

## Whom should I contact?

Campus Emergency **3-3-3** from any campus phone or **9-1-1**

### Nonconfidential Resources:

Santa Ana Police Department (714-245-8665)

Orange Police Department (714-744-7444)

### Campus Safety

SAC (714) 564-6330

SCC (714) 628-4730

CEC (714) 241-5738

OEC (714) 628-5950

Title IX Coordinator (714) 480-7404

### Crisis Intervention Team (CIT)

SAC (714) 564-6216

SCC (714) 628-4773

### Confidential Resource on Campus:

#### Health Center

SAC (714) 564-6216

SCC (714) 628-4773

### Orange County Resources for Counseling, Accompaniment, and Advocacy:

North Orange County Sexual Assault Victim Services (714) 834-4317

South Orange County Sexual Assault Victim Services (949) 752-1971

Rape Crisis Hotlines (24/7) (714) 957-2737

(949) 831-9110

Domestic Violence Assistance Program - (714) 935-7956

Temporary Restraining Order Infoline (24/7) (714) 935-7956

VINE Service (Victims can receive immediate notification upon the release of a suspect from custody) (800) 721-8021

### The Clery Act and Responsible Employees

The Jeanne Clery Act is a federal law that requires colleges and universities to disclose certain timely and annual information about campus crime and security policies.

When an individual comes to most college employees for support after an incident of sexual misconduct, dating and domestic violence and stalking that person must inform the Title IX Coordinator of the incident as a Responsible Employee under Title IX. While your name will not be released and privacy maintained, the incident (if it occurred on Clery geography) will be included in the Clery Act reporting.

Psychologists in the Student Health Center are not mandated to report any detailed information to the Title IX.

6/1/2019



# Student Resource and Reporting Options for Sexual Misconduct, Intimate Partner Violence and Stalking

If you have experienced sexual misconduct, dating and domestic violence and/or stalking, what should you do?



Your safety and well-being are most important. This publication is intended to help you understand your rights and options.

# Sexual Misconduct, Dating and Domestic Violence, and Stalking

RSCCD is dedicated to create an educational and work environment that is free of sexual misconduct, dating and domestic violence, and stalking. Sexual Misconduct include a range of sexual offenses that have been initiated without obtaining consent or with the purpose or effect of threatening or coercing someone into sexual activity.

**Sexual misconduct** is the commission of an unwanted sexual act that occurs without consent.

**Sexual assault and/or battery** is the actual, attempted, threatened, or accomplished unwanted sexual act when it occurs:

1. Against a person's will by means of force (express or implied), violence, duress, menace, fear, fraud, or
2. When a person is incapacitated, a minor, or unaware of the nature of the act, due to unconsciousness, sleep and/or intoxicating substances.

**Dating violence** means 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 a romantic or intimate relationship will be determined based on the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**Domestic violence** includes felony or misdemeanor crimes of violence committed by:

- a current or former spouse of the victim;
- by a person with whom the victim shares a child in common;
- by a person who is cohabitating with or has cohabitated with the victim as a spouse;
- by a person similarly situated to a spouse of the victim under California law; or
- by any other person against an adult or youth victim who is protected from that person's acts under California law.

**Stalking** means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others, or to suffer substantial emotional distress.

## CONSENT

Consent is **informed**. Consent is an affirmative, unambiguous, and conscious decision by each participant to engage in mutually agreed-upon sexual activity.

Consent is **voluntary**. It must be given without coercion, force, threats, or intimidation. Consent means positive cooperation in the act or expression of intent to engage in the act pursuant to an exercise of free will.

Consent is **revocable**. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent to sexual activity on one occasion is not consenting to engage in sexual activity on another occasion. A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of the relationship, there must be mutual consent to engage in sexual activity. Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Once consent is withdrawn, the sexual activity must stop immediately.

Consent cannot be given when a person is incapacitated or a minor. A person cannot consent if they are unconscious or coming in and out of consciousness. A person cannot consent if they are under the threat of violence, bodily injury, or other forms of coercion. A person cannot consent if their understanding of the act is affected by a physical or mental impairment.

# Frequently Asked Questions

## WHAT REPORTING OPTIONS DO I HAVE?

- **Counseling Services:** It is important to seek assistance as soon as possible. The Student Health Center provides mental health care via short term counseling. Contact information for confidential resources are on the last page.
- **Criminal:** You may report the crime to local police at any time. However, the more time passes, law enforcement's ability to collect evidence may be limited.
- **Administrative:** Except in severe cases, students and employees who are Complainants will not be subject to discipline. The Title IX Coordinator can provide you will information regarding your resources, interim remedies (academic accommodations, No Contact Orders, work or classroom adjustments, and safety escorts) and options for addressing the incident. Contact information for the Title IX Coordinator can be found on the last page.
- **Civil Lawsuit:** You may choose to hire a private attorney and file a lawsuit against the Respondent. You may also obtain a protective/restraining order.
- **Non-reporting:** While the District encourages you to file a report in order to address the incident and protect the campus community, you may also decide not to file a report.

The Student Health Center can assist students with medical care. If you seek medical care and disclose a sexual battery, the medical professional is required to call the police. While this does not trigger a formal investigation or compel you to talk to the police, the police will be called. If you do not want police involvement, then do not respond to questions in a way that implies a sexual battery.

Remember you have a choice about what to report or disclose. Choosing to make a report, and deciding how to proceed after making the report, can be a process that unfolds over time. If you report the incident to the Title IX Coordinator, the College can provide support to each individual in making these important decisions, and will respect an individual's autonomy in deciding how to proceed to the fullest extent legally possible. In this process, the College will balance the individual's interest with its obligation to provide a safe and non-discriminatory environment for all members of the campus community.

## HOW DO I PRESERVE EVIDENCE?

There are two options in Orange County – an abbreviated/VAWA forensic exam with optional police involvement or a full forensic exam.

For a **full forensic** exam, call to report the incident to local police. A Victim Advocate and a Forensic Nurse will be dispatched to meet you at SAFE Place. A police officer can take you to SAFE Place and bring you back home. The Forensic Nurse will explain and conduct the procedure, and the Victim Advocate will provide information and resources.

For an **abbreviated forensic** exam, call Wayfinders (formerly Community Service Programs, Inc.) at (949) 831-9110. Inform the Responder that you are interested in an abbreviated exam. Remember to ask questions and share information only if you are comfortable. This is a scheduled appointment, and evidence will be kept for two years.

Remember to preserve all evidence (do not brush your teeth or bathe) and write down as many details as you can remember. Even if you have evidence collected, you do not need to have an investigation.

**This experience was NOT your fault. Reach out for support. You are not alone. Learn more at [rscgd.edu/titleix](https://rscgd.edu/titleix)**