or previous dating or marital relationship shall not be sufficient to constitute consent where consent is at issue. Nothing in this section shall affect the admissibility of evidence or the burden of proof on the issue of consent." See Cal. Penal Code § 261.6.

**Sexual Assault:** The California Penal Code establishes three categories of sexual assault and related offenses: rape, spousal rape, statutory rape, and sexual battery.

**Rape:** is defined under section 261 of the California Penal Code as an act of sexual intercourse under certain, enumerated circumstances, including:

- a) where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the accused;
- b) where the accused uses force, violence, duress, menace, or fear of immediate and unlawful bodily injury;
- c) where any intoxicating or anesthetic substance, or any controlled substance, prevents the accuser from resisting, and this condition was known, or reasonably should have been known by the accused;
- d) where the accuser is at the time unconscious of the nature of the act, and this is known to the accused;
- e) where the accuser submits under the belief that the accused is someone known to the accuser other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief;
- f) where the accused threatens to retaliate physically in the future against the accuser or any other person, and there is a reasonable possibility that the accused will execute the threat; and
- g) where the accused threatens to use the authority of a public official to incarcerate, arrest, or deport the accuser or another and the accuser has a reasonable belief that the accused is a public official.

The definition of **spousal rape** under section 262 of the California Penal Code generally tracks the definition of rape, except that the accused is the spouse of the accuser.

Section 261.5 of the California Penal Code refers to statutory rape as "unlawful sexual intercourse." The term means an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is under eighteen years old. The crime is either a misdemeanor or a felony depending on whether the age difference between the accused and accuser is greater or less than three years.

Under section 243.4 of the California Penal Code, 8 sexual battery is defined, in part, as touching the intimate part of the accused against his or her will for the purpose of sexual arousal while the accuser is either: (1) unlawfully restrained by the accused or an accomplice; (2) institutionalized for medical treatment and seriously disabled or medically incapacitated; or (3) under the impression, due to the accused's fraudulent representations, that the touching served a professional purpose.

**Domestic Violence:** Section 243(e) of the California Penal Code defines "domestic battery" to mean willful and unlawful touching that is committed against: (1) the accused's spouse or former spouse; (2) the accused's cohabitant or former cohabitant; (3) the parent of the accused's child; (4) the accused's fiancé or fiancée, either former or current; or (5) someone with whom the accused has, or has had, a dating relationship (i.e. frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement independent of financial considerations). In addition, section 273.59 of the California Penal Code prohibits the willful infliction of corporal injury resulting in a traumatic condition



upon an accuser who meets these same five categories.

**Dating Violence:** California law has no criminal law that exclusively addresses dating violence. However, California domestic battery and corporal injury laws, both set forth above, encompass acts committed within the context of dating relationships.

**Stalking:** Under section 646.910 of the California Penal Code, stalking is defined as willfully, maliciously, and repeatedly following or harassing the accuser and making a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family.

**“Credible threat”** means a verbal or nonverbal threat, or a combination of the two, including threats delivered by electronic communication or implied by a pattern of conduct, which places the person who is the target of the threat in reasonable fear for his or her safety, or the safety of his or her family members or individuals closely associated with the person, and which is made with the apparent ability to carry out the threat to cause such harm. It is not necessary to prove that the person making the threat had the intent to actually carry out the threat. The present incarceration of the person making the threat is not a bar to prosecution under this section.

**“Cyber stalk”** means to engage in a course of conduct to communicate, or to cause to be communicated, words, images, or language by or through the use of electronic mail or electronic communication, directed at a specific person, causing substantial emotional distress to that person and serving no legitimate purpose. A person who willfully, maliciously, and repeatedly follows, harasses, or cyber stalks another person commits the offense of stalking, a misdemeanor of the first degree, punishable as provided in California Penal Code Part 1, Title 15, § 646.9. A person who willfully, maliciously, and repeatedly follows, harasses, or cyber stalks another person and makes a credible threat to that person commits the offense of aggravated stalking, a felony of the third degree, punishable as provided in California Penal Code Part 1, Title 15, § 653m.

**Bystander Intervention:** A bystander is someone other than the victim who is present when an act of dating violence, domestic violence, stalking, or sexual assault is occurring or when a situation is occurring in which a reasonable person feels as though some protective action is required to prevent sexual assault, dating violence, domestic violence, or stalking. Bystanders, if active, can prevent harm or intervene before a situation gets worse.

The complete text of section 243 of the California Penal Code is available at

[https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=243.&lawCode=PEN](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?sectionNum=243.&lawCode=PEN)

## **Sexual Assault Prevention Policy**

Central Coast College prohibits any sexual assault or physical abuse, including, but not limited to, rape, domestic violence, dating violence, sexual assault or stalking (as defined by California law), whether committed by an employee, student, or member of the public, occurring on Central Coast College property. Sexual assault and any related misconduct as named above is a violation of Central Coast College policies and regulations, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures.

## **Reporting sexual assault, dating violence, domestic violence, or stalking**

The first priority for a victim of a dating violence, domestic violence, sexual assault or stalking is to get to a place of safety away from the attacker. Seek medical care as soon as possible. Even if you do not have any visible physical injuries, you may be at risk of becoming pregnant or acquiring a sexually transmitted disease. Contact someone who may help you such as law enforcement, your local rape crisis center or a person you trust.

### **Preservation of Evidence**

If you are a victim of dating violence, domestic violence, sexual assault or stalking, time is also a critical factor for the preservation of evidence that may be helpful for proving the criminal offense occurred or may be helpful in obtaining a protection order. Completing a forensic examination would not require someone to file a police report, however having a forensic examination will help preserve evidence in case you decide at a later date to file a police report. It is ideal to collect forensic evidence from the body within 72 hours. However, a victim should not refrain from reporting an assault simply



because there has been a delay.

- Do not wash your hands, bathe yourself, use the restroom, brush your teeth, or drink anything until a medical exam can be provided and evidence collected.
- Consider remaining in the clothing worn during the assault or putting the clothing in a paper bag (not plastic) so that it can be entered into evidence.
- Do not clean or straighten up the area where the assault occurred.
- Note names/descriptions of other people who may have witnessed, been present in the area or have knowledge of the assault.

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 the College's hearing boards/investigators or police. Although the College strongly encourages all members of its community to report violations 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.

To report an incident involving a sexual assault, domestic violence, stalking or dating violence, contact Shari Goldman, 111 E. Navajo Drive, Salinas, 93906, (831) 216-5673. The purpose and authority of the College staff is limited to the enforcement of campus rules and regulations. Incidents that go beyond this scope are referred and investigated by the Salinas Police Department.

A victim of domestic violence, dating violence, sexual assault or stalking has the following rights:

1. A law enforcement officer who investigates an alleged sexual battery shall:
  - (a) Assist the victim in obtaining medical treatment, if medical treatment is necessary as a result of the alleged incident, a forensic examination, and advocacy and crisis-intervention services from a certified rape crisis center and provide or arrange for transportation to the appropriate facility.
  - (b) Advise the victim that he or she may contact a certified rape crisis center from which the victim may receive services.
  - (c) Prior to submitting a final report, permit the victim to review the final report and provide a statement as to the accuracy of the final report.
2. The law enforcement officer shall give the victim immediate notice of the legal rights and remedies available to a victim on a standard form developed and distributed in conjunction with the California Department of Justice, Law Enforcement Division. The notice will include the resource listing, including telephone number, for the area certified rape crisis center as designated by the State of California.

Central Coast College complies with State law in recognizing orders of protection for dating violence, domestic violence, repeat violence, and sexual violence. Any person who obtains an order of protection from the State or any reciprocal state should provide a copy to the President. A petitioner should then meet with President to develop a Safety Action Plan, which is a plan to reduce risk of harm while on campus or coming and going from campus. This plan may include escorts, special parking arrangements, or other measures to assist the petitioner.

If you believe you are in imminent danger from harm and need immediate protection, call 9-1-1 and ask the police if you are eligible to receive an Emergency Protective Restraining Order. This action will trigger a formal report with the police but not the College. A restraining order, also called a "protective order," is a court order that can protect someone from being physically or sexually abused, threatened, stalked or harassed. The person getting the restraining order is called the "protected person." The person the restraining order is against is the "restrained person." Sometimes, restraining orders include other "protected persons" like family or household members of the protected person.

Restraining orders can include:

- **Personal conduct orders** - These are orders to stop specific acts against everyone names in the restraining order as a "protected person." Some of the things that the restrained person can be ordered to stop are:
  - Contacting, calling or sending any messages (including email);
  - Stalking;
  - Threatening;
  - Sexually assaulting;

- Harassing
  - Destroying personal property; or
  - Disturbing the peace of the protected people.
- **Stay-away orders** - These are orders to keep the restrained person a certain distance away (like 50 or 100 yards) from:
    - The protected person or persons;
    - His or her children's schools or places of childcare;
    - Where the protected person lives;
    - His or her vehicle;
    - His or her place of work;
    - Other important places where he or she goes.
  - **Residence exclusion ("kick-out" or "move-out") orders** – These are orders telling the restrained person to move out from where the protected person lives and to take only clothing and personal belongings until the court hearing. These orders can only be asked for in domestic violence or elder or dependent adult abuse restraining order cases.

**Restrained individuals are subject to potential restrictions and consequences, including:**

- He or she will not be able to go to certain places or to do certain things.
- He or she might have to move out of his or her home.
- It may affect his or her ability to see his or her children.
- He or she will generally not be able to own a gun (And he or she will have to turn in, sell or store any guns they have now and not be able to buy a gun while the restraining order is in effect).
- It may affect his or her immigration status if he or she is trying to get a green card or visa.
- If the restrained person violates (breaks) the restraining order, he or she may go to jail, or pay a fine, or both.

## Types of restraining orders:

There are 4 kinds of orders:

1. **Domestic Violence Restraining Order** - if someone has abused you, AND you have a close relationship with that person (married or registered domestic partners, divorced, separated, dating or used to date, have a child together, or live together or used to live together – but more than roommates), or you are closely related (parent, child, brother, sister, grandmother, grandfather, in-law).
2. **Civil Harassment Restraining Order** – if you are being harassed, stalked, abused, or threatened by someone you are not as close to as is required under domestic violence cases, like a roommate, a neighbor, or more distant family members like cousins, aunts or uncles, or nieces or nephews.
3. **Elder or Dependent Adult Abuse Restraining Order** – if you are 65 or older, or you are between 18 and 64 and have certain mental or physical disabilities that keep you from being able to do normal activities or protect yourself; AND you are a victim of:
  - a. Physical or financial abuse,
  - b. Neglect or abandonment,
  - c. Treatment that has physically or mentally hurt you, or
  - d. Deprivation by a caregiver of basic things or services you need so you will not suffer physically, mentally or emotionally.
4. **Workplace Violence Restraining Order** – if you are an employer, and you ask for a restraining order to protect an employee who has suffered stalking, serious harassment, violence, or a credible (real) threat of violence at the workplace.
  - a. (An employee CANNOT ask for a Workplace Violence Restraining Order. If the employee wants to protect him or herself, he or she can ask for a Civil Harassment Restraining Order (or a domestic violence restraining order if the abuser is a partner/spouse or former partner/spouse or close family member).

## **Procedures Central Coast College Will Follow in the Case of Alleged Dating Violence, Domestic Violence, Sexual Assault or Stalking**

### **(i) Protection of Confidentiality of Victims and other Necessary Parties**

Central Coast College will maintain the identity of any alleged victim or witness or third party reporter of domestic violence, dating violence, sexual assault or stalking on college property, as defined above, in confidence unless the alleged victim or witness, or third party reporter specifically waives that right to confidentiality. All inquiries from reporters or other media representatives about alleged domestic violence, dating violence, sexual assaults or stalking on college property shall be referred to the President's Office, which shall work with the President to assure that all confidentiality rights are maintained. Alleged victims of domestic violence, dating violence, sexual assault or stalking are also required to maintain any such information in confidence unless the alleged assailant has waived rights to confidentiality.

To protect the privacy of the individuals involved, the College will not release names without the consent of those involved unless the release is essential to the health and safety of the victim, or the college community, or in fulfillment of the legal obligations of the College.

The College will keep an investigation confidential to the extent possible but cannot guarantee absolute confidentiality because release of some information on a "need-to-know-basis" is essential to a thorough investigation. When determining whether to maintain confidentiality, the College may weigh the request for confidentiality against the following factors; the seriousness of the alleged harassment; the complainant's age; whether there have been other complaints about the same individual; and the accused individual's rights to receive information about the allegations if the information is maintained by the College as an "educational record" under the Family Educational Rights and Privacy Act. The College will inform the complainant if it cannot maintain confidentiality.

It is important for a victim to know that certain information concerning details of the offense and the actual investigation of these crimes may be given to other College employees or to outside persons or organizations under contract with the College to investigate the offense.

### **(ii) Publicly Available Recordkeeping**

The College will complete publicly available record keeping without the inclusion of personally identifying information about the victim. The College will redact (remove) first and last names and other personal identifying information such as addresses, physical descriptions/date of birth, contact information, social security/driver's license/passport and student ID numbers from reports before it is released to other parties, including any Clery Act reporting and disclosures and entries in the Daily Crime Log and Annual Security Report.

### **(iii) Confidential Accommodations or Protective Measures**

The College will also maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the accommodations or protective measures. The College may disclose information about a protective measure to an individual found to have engaged in domestic violence, dating violence, sexual assault or stalking when the protective measure/sanction directly relates to the victim. For example, the College may inform the accused individual they must stay away from the victim.

## **Disciplinary Procedures Following a Complaint**

The investigative process involves interviewing the parties involved and any witnesses while gathering documentary or other evidence. In cases involving alleged criminal conduct, the complainant may file a criminal complaint with the local police department. A complainant need not pursue a criminal complaint in order to seek, or to hold the accused responsible through the Central Coast College Student Code of Conduct. As soon as possible, the complainant will be offered appropriate assistance.

Based on the outcome of the investigation, the assigned Title IX Officer or their designee will determine if there is sufficient cause to proceed with the complaint. If so, the Title IX Officer or the designee will arrange for an informal resolution

conference with the accused. Complainants do not attend informal resolution meetings but are apprised of the meeting's outcome. If the accused does not accept responsibility for the allegations and/or the proposed sanction, the Title IX Officer or their designee will determine if the evidence warrants a formal hearing before the Grievance Committee. The exact nature of the responsive action depends on the circumstances, but may include discipline up to and including suspension or dismissal from the College for a student, staff or faculty who is found to have violated College policies.

The College will take appropriate action i.e., an investigation, adjudication and disciplinary and remedial/corrective steps in response to a complaint made pursuant to the complaint policies/procedures listed above. The College will make every effort to handle complaints and investigations with sensitivity to both the rights of the person who complains, and the rights of the accused.

The College handles complaints discreetly and attempts to maintain privacy throughout the investigative process, to the extent practicable and appropriate under the circumstances. However, in order to conduct an investigation, it is generally necessary to discuss the allegations with the accused and other potential witnesses. Additionally, the College may have legal obligations to disclose information to law enforcement or in the context of legal proceedings.

Complaints may be made anonymously. While the College endeavors to investigate all complaints, including anonymous complaints, the nature of anonymous complaints makes investigation, determination, and remediation more difficult and, at times, impossible. Further, while the College attempts to protect the identity of complainants who do not wish to be identified, this may not always be possible.

In appropriate cases as determined by the College, conflict resolution may be possible. This is permitted only where both the complainant and accused voluntarily agree to participate, and either party may terminate informal resolution attempts and commence formal Grievance procedures at any time prior to reaching a mutually acceptable resolution. Depending on the circumstances, a mediated resolution may not necessarily involve face-to-face discussions between the complainant and the accused. Certain cases are not appropriate for conflict resolution, such as complaints of particularly egregious sexual harassment or cases involving sexual assault or violence.

Occasionally, an individual makes a complaint and later wishes to revoke or discontinue the investigation or adjudication process. Similarly, it may occur that someone other than the victim reports an incident, and the victim declines to participate in the investigation or adjudication process. In other instances, complaints may be received anonymously and/or the victim may not wish to be personally identified. The College endeavors to respect the wishes of a victim to either not be identified and/or not participate in the process. In these situations, the College attempts to investigate and address complaints in accordance with the victim's wishes.

If a victim wishes to talk about an incident with the assurance that the discussion will be confidential and will not result in an investigation or follow up action, the College will also proceed in this regard.

In determining whether sex discrimination, sexual harassment or sexual misconduct occurred, the College does not apply the criminal standard of "beyond a reasonable doubt," nor do formal court rules of evidence apply. Instead, the College uses a "preponderance of the evidence" standard, and the College may consider any evidence it deems relevant. A "preponderance of the evidence" means the evidence, which is of greater weight, or is more convincing than opposing evidence such that it is "more likely than not" that an act occurred.

If the applicable investigative or adjudication process allows for parties to offer witnesses and evidence, the complainant and the accused will have an equal opportunity to do so. The complainant and the accused will be informed in writing of the outcome of the complaint, to the extent permitted by law. An accused that is a student may appeal the outcome to an impartial decision maker. An employee who is deemed guilty shall have whatever rights the law grants. The particular method and grounds for appeal are explained in the student policies listed above.

The College endeavors to resolve complaints promptly. Ordinarily, the investigative stage will take no longer than 60 calendar days from the time the complaint is received. In exceptional circumstances (including but not limited to especially complex cases, or when the College is not in session), it may be necessary to extend these timelines. If that occurs, the parties will be informed of the expected timeline for completion.

The College prohibits retaliation against any individual who in good faith makes a complaint of sex discrimination, sexual harassment, or sexual misconduct or participates as a witness in a proceeding under this or any other College policy. Retaliation is also unlawful pursuant to Title IX and other laws.

The College engages in educational programming to prevent domestic violence, dating violence, sexual assault and stalking. Educational programming consists of primary prevention and awareness programs for all incoming students and new employees and ongoing awareness and prevention campaigns for students and faculty that:

1. Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
2. Defines what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
3. Defines what behavior and actions constitute consent to sexual activity in the State of California.
4. Provides 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 the bystander;
5. Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to avoid potential attacks.
6. Provides an overview of information contained in the Annual Security Report in compliance with the Clery Act.

This educational campaign will consist of but not be limited to the distribution of educational materials to new students, participating in and presenting information and materials during student/employee orientation and through newsletters among other means of distribution through the year. The Title IX Officer also has a directory of services that are available to victims within the community to assist those who have suffered from a criminal act.

### **Risk Reduction/Warning Signs of Abusive Behavior**

No victim is ever to blame for being assaulted or abused. Unfortunately, a person who is the victim of sexual or dating violence is more likely to be re-victimized. Below are some tips to help reduce your risk, to recognize warnings signs of abusive behavior and how to avoid potential attacks.

### **Warning Signs of Abusive Behavior**

Domestic and dating abuse often escalates from threats and verbal abuse to violence. And, while physical injury may be the most obvious danger, the emotional and psychological consequences of domestic and dating violence are also severe. Warning signs of dating and domestic violence include:

1. Being afraid of your partner.
2. Constantly watching what you say to avoid a “blow up.”
3. Feelings of low self-worth and helplessness about your relationship.
4. Feeling isolated from family or friends because of your relationship.
5. Hiding bruises or other injuries from family or friends.
6. Being prevented from working, studying, going home, and/or using technology (including your cell phone.)
7. Being monitored by your partner at home, work, or College.
8. Being forced to do things you don’t want to do.

### **Help Reduce Your Risk and Avoid Potential Attacks**

If you are being abused or suspect that someone you know is being abused, speak up or intervene.

1. Learn how to look for “red flags” in relationships so you can learn to avoid some of those characteristics in future partners.
2. Consider getting a protective order or stay away order.
3. Learn more about what behaviors constitute dating and domestic violence, understand it is not your fault, and talk with friends and family members about ways you can be supported.
4. Trust your instincts—if something doesn’t feel right in a relationship, speak up or end it.

### **Sexual Assault Prevention (From Rape, Abuse and Incest National Network - RAINN)**

- Try not to leave your drink unattended.
- Only drink from un-opened containers, or from drinks you have watched being made and poured.
- Cover your drink. It is easy to slip in a small pill even while you are holding your drink. Hold a cup with your hand over the top or choose drinks that are contained in a bottle and keep your thumb over the nozzle.
- If you feel extremely tired or drunk for no apparent reason, you may have been drugged. Find your friends and ask them to leave with you as soon as possible.

- If you suspect you have been drugged, go to a hospital and ask to be tested.
- Keep track of how many drinks you have had.
- Try to come and leave with a group of people you trust.
- Avoid giving out your personal information (phone number, where you live, etc.). If someone asks for your number, take his/her number instead of giving out yours.

### Traveling around campus

- Make sure your cell phone is easily accessible and fully charged.
- Take major, public paths rather than less populated shortcuts.
- Avoid dimly lit places and talk to campus services if lights need to be installed in an area.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- Carry a noisemaker on your keychain.
- Carry a small flashlight on your keychain.

Central Coast College has a sexual assault prevention program that includes, but is not limited to the following:

- If an assault occurs, notify the Campus Title IX Officer immediately
- Do not disturb the crime scene
- Notify local law enforcement officials
- Secure counseling for the victim
- Change the academic schedule if victim requests
- Disciplinary actions include dismissal from the College

### Important Phone Numbers

The nature of sexual assault, particularly when perpetrated by an acquaintance, makes it difficult for many survivors to report their experience. For this reason, the local Shelters and Women's Service Centers are primary places where individuals may seek assistance in complete confidentiality.

Shelter Outreach Plus Emergency Shelters

(831) 422-2201; Call 2-1-1 for emergency shelter availability

Monterey County Rape Crisis Centers

Monterey: (831) 375-4357

Salinas and South County: (831) 424-4357

Salinas Office: (831) 771-0411

Monterey Office: (831) 373-3955

District Attorney, Victim/Witness Assistance Program (831) 755-5072

SART (Sexual Assault Response Team) (831)

648-7731

YWCA Counseling Center (831) 757-1001

Batterers Intervention Programs (Probation Department – Family Violence Unit) (831)

784-5790

## **Notification to Students that the Institution will Change a Victim's Academic and Living Situation after an Alleged Sex Offense**

Central Coast College will provide written notification to victims about options for, available assistance in, and how to request changes to academic and to report the crime to local law enforcement. The College is obligated to comply with a student's reasonable request for academic situation change following an alleged sex offense. The President is responsible for providing assistance to a student or employee to change class, assistance in working with instructors on "make up" assignments or tests, working with other college services on behalf of the student, allowing for the withdrawal of a class without a penalty, and change of work locations and/or work schedules for employees.

The College will also provide written notification to victims about options for assistance with protective orders and changes to living, working, and transportation. The College will make accommodations or provide protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

When making an accommodation or protective measure, the College will take necessary steps to minimize the burden on the victim. For example, it is not appropriate to remove a victim from a class while allowing an accused individual to stay.

When deciding what accommodations or protective measures to take, the College may look at different factors, including but not limited to; the specific need expressed by the victim, the age of the parties involved, the severity or pervasiveness of the allegations, any continuing effects on the victim and if the victim and accused individual share the same class or work location.

To request a student academic situation or work change, please contact the President at (831) 424-6767.

## **EMERGENCY RESPONSE AND EVACUATION PROCEDURES – STATEMENT OF POLICY**

Central Coast College has in place at each campus facility a campus response protocol. In an emergency or a dangerous situation, upon confirmation with the Campus President, or designee, of the need for mass notification, the Campus President, or designee, will without delay, taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of the responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Emergency or dangerous situations may include, but are not limited to, gas leaks, tornadoes, contagious viruses, etc.

## **EMERGENCY NOTIFICATIONS**

In the event of an emergency or a dangerous situation that poses an immediate threat to the campus community, Central Coast College may utilize some or all of its mass notification capabilities to notify its campus community. These capabilities may include e-mail, voice mail and text messages to alert the campus community. In addition, members of the administration will post relevant updates and advisories on the appropriate College Website ([www.CentralCoastCollege.edu](http://www.CentralCoastCollege.edu)) and bulletin boards, as well as on the campus main line (831) 424-6767. The Campus President, or designee, will simultaneously use the local means at his/her disposal to notify the campus students, staff and faculty of the situation, as well as disseminate pertinent information to relevant public entities.

This emergency notification requirement does not replace the timely warning requirement described earlier. They differ in that the timely warning applies only to Clery Act reportable crimes while the emergency notification requirement addresses a much wider range of threats (i.e., gas leaks, tornadoes, contagious viruses, etc.). However, a College that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances or incident, but must provide adequate follow-up information to the community as needed.

Members of the community at large who are interested in receiving updates during an emergency can call the Central Coast College main line at (831) 424-6767 or visit the website at [www.CentralCoastCollege.edu](http://www.CentralCoastCollege.edu).

Training, exercises and tests will be conducted annually by management on the campus level and by the individuals relevant to mass notification. Management will document each test conducted by all relevant entities.

## Student Must Know – Emergency Information

The campus takes various precautionary measures to protect the students, staff, faculty, and campus visitors. Nevertheless, unavoidable emergencies may occur in extreme situations. Therefore, each campus has a Campus Security Authority (CSA) that implements and oversees the campus response to a crisis situation. The CSA receives training in dealing with crisis situations and will primarily direct the immediate response to a crisis situation until the arrival of law enforcement and emergency response personnel.

In order to make this program effective, students are to familiarize themselves with the following emergency procedures. Nothing herein precludes any student, staff or faculty from contacting the appropriate authorities directly in the event they feel in threat of physical harm or imminent danger.

\*\*\* In case of emergency - dial 9-1-1\*\*\* Department of Homeland Security: “**Active shooter awareness- options for consideration**” <http://www.dhs.gov/video/options-consideration-active-shooter-training-video>

## Student Emergency Responses

There is potential for students to be involved in a variety of emergency situations for which appropriate actions must be taken. These possible situations include incidences that may require emergency evacuation, emergency lockdown, external lockdown, or to shelter in place.

### Emergency Evacuation

Evacuation is the movement of campus occupants from a dangerous or potentially dangerous location to a safe location. There are two types of evacuation: fire evacuation and non-fire evacuation.

Fire evacuation:

- Evacuation is mandatory when a fire alarm is activated.
- Follow authorized personnel's (e.g., faculty, staff, or fire department personnel, etc.) instructions if given.
- Do not use the elevators.
- Assist people with disabilities, if possible.
- Ensure all doors and windows are closed as a room and building are evacuated. (Do not lock doors.)
- Do not attempt to reenter the facility unless and until directed to do so by authorized personnel.
- Evacuate to a safe distance and location from the building affected, away from fire hydrants, fire lanes, and not under power lines.

Non-fire evacuation

- A non-fire evacuation will be initiated by campus CSA.
- Follow CSA instructions if given.
- Do not use the elevators.
- Assist people with disabilities if possible.
- Do not attempt to reenter the facility unless directed to do so.

### Emergency Lockdown

Emergency Lockdown is used to dramatically and rapidly enhance the level of security of the campus. By locking all exterior, interior and classroom doors, staff can make it more difficult for dangerous person(s) in the vicinity of the campus and in the campus to gain access to staff and students;

- Lock or barricade doors of classroom and internal student areas of congregation.
- Close blinds, turn off lights.
- Remain quiet and out of sight.
- If gunshots are heard, lie on the floor and try to use available resources for additional cover and concealment.
- If you are outside when a lockdown is declared, seek shelter away from danger.
- If a fire alarm is activated during a lockdown, proceed with extreme caution.
- Do not open the door for people claiming to be public safety personnel unless you have an opportunity to view photo identification or are instructed to do so by a staff member whom you recognize.



### **External Lockdown**

External lockdown creates a physical layer of security between the internal and external dimensions of the campus. In addition to locked entrances, this may also include a supervised entry and exit to campus facilities, and/or barricade to campus property (e.g., barricades or chains restricting access to campus parking and grounds). This lockdown allows staff and students to continue activities while maintaining access control to the campus and remain in an elevated state of security.

- Remain in classroom.
- Follow faculty and staff instructions
- Remain attentive to any change in status.

### **Shelter in Place**

Sheltering in place procedures are traditionally utilized when:

1. A tornado has been spotted.
  2. There has been a chemical or biological incident outside of, but in proximity to a campus and available information indicates that there is no adequate time to evacuate building occupants to another safe location before the dangerous contaminants reach the facility.
- Follow staff and faculty instructions.
  - Assist people with disabilities if possible
  - If you are outside when a shelter in place is declared, immediately seek an interior room or hallway with no windows.
    - Close windows and doors – do not lock doors.
    - Remain in shelter until an all clear is given.

## **Staff and Faculty Must Know – Emergency Information**

The campus takes various precautionary measures to protect the students, staff, faculty, and campus visitors. Nevertheless, unavoidable emergencies may occur in extreme situations. Therefore, each campus has a Campus Security Authority (CSA) that implements and oversees the campus response to a crisis situation. The CSA receives training in dealing with crisis situations and will primarily direct the immediate response to a crisis situation until the arrival of law enforcement and emergency response personnel.

In order to make this program effective, all staff and faculty are expected to familiarize themselves with the following emergency procedures. Nothing herein precludes any student, staff or faculty from contacting the appropriate authorities directly in the event they feel in threat of physical harm or imminent danger.

## **Emergency Response Documentation**

Central Coast College tests the emergency response and evacuation procedures annually through announced and unannounced tests. These tests help to prepare employees and students for an orderly evacuation of the campus in the event of an actual emergency; are used as a method to train building occupants on the safety issues specific to their campus building; and can help to familiarize building occupants with the exit locations and sound of the alarm. These exercises also provide for an opportunity to test the operation of the alarm system. Documentation of these exercises is maintained by the President's office, including a description of the event, the date it was held, and the time the event started and ended.

Central Coast College staff participated in an unannounced emergency evacuation on April 11, 2019. See Addendum A for more information.

### **Staff and Faculty Emergency Responses**

**\*\*\* In case of emergency: dial 9-1-1 \*\*\***

There are a number of different potential situations that may occur that have capability to impact students or staff and faculty. The following possible scenarios are described below with steps to be taken.

- Emergency evacuation for a fire incident
- Emergency evacuation for bomb threat or other non-fire situation
- Emergency lockdown

- External lockdown
- Shelter in place

## Emergency Evacuation for a Fire Incident

### Definition

A fire emergency evacuation is initiated when a fire incident occurs. Depending upon the campus size, it may require an evacuation of a single particular building affected by the fire incident, rather than the entire campus.

### Objective

All building occupants are safely evacuated to a safe distance and location from the building affected, away from fire hydrants, fire lanes, and not under power lines.

### Staff Response

Staff/faculty responsible for the affected areas should conduct a sweep of the building(s) to ensure all students are aware of and appropriately responding to the fire alarm and safely evacuated.

### Fire Evacuation Procedures:

- Evacuation is mandatory when a fire alarm is activated.
- Designated staff or faculty check the affected building(s) to ensure all personnel are appropriately evacuating.
- Assist people with disabilities if possible.
- Ensure all doors and windows are closed as a room and building are evacuated.
- Do not attempt to re-enter the facility unless and until directed to do so by authorized personnel.
- Evacuated persons are directed to a safe distance and location from the building affected, away from fire hydrants, fire lanes, and not under power lines.

## Emergency Evacuation for Bomb Threat or Other Non-Fire Situation

### Definition

Non-fire emergency evacuation is used for any emergency evacuation not related to a fire incident. It is important to remember that evacuation distances significantly expand, up to hundreds of yards, for suspicious object evacuations. Nevertheless, not all bomb threats will necessarily result in evacuation, depending upon the individual event circumstances.

### Objective

Move all campus occupants to a remote, predefined and controlled location.

### Staff Response

Team members who are designated to sweep evacuation routes and sites should locate a staff member to take responsibility for students under their supervision, and should then sweep the evacuation route and evacuation site for secondary hazards. They should immediately report their findings to the lead administrator.

**Note:** The lead administrator will typically direct that this step be completed before making the general announcement for evacuation of the building.

### Other Staff

1. Gather all students and visitors in your area of responsibility and evacuate using the route and site designated by the lead administrator or designee.
2. Ensure that all special needs persons are provided assistance by their designees as per the site evacuation plan.
3. Remain alert to your surroundings. Be particularly alert to any people or conditions that might pose a danger to evacuees. If you encounter a significant hazard, quickly evaluate the situation; adjust your evacuation route and attempt to notify the lead administrator or the appropriate public safety officials.
4. Once you reach the designated evacuation site, search the site for suspicious objects and adjust accordingly.
5. On evacuation site - develop a written list of all evacuees and provide the list to the lead administrator or his/her designee. Also indicate the presence or lack of any suspicious objects in your room/work area.
6. Supervise students under your care.
7. Do not attempt to reenter the facility unless the lead administrator or his/her designee directs you to do so.

## Emergency Lockdown

### Definition

Emergency Lockdown is used to dramatically and rapidly enhance the level of security in the facility. By locking all exterior, interior and class doors, staff can make it more difficult for dangerous person(s) in the vicinity or in the facility to gain access to staff and students.

**Note – locking doors should not eliminate immediate egress possibilities from the facility.**

### Objective

Create as many physical layers of separation between you and the potential aggression.

### Staff Response

1. Make sure entrance points to the building near your location are locked immediately.
2. If you are located in an area with a door that can be locked, gather all students in the vicinity into the room and lock the door.
3. Improvise additional door blocking if possible.
4. Close blinds and cover additional windows, e.g., with a shirt, up-turned table, paper, etc.
5. Turn off lights in the room.
6. If possible, report your status to the lead administrator or designee by telephone or intercom.
7. Do not open the door for people claiming to be public safety personnel unless you have an opportunity to view photo identification or are instructed to do so by a staff member whom you recognize.

Department of Homeland Security:

- Options for Consideration (Active Shooter Preparedness) Video: <https://www.cisa.gov/resources-tools/resources/options-consideration-video>

## External Lockdown

### Definition

External lockdown creates a physical layer of security between the internal and external dimensions of the campus. By locking all exterior doors and supervising these doors, staff can make it more difficult for a possible external intruder or a potentially dangerous person in the vicinity of the facility to gain access to staff and students. In addition to locked entrances and supervised entry and exit to campus facilities, this step may include barricades to campus property (e.g., barricades or chains restricting access to campus parking lots and grounds). This lockdown allows staff and students to continue with productive activities while maintaining access control to the facility.

### Objective

Create a physical layer of security between the external environment and internal campus operation while elevating the overall level of security.

### Staff Response:

1. Make sure the designated entrance points to the building near your location are locked immediately.
2. If you are in an external classroom to the main building move students to alternative internal classrooms.
3. If possible, report your status to the lead administrator or designee by telephone or intercom.
4. Continue with normal activities as much as the situation allows.
5. If students or staff have a need to move about in the building, obtain permission first from the lead administrator or designee.
6. Be prepared to rapidly implement an emergency evacuation or emergency lockdown – if directed to do so or if circumstances indicate you should do so.

## Shelter in Place

### Definition

Sheltering in place procedures are traditionally utilized when:

There has been a chemical or biological incident outside of, but in proximity to, a facility and available information indicates that there is no adequate time to evacuate building occupants to another safe location before the dangerous contaminants reach the facility.

### Objective

Seek immediate shelter away from doors and windows and remain there during an emergency

### Staff Response

1. All staff that is outdoors should quickly gather all students and adults in the area and instruct them to go inside the facility immediately. Once inside, if possible, instruct everyone to move to an interior area.
2. Close all windows and doors.
3. In chemical spills / biological incident - if available, use tape to cover all windows and doors with sheets of plastic to help reduce airflow into the area. Wet towels can be used to reduce airflow under doors. Close all outside air vents. Turn off all heating or ventilation systems. Use damp towels or cloths to cover any openings in walls or doors. Tape can also be used to cover any cracks, crevices, electrical outlets, cable television connections or other openings that might allow air to flow into the shelter area.
4. Listen to local radio or television news for instructions from emergency management and public safety officials.
5. Review emergency evacuation protocols

## Crime Definitions from the Summary Reporting System (SRS) User Manual from the FBI's UCR Program

**Arson:** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

**Negligent Manslaughter/Involuntary Manslaughter:** The killing of another person through gross negligence.

**Criminal Homicide/Murder and Non-negligent Manslaughter:** The willful (non-negligent) killing of one human being by another.

**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.

**Robbery:** The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault:** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

**Burglary:** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

**Motor Vehicle Theft:** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned— including joyriding.)

**Weapons (Carrying, Possessing, Etc.) :** The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

**Drug Abuse Violations:** The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

**Liquor Law Violations:** The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

## **Crime Definitions from the National Incident-Based Reporting System (NIBRS) User Manual from the FBI's UCR Program**

**Sex Offenses:** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- **Fondling**—The touching of the private body parts of another person for the purpose of sexual gratification, without the 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.

## **Crime Definitions from the Hate Crime Data Collection Guidelines and Training Manual from the FBI's UCR Program**

**Larceny-Theft (Except Motor Vehicle Theft):** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

**Simple Assault:** An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

**Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

**Destruction/Damage/Vandalism of Property:** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

## CLERY CRIME STATISTICS January 1, 2022 – December 31, 2022

	On-Campus				Public Property		
OFFENSES	2020	2021	2022		2020	2021	2022
Murder/Non-negligent manslaughter	0	0	0		0	0	0
Negligent manslaughter	0	0	0		0	0	0
SEX OFFENSES/FORCIBLE:							
Rape	0	0	0		0	0	0
Forcible Fondling	0	0	0		0	0	0
SEX OFFENSES/NON-FORCIBLE:							
Incest	0	0	0		0	0	0
Statutory Rape	0	0	0		0	0	0
Robbery	0	0	0		0	0	0
Aggravated Assault	0	0	0		0	0	0
Burglary	0	0	0		0	0	0
Vehicle Theft	0	0	0		0	0	0
Arson	0	0	0		0	0	0
VAWA Offenses:							
Domestic Violence	0	0	0		1	0	0
Dating Violence	0	0	0		0	0	0
Stalking	0	0	0		0	0	0
SPECIAL CATEGORY ARRESTS:							
Weapons Offenses	0	0	0		0	0	0
Drug Abuse Violations	0	0	0		0	0	0
Liquor Law Violations	0	0	0		0	0	0
DISCIPLINARY REFERRALS:							
Weapons Offenses	0	0	0		0	0	0
Drug Abuse Violations	0	0	0		0	0	0
Liquor Law Violations	0	0	0		0	0	0
<b>Hate Crimes</b>							
2020: There were no on-campus, public property, nor non-campus hate crimes reported.							
2021: There were no on-campus, public property, nor non-campus hate crimes reported.							
2022: There were no on-campus, public property, nor non-campus hate crimes reported.							

## A STATEMENT OF POLICY REGARDING THE POSSESSION, USE, AND SALE OF ALCOHOLIC BEVERAGES AND ENFORCEMENT OF STATE UNDERAGE DRINKING LAWS, AND POSSESSION, USE, AND SALE OF ILLEGAL DRUGS AND ENFORCEMENT OF FEDERAL AND STATE DRUG LAWS

### A DESCRIPTION OF DRUG AND ALCOHOL ABUSE PREVENTION PROGRAMS

Central Coast College publishes and distributes annually to all current students and employees a copy of the Drug and Alcohol Abuse Prevention Program. Below are the details related to this topic:

#### **Drug and Alcohol Abuse Prevention**

Drug abuse affects all aspects of American life. It threatens the workplace, our homes, our Colleges and our community. The U.S. Department of Education requires Colleges of higher education to implement a drug prevention and awareness program for their students and employees through the **Safe and Drug- Free Colleges and Communities Act**. All students are expected to conduct themselves as mature adults and as members of an academic community. The consumption of alcohol or drugs while attending class is prohibited and may be subject to disciplinary action.

#### **Standards of Conduct**

The College community must adhere to a code of conduct that recognizes that the unlawful manufacture, sale, delivery, unauthorized possession or use of any illicit drug is prohibited on property owned or otherwise controlled by Central Coast College. If an individual associated with the College is apprehended for violating any drug- or alcohol-related law when on College property, or participating in a College activity, the College will fully cooperate with all law enforcement agencies. Underage possession or consumption of alcoholic beverages is not permitted on property owned or controlled by the College and the state laws will be enforced. Intentionally or knowingly selling, or intentionally or knowingly furnishing alcoholic beverages to persons under the age of 21, or to persons obviously inebriated, is not permitted on property owned or controlled by the College.

#### **Legal Sanctions:**

Central Coast College enforces all federal and state laws and local ordinances.

- **Federal:** Federal Trafficking Penalties table, obtained from the U.S. Drug Enforcement Administration: <https://www.dea.gov/sites/default/files/2021-12/Trafficking%20Penalties.pdf> is provided below:



## FEDERAL TRAFFICKING PENALTIES

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500–4999 grams mixture	<b>First Offense:</b> Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than \$5 million if an individual, \$25 million if not an individual.	5 kgs or more mixture	<b>First Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than \$10 million if an individual, \$50 million if not an individual.
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture		400 grams or more mixture	
Fentanyl Analogue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture	<b>Second Offense:</b> Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$8 million if an individual, \$50 million if not an individual.	1 kg or more mixture	<b>Second Offense:</b> Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.  <b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture		100 gm or more pure or 1 kg or more mixture	
PENALTIES				
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	<b>First Offense:</b> Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine \$1 million if an individual, \$5 million if not an individual.  <b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.		
Flunitrazepam (Schedule IV)	1 gram			
Other Schedule III drugs	Any amount	<b>First Offense:</b> Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.  <b>Second Offense:</b> Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than \$1 million if an individual, \$5 million if not an individual.		
All other Schedule IV drugs	Any amount			
Flunitrazepam (Schedule IV)	Other than 1 gram or more	<b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.  <b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.		
All Schedule V drugs	Any amount			

## FEDERAL TRAFFICKING PENALTIES—MARIJUANA

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE *
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than \$10 million if an individual, \$50 million if other than an individual.	Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine not more than \$5 million if an individual, \$25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than \$20 million if an individual, \$75 million if other than an individual.
Marijuana (Schedule I)	More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not more than 20 yrs. If death or serious bodily injury, not less than 20 yrs. or more than life. Fine \$1 million if an individual, \$5 million if other than an individual.	Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) 1 to 49 marijuana plants;	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more than 10 yrs. Fine \$500,000 if an individual, \$2 million if other than individual.
Hashish (Schedule I)	10 kg or less		
Hashish Oil (Schedule I)	1 kg or less		

\*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to \$20 million if an individual and \$75 million if other than an individual.



- **State:** In addition to the information listed in the previous page, a complete listing of California substances, how they are placed on the schedule and additional drug information, can be found at: <http://www.leginfo.ca.gov>

## Health Risks Associated with the use of Illicit Drugs and the Abuse of Alcohol

Moderate to high doses of alcohol cause marked impairments in higher mental functions and the loss of memory. High doses of alcohol can cause respiratory depression and death. Long-term consumption, particularly when combined with poor nutrition, can also lead to dependence and permanent damage to vital organs such as the brain and the liver. Physical effects of drugs include increased heart rate, bloodshot eyes, dry mouth and throat, and increased appetite. The use of drugs may impair or reduce short-term memory and comprehension, alter sense of time, and reduce the ability to perform tasks requiring concentration and coordination. Motivation and cognition may also be altered making the acquisition of new information difficult. As one can see from the above, there are major health risks associated with the use of illicit drugs and the abuse of alcohol.

## Federal Financial Aid Penalties for Drug Violations

Federal guidelines focus strongly on illicit drug use and distribution. The Higher Education Opportunity Act states students convicted of an illicit drug violation can be denied federal financial aid for a specific period, in addition to other legal penalties. The Free Application for Federal Student Aid (FAFSA) asks students if they have been convicted of a drug-related offense: "Have you ever been convicted of possessing or selling illegal drugs?" If you answer "yes," you will not be eligible for aid. Failure to answer the question automatically disqualifies students from receiving federal financial aid. Answering this question falsely could result in fines up to \$20,000, imprisonment or both.

## Penalties for Drug Convictions

If the student was convicted of both possessing and selling drugs, and the periods of ineligibility are different, the student will be ineligible for the longer period.

## Possession of Illegal Drugs

- For a first offense, a student loses eligibility for federal financial aid for one year from the date of conviction.
- For a second offense, a student loses eligibility for federal financial aid for two years from the date of conviction.
- For a third offense and subsequent offenses, a student has indefinite ineligibility for federal financial aid from the date of conviction.

## Sale of Illegal Drugs

- For a first offense, a student loses eligibility for federal financial aid for two years from the date of conviction.
- For a second offense and subsequent offenses, a student has indefinite ineligibility from the date of conviction.

## Other Potential Federal Penalties for Drug Violations

Some other potential federal penalties and sanctions applicable to drug-related offenses include:

### 21 U.S.C. 844

- 1st conviction: Up to 1 year imprisonment and fined at least \$1,000, or both.
- After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500, or both.
- After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5, or both.
- Provisions relating to increased penalties in cases of certain serious crack possession offenses, making offenders subject to fines under Title 18 or imprisonment to terms not less than 5 years and no more than 20 years, or both.
- Possession of flunitrazepam shall be imprisoned for not more than 3 years, shall be fined as otherwise provided in this section, or both after mixture or substance exceeds 1 gram.

### 21 U. S. C. 844a

Civil fine up to \$10,000

### 21 U. S. C. 847 Additional Penalties

Any penalty imposed for violation of this subchapter shall be in addition to, and not in lieu of, any civil or administrative penalty or sanction authorized by law.

### 21 U. S. C. 854 Investment of illicit drug profits

Whoever violates this section shall be fined no more than \$50,000 or imprisoned not more than 10 years, or both.

### 21 U. S. C. 862

- Drug Traffickers - Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 5 years for the first offense, up to 10 years for second and permanently ineligible for subsequent offenses.
- Drug Possessors – 1<sup>st</sup> offense is up to 1 year and 2<sup>nd</sup> and subsequent offenses are up to 5 years.
- Suspension of period of ineligibility (A) (B)

### (C) 21 U. S. C. 862a

Denial of assistance and benefits for certain drug related convictions, i.e., state program funded under the Social Security Act or food stamp program or state program under the Food Stamp Act.

More information about federal penalties and sanctions for unlawful possession, use, sale, and/or distribution of controlled substances is located at <https://www.justice.gov/usao-nh/frequently-used-federal-drug-statutes>

### **Controlled Substances and Alcohol**

In compliance with the Drug Free Schools and Communities Act of 1989, Central Coast College maintains a drug-free workplace and campus. The unlawful manufacture, distribution, dispensation, possession, and/or use of controlled substances or the unlawful possession, use, or distribution of alcoholic beverages is prohibited on the Central Coast College Campus, the workplace, or as part of the College's activities.

### **California State Alcohol Laws (Partial List)**

It is the policy of Central Coast College to maintain a drug-free campus. It is widely recognized that the misuse and abuse of controlled substances, illegal drugs (collectively called controlled substances – 21

U.S.C. § 812: include but not limited to marijuana, heroin, cocaine, and amphetamines) and alcohol are major contributors to serious health problems and social and civic concerns. The health risks associated with the use of illicit drugs and the abuse of controlled substances and alcohol include various physical and mental consequences, including addiction, severe disability, and death. Information about the effects of alcohol and specific drugs can be found at: <http://www.drugfreeworld.org/drugfacts/alcohol/short-term-long-term-effects.html>

Central Coast College does not tolerate reckless drinking – lawful or unlawful – and its consequent harmful behaviors. Members of the College are expected to abide by all federal, state and local laws, including those governing alcohol consumption and distribution. Under California law, it is illegal for anyone under the age of 21 to purchase alcohol or to possess alcohol in a public space. It is also illegal for anyone to furnish alcohol to an individual under the age of 21. Additionally, all members of the College are expected to make healthy choices concerning their personal use of alcohol, including understanding the physical and behavioral effects of alcohol misuse and preventative measures to ensure their own safety and that of their peers.

**Penal Code § 647(f)** – Any person under the influence of alcohol in a public place and unable to exercise care for one's own safety or that of others, or any person who, by reason of being under the influence, interferes with the use of a sidewalk, street, or other public way, is guilty of a misdemeanor.

**Vehicle Code § 23152** – It is unlawful for persons to operate a motor c\vehicle while under the influence of alcohol or other intoxicants or with a blood alcohol concentration (BAC) of .08% or higher.

**Vehicle Code § 23223** – No driver or passenger may possess an open container of an alcoholic beverage while in a motor vehicle.

**Vehicle Code § 23225** – It is unlawful for an owner or driver of a motor vehicle to allow an open container of alcohol in the passenger area.

**Vehicle Code § 21200.5** – It is unlawful to ride a bicycle under the influence of alcohol, drugs, or both.

#### Persons Under the Age of 21

**Business and Professions Code § 25662** – A person under the age of 21 who possesses an alcoholic beverage in any public place or any place open to the public is guilty of a misdemeanor.

**Business and Professions Code § 25658(a)** – Any person who furnishes, gives, or sells any alcoholic beverage to someone under the age of 21 is guilty of a misdemeanor.

**Business and Professions Code § 25658.5** – Any person under the age of 21 who attempts to purchase an alcoholic beverage is guilty of an infraction.

**Vehicle Code § 23136(a)** – It is unlawful for a person under the age of 21 to drive a vehicle when he or she has a BAC of .01% or higher, and a violation of § 23140 when he or she has a BAC of .05% or higher.

#### How You Can Help Report Drunk Drivers

You can help by reporting suspected drunk drivers to your nearest Local Police Department. From your cellular telephone, provide them the following information:

- The location you are calling from.
- Time, location, direction of travel and a description of the suspected drunk driver.
- The make, color, and license plate number of the car.

#### Blood Alcohol Content Table

This table shows the effects of alcohol on a normal person of a given body weight. Please do not take this table as a license to drink irresponsibly. Everyone is different, and alcohol affects each person in a slightly different way. Only you know your limits. Please drink within them.

One drink equals:

- \* 1 oz. 86 proof Liquor, or
- \* 3 oz. wine, or
- \* 12 oz. Beer

Levels of Intoxication:

- BAC less than .05% - Caution
- BAC .05 to .079% - Driving Impaired
- BAC .08% & up - **Presumed Under the Influence**

NUMBER OF DRINKS												
	1	2	3	4	5	6	7	8	9	10	11	12
100 lb.	.038	.075	.113	.150	.188	.225	.263	.300	.338	.375	.413	.450
110 lb.	.034	.066	.103	.137	.172	.207	.241	.275	.309	.344	.379	.412
120 lb.	.031	.063	.094	.125	.156	.188	.219	.250	.281	.313	.344	.375
130 lb.	.029	.058	.087	.116	.145	.174	.203	.232	.261	.290	.320	.348
140 lb.	.027	.054	.080	.107	.134	.161	.188	.214	.241	.268	.295	.321
150 lb.	.025	.050	.075	.100	.125	.151	.176	.201	.226	.251	.276	.301
160 lb.	.023	.047	.070	.094	.117	.141	.164	.188	.211	.234	.258	.281
170 lb.	.022	.045	.066	.088	.110	.132	.155	.178	.200	.221	.244	.265
180 lb.	.021	.042	.063	.083	.104	.125	.146	.167	.188	.208	.229	.250
190 lb.	.020	.040	.059	.079	.099	.119	.138	.158	.179	.198	.217	.237
200 lb.	.019	.038	.056	.075	.094	.113	.131	.150	.169	.188	.206	.225
210 lb.	.018	.036	.053	.071	.090	.107	.125	.143	.161	.179	.197	.215
220 lb.	.017	.034	.051	.068	.085	.102	.119	.136	.153	.170	.188	.205
230 lb.	.016	.032	.049	.065	.081	.098	.115	.130	.147	.163	.180	.196
240 lb.	.016	.031	.047	.063	.078	.094	.109	.125	.141	.156	.172	.188

## How to Regain Federal Student Aid Eligibility

1. A student can regain eligibility for federal student aid funds the day after the period of ineligibility ends or upon having a conviction reversed, set aside, or removed from the student's record so that fewer than two convictions for sale of illegal drugs or three convictions for possession remain on the record. In such cases, the nature and dates of the remaining convictions will determine when the student regains eligibility.
2. A student may also regain eligibility upon successful completion of a qualified drug rehabilitation program that must:
  - Include the student passing at least two unannounced drug tests; AND
  - Have received or is qualified to receive funds directly or indirectly under a federal, state or local government program, or
  - Be administered by a federal, state, or local government agency or court, or
  - Be qualified to receive payment directly or indirectly from a federally or state-licensed insurance company, or
  - Be administered or recognized by a federally or state-licensed hospital, health clinic, or medical doctor.
3. A student may further regain eligibility upon successful completion of two unannounced drug tests which are part of an approved rehab program (the student does not need to complete the rest of the program).
4. The student is responsible to certify that a rehabilitation program was successfully completed. As with the conviction question on the FAFSA, the College is not required to confirm the reported information unless conflicting information is determined.

## Convictions During Enrollment

Federal regulations require enrolled students convicted of a drug offense after receiving federal financial aid to notify Central Coast College immediately. The student will then become ineligible for further federal financial aid and must repay federal financial aid received after the conviction.

## Drug and Alcohol Counseling

Call Sun Street Centers at (831) 753-5150 for drug and alcohol counseling services.

## College Sanctions for Alcohol and Drug Violations

Any member of the College community found consuming or selling drugs on College property shall be subject to discipline on a case- by-case basis.

- Discipline will be based on the seriousness of the situation.
- A case may result in dismissal from the College.
- In all cases, the College will abide by local, state and federal sanctions regarding unlawful possession of drugs and the consumption of alcohol.
- Additional state penalties and sanctions may also apply.
- The College has adopted a zero-tolerance policy regarding underage drinking.
- Successful completion of an appropriate rehabilitation program by an individual confirmed to have been in violation of alcohol or drug policies and/or laws who has since sought admission or readmission to the College will be considered on a case-by-case basis.

## A DESCRIPTION OF DRUG AND ALCOHOL ABUSE PREVENTION PROGRAMS

Central Coast College publishes and distributes annually to all current students and employees a copy of the Drug and Alcohol Abuse Prevention Program. Below are the details related to this topic.

### Drug and Alcohol Abuse Prevention

Drug abuse affects all aspects of American life. It threatens the workplace, our homes, our Colleges and our community. The U.S. Department of Education requires Colleges of higher education to implement a drug prevention and awareness program for their students and employees through the **Safe and Drug-Free Colleges and Communities Act**. All students are expected to conduct themselves as mature adults and as members of an academic community. The consumption of alcohol or drugs while attending class is prohibited and may be subject to disciplinary action.

The expectations set forth in the College's Standards of Conduct related to drug and alcohol use is discussed earlier. Those expectations, as well as the provision of the related risks and consequences with the penalties and possible sanctions being highlighted, are re-emphasized and distributed to students and employees at least annually. Additionally, drug and alcohol counseling resources are made known to all members of the College community.

## **Biennial Review of the Drug and Alcohol Abuse Prevention Program**

Colleges are required to conduct a biennial review of their drug and alcohol abuse prevention program. This review must include a determination of the number of drug and alcohol-related violations and fatalities that occur on the College's campus or as part of the College's activities and the number and type of sanctions imposed by the College as a result of drug and alcohol-related violations and fatalities that occur on the College's campus or as part of the College's activities.

The term "campus" is defined in the same manner as it is defined for campus safety reporting purposes. That is, the term campus encompasses any building or property owned or controlled by the College within a reasonably contiguous geographic area used in direct support of the College's educational purposes or used by students and supporting College purposes.

The effectiveness of Central Coast College's prevention program is, in part, also measured by tracking the number of drug and alcohol-related

- disciplinary actions,
- treatment referrals, and
- incidents recorded by campus officials.

Additionally, to assist in the determination of the effectiveness of Central Coast College's prevention program, the College considers, if and when the College is made aware, the number of students or employees attending self-help or other counseling groups related to alcohol or drug abuse. The College also conducts a survey to ascertain student, faculty, and employee attitudes and perceptions about whether there is a drug and alcohol problem on campus.

With the results gathered from the various points of information described above, the College writes its report giving the results of the biennial review and its determination of whether the program is being effective or must be modified. The College keeps the biennial review on file in case of a possible audit. Colleges are not required to send their review to the U.S. Department of Education unless requested to do so. Central Coast College conducts its biennial review every other year (even years). The report from the review and documents related to it are retained for three years after the fiscal year in which the report was created.

