

ANNUAL SECURITY REPORT 2023

*Including Crime
Statistics for 2020,
2021, & 2022*



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This report has been produced in accordance with the Jeanne Clery Disclosure of Campus Security Policy and the Campus Crime Statistics Act. Published by October 1, 2023.

The VCCCD does not discriminate on the basis of race, color, national origin, sex, disability, or age in its programs and activities. For more information regarding District policies and procedures, please visit: vcccd.edu.

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WELCOME MESSAGE

The Ventura County Community College District (VCCCD) provides students, in its diverse community, with access to comprehensive quality educational opportunities that support student learning and student success. The VCCCD Police Department supports the VCCCD mission and strives to promote a safe campus environment conducive to academic achievement through the cooperation of students, faculty, and staff.

Campus safety and security is a shared responsibility. All campus community members and visitors should be situationally aware of their surroundings while studying, working, or attending events on our campuses. Being alert to one's surroundings and using reason and caution during daily activities provides a degree of personal protection from crime. Community members who are aware and prepared to alert the VCCCD Police Department to crime or suspicious activity strengthen the district-wide safety net. VCCCD encourages all crimes to be reported to the VCCCD Police Department at [\(805\) 437-8444](tel:8054378444).

We remain committed to providing the highest levels of service and safety. On behalf of the District, the colleges, and our police officers, thank you for helping to make our campuses safe. If you have questions, please feel free to contact the VCCCD Police Services office at [\(805\) 652-7752](tel:8056527752).

Sincerely,



Dr. Rick MacLennan
Chancellor



Kelli Florman
Chief of Police

ABOUT THE DISTRICT

The Ventura County Community College District (VCCCD) is a public community college district serving residents in Ventura County. The District's three colleges – Moorpark College, Oxnard College, and Ventura College – offer programs for transfer to four-year colleges and universities, occupational and vocational training, basic skills instruction, as well as economic development and continuing education for cultural growth, life enrichment, and skills improvement. Each of the colleges provides a wide range of general programs and services to students, as well as focusing on its own unique and specialty areas. In 2022, the VCCCD served over 45,000 students.

MOORPARK COLLEGE MISSION STATEMENT

Grounded in equity, social justice, and a students first philosophy, Moorpark College values diverse communities. We empower learners from local, national, and global backgrounds to complete their degree, certificate, transfer, and career education goals. Through the integration of innovative instruction and customized student support, our programs are designed to achieve equitable outcomes.

OXNARD COLLEGE MISSION STATEMENT

Oxnard College transforms lives by offering equitable access to multiple educational and career pathways. Our academic programs and student services prepare students to enrich their communities and to succeed socioeconomically, professionally, and personally.

VENTURA COLLEGE MISSION STATEMENT

Ventura College places students at the center of their learning experiences, supporting them in achieving their personal, academic, and career goals in an anti-racist, liberating, and inclusive environment. The College is an open access educational institution that supports our diverse community helping them transform their own lives by offering degrees, certificates, transfer, and workforce preparation opportunities.

ABOUT THE POLICE DEPARTMENT

The VCCCD Police Department was founded in 1962 with the establishment of the District and has been charged with providing law enforcement, security, investigations, and parking/traffic control for students, faculty, staff, and visitors on all properties owned and operated by the VCCCD.

VCCCD Police Officers work in full uniform and may drive marked or unmarked police vehicles or patrol on foot, police utility cart, or bicycle. They provide a full range of police services, including but not limited to, emergency response, preventative patrols, criminal investigations, enforcement of all applicable laws and administrative regulations, crime prevention, special event security, traffic enforcement, traffic crash investigations, parking enforcement, and safety escorts for students, employees, and visitors. Persons arrested by the VCCCD Police Department are processed in accordance with prevailing practices in Ventura County, which can include a citation and release or booking at the Ventura County Main Jail. Criminal investigations are submitted to the Ventura County District Attorney's Office for filing consideration.

Additionally, the Police Department employs non-sworn Campus Safety Officers (CSOs), who assist police officers with visibility in the field. CSOs may also take reports, such as non-injury traffic crashes or vandalisms with no suspect information. The Police Department also employs student workers as Police Cadets, who observe and report suspected criminal activity and assist with parking, traffic control, vehicle jump starts, and safety escorts.

The VCCCD Police Department currently contracts with the California State University Channel Islands (CSUCI) Police Department for dispatch services for each of our campuses. These services are available 24 hours per day, 7 days per week, 365 days per year. The CSUCI Police Department employs trained, professional dispatchers who can be reached by calling [\(805\) 437-8444](tel:8054378444).

During normal operation, each of the three college police stations operates from 7:00 A.M. to 10:00 P.M., Monday through Thursday, and from 7:00 A.M. to 5:00 P.M. on Fridays. During the COVID-19 pandemic, the VCCCD Police Department operated during various hours by station. The Department also has an on-call supervisor available for calls for service 24/7.

Enforcement Authority (BP 7600 & AP 3520)

Under authority of VCCCD Board Policy 7600, the VCCCD has established a Police Department that employs sworn police officers who are vested with full arrest authority in the State of California pursuant to California Penal Code Section 830.32 and California Education Code Section 72330. The Police Department adheres strictly to the State of California Commission on Peace Officer Standards and Training (POST) guidelines.

Working Relationships with Local Law Enforcement (AP 3520)

The VCCCD Police Department cooperates fully with local, state, and federal agencies. This cooperation enables the Department to share information regarding potential threats, as well as to stay informed regarding criminal activity perpetrated in the neighborhoods around the campuses. In some cases, the nature of certain crimes exceeds the Department's resources to properly investigate; therefore, the Department maintains memoranda of understanding with

each of its three neighboring police agencies: the Oxnard Police Department, the Ventura Police Department, and the Ventura County Sheriff's Office.

The written agreements, which have been established pursuant to VCCCD Administrative Procedure 3520, designate which law enforcement agency has operational responsibility for violent Part I crimes, defined by law as willful homicide, forcible rape, robbery, and aggravated assault. The agreements also delineate the specific geographical boundaries of each agency's operational responsibility, including maps as necessary. The agreements are public records and are made available for inspection upon request through the VCCCD Police Services Office by calling [\(805\) 652-7752](tel:8056527752).

The VCCCD Police Department is regularly involved in meetings with other local law enforcement leaders on both formal and informal bases. The Police Department and local law enforcement agencies communicate regularly on the scene of incidents that occur on and around the campuses. When incidents arise that require joint investigative efforts, resources, crime related reports, and exchange of information, the VCCCD Police Department will work closely the appropriate neighboring law enforcement agency.

In response to a call for service, the VCCCD Police Department will take any appropriate enforcement action. If necessary, follow-up investigation for incidents will be conducted by the VCCCD Police Department with the assistance from local law enforcement agencies, as appropriate, and as outlined in our memoranda of understanding. Incidents involving VCCCD students may also be forwarded to the deans of student services and the offices of the vice presidents of student affairs.

The VCCCD Police Department does not provide any law enforcement service to off-campus student organizations nor are off-campus activities of student organizations recognized by District authority (AP 5510).

College Locations, Jurisdiction, and Agency Contact Numbers

The VCCCD Police Department's primary jurisdiction includes all properties owned and operated by the VCCCD, including adjacent public streets. However, its authority may extend to any place in the State of California. The following provides information on which local law enforcement agencies share jurisdiction with the VCCCD Police Department for each college campus and satellite property.

Moorpark College

7075 Campus Road
Moorpark, CA 93021

At Moorpark College, the VCCCD Police Department shares jurisdiction with the Ventura County Sheriff's Office Moorpark Station (contracted as the Moorpark Police Department) for incidents requiring criminal investigation. All crimes in progress and suspicious activity should be reported to the VCCCD Police Department at [\(805\) 437-8444](tel:8054378444). For emergencies, call the VCCCD Police Department at [\(805\) 437-8444](tel:8054378444) or the Ventura County Sheriff's Office at 9-1-1 or [\(805\) 654-9511](tel:8056549511).

Oxnard College

4000 South Rose Avenue
Oxnard, CA 93033

At Oxnard College, the VCCCD Police Department shares jurisdiction with the Oxnard Police Department for incidents requiring criminal investigation. All crimes in progress and suspicious activity should be reported to the VCCCD Police Department at (805) 437-8444. For emergencies, call the VCCCD Police Department at [\(805\) 437-8444](tel:8054378444) or the Oxnard Police Department at 9-1-1 or [\(805\) 385-7740](tel:8053857740).

Ventura College

4667 Telegraph Road
Ventura, CA 93003

At Ventura College, the VCCCD Police Department shares jurisdiction with the Ventura Police Department for incidents requiring criminal investigation. All crimes in progress and suspicious activity should be reported to the VCCCD Police Department at (805) 437-8444. For emergencies, call the VCCCD Police Department at [\(805\) 437-8444](tel:8054378444) or the Ventura Police Department at 9-1-1 or [\(805\) 650-8010](tel:8056508010).

Ventura College East Campus

957 Faulkner Road #106
Santa Paula, CA 93060

At Ventura College East Campus, the VCCCD Police Department shares jurisdiction with the Santa Paula Police Department for incidents requiring criminal investigation. All crimes in progress and suspicious activity should be reported to the Santa Paula Police Department at [\(805\) 525-4474](tel:8055254474). For emergencies, call the Santa Paula Police Department at 9-1-1 or [\(805\) 525-4474](tel:8055254474).

Oxnard College

Fire Technology Academy

104 Durley Avenue
Camarillo, CA 93010

At the Oxnard College Fire Technology Academy, the VCCCD Police Department shares jurisdiction with the Ventura County Sheriff's Office Camarillo Station (contracted as the Camarillo Police Department) for incidents requiring criminal investigation. All crimes in progress and suspicious activity should be reported to the VCCCD Police Department at (805) 437-8444. For emergencies, call the VCCCD Police Department at [\(805\) 437-8444](tel:8054378444) or the Ventura County Sheriff's Office at 9-1-1 or [\(805\) 388-5100](tel:8053885100).

**Oxnard College
Marine Center and Aquarium**

2741 Victoria Avenue
Oxnard, CA 93035

At the Oxnard College Marine Center and Aquarium, the VCCCD Police Department shares jurisdiction with the Oxnard Police Department for incidents requiring criminal investigation. All crimes in progress and suspicious activity should be reported to the Oxnard Police Department at [\(805\) 385-7740](tel:(805)385-7740). For emergencies, call the Oxnard Police Department at 9-1-1.

For general inquiries, each VCCCD Police Department station can be reached at the following:

Moorpark College Station

7075 Campus Road
Moorpark, CA 93021
[\(805\) 378-1455](tel:(805)378-1455)

Oxnard College Station

4000 South Rose Avenue
Oxnard, CA 93033
[\(805\) 678-5805](tel:(805)678-5805)

Ventura College Station

71 Day Road
Ventura, CA 93003
[\(805\) 289-6486](tel:(805)289-6486)

The Chief of Police may be reached at the following:

**Police Services Office
VCCCD Day Road Center**

71 Day Road
Ventura, CA 93003
[\(805\) 652-7752](tel:(805)652-7752)

JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT

The *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* (20 U.S.C. § 1092(f); also referred to as “Clery Act” or “Clery”) is a federal law, formerly known as *The Student Right-to-Know and Campus Security Act*, which requires colleges and universities across the United States that receive federal funding to disclose reported instances of criminal activity on their campuses. The law specifically requires the reporting of homicides, robbery, aggravated assault, burglary, motor vehicle theft, and arson, as well as a summary of arrests and disciplinary referrals for liquor law, drug abuse, and weapons violations. The *Violence Against Women Act* amended the Clery Act reporting requirements to include stalking, intimidation, dating violence, domestic violence, sexual assault, and hate crimes and added the requirement for campuses to provide education and awareness programs.

COMPILING THE ANNUAL SECURITY REPORT

The VCCCD Police Department prepares the Annual Security Report to comply with the Clery Act and publishes the report on or before October 1 of each year.

Crime statistics for the Annual Security Report are collected from the VCCCD Police Department records management system and Campus Security Authorities across all VCCCD colleges and locations. Crime statistics are also solicited from all local law enforcement agencies that have or share law enforcement jurisdiction with the VCCCD Police Department. Such agencies include the Oxnard Police Department, the Ventura Police Department, the Santa Paula Police Department, and the Ventura County Sheriff’s Office.

The vice presidents of student affairs provide disciplinary statistics regarding alcohol, drug, and weapon violations. The Title IX coordinators provide statistics regarding reported incidents of dating violence, domestic violence, sexual assault, and stalking alleged to have occurred within VCCCD’s Clery geography.

Each year on or before October 1, an email notification is sent to all students, faculty, and staff providing the website URL to the Annual Security Report. The report is also made available via the District’s website at [VCCCD.edu/ASR](https://vcccd.edu/ASR). Additionally, members of the public, including the media, may obtain paper copies upon request through the VCCCD Police Services Office by calling [\(805\) 652-7752](tel:8056527752) or emailing dist-pd@vcccd.edu.

Safety Policy (AP 6800)

Definitions – Prevention activities increase awareness and minimize the potential for crisis in the workplace. Training is essential for all staff to learn how to recognize early warning signs, so that appropriate intervention can be provided for identified areas of conflict in the workplace.

Crisis or conflict constitutes any inappropriate or unreasonable disruption that interferes with the normal functioning of your work.

Acts of violence include any physical action, whether intentional or reckless, that harms or threatens the safety of self, another individual or property.

A threat of violence includes any behavior that by its very nature could be interpreted by a reasonable person as intent to cause physical harm to self, another individual or property.

Workplace includes off-campus locations as well as college-sponsored activities where faculty, staff, or student employees are engaged in college business or locations where incidents occur as a result of the person's relationship to the college community.

Emergencies – Any employee shall immediately report any situation that threatens life or property and demands an immediate response of police, fire, or medical personnel by first dialing 911 and then notifying Ventura County Community College Campus Police.

Equipment and Sanitation – Should the duties of an employee require the use of equipment to ensure the safety of the employee, the District shall furnish such equipment. Complaints related to health safety, sanitation and working conditions shall be forwarded to Risk Manager for review and recommendation.

Crisis and Conflict Intervention – Any employee experiencing an unsafe work condition should immediately contact his/her supervisor or the Risk Manager. The supervisor shall immediately notify the Ventura County Community College Campus Police about any acts or threats of violence. The employee will be provided consultation regarding resources available to resolve the unsafe work condition.

It is the responsibility of all employees immediately to report threats, acts of violence or any other behavior which deliberately hurts or harms another person at the college to their immediate supervisor and the VCCCD Police Department. Such reports will be promptly and thoroughly investigated.

Reporting Crimes and Other Emergencies (AP 3515)

All members of the college community are encouraged to report all crimes and emergencies accurately and promptly, including medical emergencies, to the VCCCD Police Department. Reports may also be made to the appropriate local law enforcement agency when the victim elects to or is unable to make such a report to the VCCCD Police Department. Any person may contact the VCCCD Police Department to report any perceived or actual threat or suspicious circumstance.

When the VCCCD Police Department is called, officers are dispatched immediately to the scene of the complaint and have the authority to take police action if necessary, including investigating an incident or crime, completing an incident or crime report, providing counseling resources, or making an arrest. Calls to 9-1-1 are answered by the nearest local law enforcement agency dispatch center, which will relay the information to the VCCCD Police Department.

All crimes should be reported to the VCCCD Police Department or to a Campus Security Authority, to ensure inclusion in the crime statistics and to aid in providing timely warning notices to the community when appropriate.

VCCCD has established the following steps to take when a crime has been committed on college property:

- FIRST:** **Call the VCCCD Police Department at (805) 437-8444 or 9-1-1.**
- THEN:**
- 1. Give your name, telephone number, and location (e.g., parking lot, building/room number, vehicle information, etc.).**
 - 2. Give clear and accurate information.**
 - 3. Be prepared to supply suspect or vehicle description and direction of travel.**
 - 4. DO NOT HANG UP! Follow the instructions from the dispatcher.**

Report all incidents immediately. If you witness a crime, note a description of the individuals involved, vehicle information if applicable, direction of travel, and any other important information. Do not approach or attempt to apprehend any persons involved in the crime. Provide accurate details to the VCCCD Police Department as soon as possible. For more information regarding crime tips and prevention, please visit the VCCCD Police Department website at [VCCCD.edu/Police](https://vcccd.edu/Police).

VCCCD Police Department incident reports may be forwarded to the deans of student services for review and potential action by the vice presidents of student affairs. Additional information obtained via investigation will also be forwarded to the deans of student services. If assistance is required from local law enforcement, the VCCCD Police Department will contact the appropriate department.

If a sexual assault or rape should occur, staff on the scene, including the VCCCD Police Department, will offer the victim information about available on-campus and off-campus resources and services.

Campus Security Authorities

The VCCCD recognizes that some students, faculty, and staff may be hesitant about reporting crimes to the VCCCD Police Department and may be more comfortable reporting crimes to college staff and administrators instead. Crime victims who do not wish to report to law enforcement may report to a Campus Security Authority (CSA). Crime victims maintain the right to decline to report an incident to law enforcement if an offer to do so is made by a CSA. Each person designated as a CSA must submit reportable offenses to the VCCCD Police Department as they occur throughout the year for statistical purposes.

The Clery Act defines a Campus Security Authority as “an official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings.” In addition to VCCCD Police Department personnel, CSAs include the following VCCCD officials:

- Coaches and Athletic Directors
- Club Advisors
- Deans
- Student Affairs
- Student Health Center Coordinators
- Title IX Coordinators
- College Presidents
- Board Members

The above list of CSAs is subject to modification and is not intended to be all-inclusive, due to changes in responsibilities within the District and varying job titles across colleges. Faculty members and clerical staff are unlikely to have significant responsibility for student and campus activities, except when serving as an advisor to a registered student group, and as such may not be designated as a CSA.

CSAs are charged with reporting to the VCCCD Police Department those allegations of Clery Act crimes occurring on Clery geography that the CSA concludes are made in good faith. A CSA is not responsible for determining whether a crime took place, as that is the function of law enforcement and its investigatory process.

Common CSA Contact Information

In addition to the VCCCD Police Department, crimes may also be reported to the following CSAs and their offices:

Moorpark College

Student Support
Vice President
[\(805\) 553-4136](tel:(805)553-4136)

Student Health & Wellness
Coordinator
[\(805\) 378-1413](tel:(805)378-1413)

Director of Athletics
[\(805\) 378-1448](tel:(805)378-1448)

Oxnard College

Student Development
Vice President
[\(805\) 678-5195](tel:(805)678-5195)

Student Health & Wellness
Coordinator
[\(805\) 678-5832](tel:(805)678-5832)

Director of Athletics
[\(805\) 678-5870](tel:(805)678-5870)

Ventura College

Student Affairs
Vice President
[\(805\) 289-6113](tel:(805)289-6113)

Student Health & Wellness
Coordinator
[\(805\) 289-6346](tel:(805)289-6346)

Director of Athletics
[\(805\) 289-6121](tel:(805)289-6121)

Confidential Reporting (AP 3515)

CSAs are required to report all allegations to law enforcement personnel, even if the CSA was told of a crime in the context of providing emotional support or health care support. The allegations will be reported whether or not the victim chooses to file a report with law enforcement. A CSA may also provide a victim or witness with assistance in reporting a crime to the VCCCD Police Department or local law enforcement or to any official or office that should be informed of the crime.

In accordance with AP 3515, a victim of crime who does not wish to pursue action through the VCCCD Police Department or the criminal justice system may consider making a confidential report to a CSA. A CSA can file a report on the details of the incident without revealing the victim's identity. The purpose of a confidential report is to comply with both the victim's wish to keep the matter confidential while taking steps to ensure the future safety of others. With such information, the VCCCD Police Department can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime regarding a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the Annual Security Report.

Professional mental health and pastoral counselors are not designated as CSAs and therefore are exempt from disclosing or reporting allegations of crimes unless a person's life is in danger. However, to be exempt from the Clery Act reporting requirements, the counselor must be acting within the scope of their license and employment as a mental health counselor. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform the person being counseled of the procedures to report crimes on a voluntary basis for inclusion in the Annual Security Report.

A **pastoral counselor** is a person who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

A **professional counselor** is an employee of the District whose official responsibilities include providing psychological counseling to members of the District's community and who is functioning within the scope of their license or certification.

Required Reports to Local Law Enforcement Agencies

California Penal Code Section 11160 requires prompt, mandatory reporting to local law enforcement agencies by health care practitioners when they provide medical services to a person that they know or reasonably suspect is suffering from wounds inflicted by a firearm or as a result of assaultive or abusive conduct. There are additional mandatory reporting requirements regarding suspected child abuse incidents, violent crimes, and threats.

Any report of willful homicide, forcible rape, robbery, aggravated assault, sexual assault, or hate crime, committed on or off campus, that is received by a CSA and made by the victim for the purposes of notifying the institution or law enforcement, must be immediately, or as soon as practicably possible, disclosed to the local law enforcement agency. The report shall not identify the victim, unless the victim consents to being identified after the victim has been informed of their

right to have their personally identifying information withheld. If the victim does not consent to being identified, the alleged assailant shall not be identified in the information disclosed to the local law enforcement agency unless the institution determines that both of the following apply, in which case the institution shall disclose the identity of the alleged assailant to the local law enforcement agency and notify the victim of the disclosure:

- The alleged assailant represents a serious or ongoing threat to the safety of students, employees, or the institution; and
- The immediate assistance of the local law enforcement agency is necessary to contact or detain the assailant.

TIMELY WARNINGS (AP 3515)

Time Warnings are issued in response to reported occurrences of crimes specified by the Clery Act. The intent of a Timely Warning is to enable people to protect themselves and/or their property.

Pursuant to AP 3515, the District and its Police Department shall publish Timely Warnings to the college community about the following crimes reported to the VCCCD Police Department that have occurred on campus, in a college building, or on public property located on or adjacent to the college and are considered to represent a serious and continuing threat to students and employees:

Clery Crimes

- Murder and Non-Negligent Manslaughter
- Negligent Manslaughter
- Sex Offenses
 - Rape, Sodomy, Penetration by a Foreign Object
 - Fondling / Sexual Battery
 - Incest
 - Statutory Rape
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Arson (fires investigated by law enforcement and deemed to be arson)

Hate Crimes

- Any of the above crimes motivated by bias, plus the following crimes motivated by bias:
 - Simple Assault
 - Larceny / Theft
 - Intimidation
 - Damage, Destruction, Vandalism of Property

Violence Against Women Act

- Stalking
- Dating Violence
- Domestic Violence
- Sexual Assault

Arrests or Disciplinary Referrals

- Liquor Violations
- Drug Violations
- Weapons Violations

Other dangers that pose a serious or continuing threat to the college community, such as a kidnapping on campus or patterns of larcenies or vandalism, may be instead addressed through a Crime Bulletin.

The VCCCD Police Department Chief of Police or designee will determine the content and broadcast a Timely Warning in a manner this is “timely” and will aid in the prevention of similar crimes, unless issuing the warning will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the threat. Timely Warnings will withhold as confidential the names and personal identifying information of all victims.

Any or all the following may be used to issue Timely Warnings and notifications about serious emergencies on campus:

- Broadcast via the Emergency Notification System, which includes:
 - Wall-Mounted Speaker Displays
 - On-Campus Siren Systems
 - Marquee Boards
- Prominent postings on the District and colleges Alerts webpages (VCCCD.edu/Alerts, MoorparkCollege.edu/Alerts, OxnardCollege.edu/Alerts, & VenturaCollege.edu/Alerts);
- Social media posts;
- Email and voicemail dissemination; and,
- Broadcast via emergency vehicle public address systems.

Crime Bulletins and other informational materials may also be posted on college bulletin boards and buildings to inform students, faculty, and staff of ongoing safety concerns.

The decision whether to issue a Timely Warning will be made by the Chief of Police or designee on a case-by-case basis considering all available facts surrounding the reported crime. The factors used when analyzing whether a reported crime presents a serious or continuing threat to the campus community include, but are not limited to, the following:

- How much time has passed between the incident and the report?
- Has the perpetrator been apprehended?
- Were there multiple perpetrators working together?
- Was the incident violent in nature?
- Were date rape drugs or other substances used to facilitate the crime?
- Was a weapon used during the commission of the crime?
- Does the incident appear to be an isolated incident with specifically targeted victims?
- Is there a pattern of similar incidents (e.g., the same or similar crimes occurring in a short period of time, a particular group being targeted on multiple occasions, etc.)?
- Are there other aggravating circumstances or predatory behaviors at issue suggesting that a threat/ongoing danger exists?
- Are there enough details available to determine whether a threat/ongoing danger exists?

Generally, a Timely Warning will specify the type of reported crime, the time and location that the reported crime occurred, a clear description of what occurred, and information to the college community regarding the steps to take to protect oneself and avoid becoming a victim. The Timely Warning will not identify the victim by name or identifying information. A description of a subject in a criminal incident will only be included if there is enough detail to describe the individual. If the only known descriptors are sex and race, those descriptors will not be included.

A Timely Warning will not be issued if the suspect has been apprehended and the threat of imminent danger to the campus community has thus been mitigated. Further, a Timely Warning may not be issued if the report was not filed with the VCCCD Police Department, a CSA, or local law enforcement in a manner that would allow the issuance of a “timely” notice to the college community.

After a Timely Warning has been issued, the VCCCD Police Department Chief of Police or designee will consider whether a follow-up warning needs to be communicated to the college community about the situation. If it is determined that a follow-up warning is necessary, it will be made in the manner described above.

In the event the District decides to issue, or not issue, a Timely Warning, the decision will be documented and placed on file with the VCCCD Police Department.

The District shall not be required to provide a Timely Warning with respect to crimes reported to a professional or pastoral counselor.

EMERGENCY NOTIFICATIONS

If there is an immediate threat to the health or safety of students or employees occurring on campus, the District shall follow its emergency notification procedures described below.

An Emergency Notification is a mass notification that is utilized for significant emergency or dangerous situations involving an immediate threat to the health or safety of students or employees occurring at all VCCCD colleges and properties. Emergency Notifications are triggered by an event that is currently occurring at a college or imminently threatening the college community. The VCCCD will initiate Emergency Notification procedures upon the confirmation of any significant emergency or dangerous situation occurring on campus that represents an immediate threat to the health or safety of students or employees. Possible examples of incidents which could trigger an Emergency Notification include, but are not limited to:

- Building Fire or an Approaching Wildfire
- Earthquake
- Approaching Tornado or other Extreme Weather
- Armed Intruder
- Bomb Threat
- Outbreak of Disease or other Serious Illness
- Gas Leak
- Terrorist Incident
- Explosion
- Civil Unrest or Rioting
- Nearby Chemical or Hazardous Waste Spill

The college president or designee will, without delay and considering the safety of the community, determine the content of the notification and broadcast the notification to the entire campus community, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond, or otherwise mitigate the emergency. Emergency Notifications will include a description of the emergency and instructions to the college community for taking protective action. When the threat no longer exists, an “all clear” alert will be broadcasted. If an Emergency Notification is issued, there is no need to issue a Timely Warning.

In the event of a serious incident that poses an immediate threat to members of the college community, the District has various systems in place for communicating information quickly. Some or all these methods of communication may be activated in the event of an immediate threat to the campus community.

Any or all the following may be used to issue Emergency Notifications about serious emergencies on campus:

- Broadcast via the Emergency Notification System, which includes:
 - Wall-Mounted Speaker Displays
 - On-Campus Siren Systems
 - Marquee Boards
- Prominent postings on the District and colleges Alerts webpages (VCCCD.edu/Alerts, MoorparkCollege.edu/Alerts, OxnardCollege.edu/Alerts, & VenturaCollege.edu/Alerts);
- Social media postings
- Email and voicemail dissemination; and,
- Broadcast via emergency vehicle public address systems.

The District’s Public Information Officer will be responsible for the dissemination of emergency information to the larger community. In absence of this person, an Emergency Operations Center administrator will designate an individual responsible for this function.

Members of the VCCCD Police Department, college administrators, and maintenance and operations departments are tasked with emergency response and management responsibilities for events occurring at any VCCCD college. Response and management responsibilities include determining the scope and nature of a crisis response, overseeing evacuations, coordinating with local emergency response agencies, and communicating information about the crisis including, but not limited to, the content of an Emergency Notification.

Local emergency response agencies may be consulted to determine the extent of the danger to the campus community. Examples include but are not limited to consulting with:

- Local fire officials regarding building fires or wildfires;
- Local hazardous materials teams regarding chemical or hazardous waste spills; and,
- Ventura County Public Health regarding serious illnesses or outbreaks.

In the event the VCCCD chooses to issue an Emergency Notification, the decision will be documented and placed on file with the VCCCD Police Department. Anyone with information about any incident that may warrant an Emergency Notification should contact the VCCCD Police Department at [\(805\) 437-8444](tel:8054378444).

EMERGENCY PREPAREDNESS (AP 3505)

The VCCCD colleges maintain Emergency Operations Plans (EOPs) that contain provisions to provide immediate emergency response and evacuation in an emergency, in accordance with AP 3505. In the event of an emergency, natural disaster, or the occurrence of a hazardous condition, the District will ensure the activation these plans to protect and govern employees, students, visitors, and children in childcare programs on its campuses and facilities. The EOPs provide direction on emergency response, evacuation, and notification of the college community. The EOPs have adopted California's Standardized Management System (SEMS) and the National Incident Management System (NIMS).

Preparedness

The District's Emergency Response Plan provides information on preparedness, prevention, response, recovery, and mitigation policies and procedures and provides information on coordinating with the appropriate local, state, and federal government authorities, and nongovernmental entities on comprehensive emergency management and preparedness activities.

Standardized Management System

There are five designated levels in the SEMS organization:

- Field Response
- Local Government
- Operational Areas
- Regions
- State

Each level is activated as needed.

Standardized Management System Training

The District shall provide SEMS training for each of its Emergency Response teams no less than annually. The training will ensure that the emergency response personnel can demonstrate and maintain the minimum SEMS performance objectives, at the appropriate level, required by the District's training programs. In addition, the District will test its emergency notification systems no less than annually.

Compliance with SEMS

The Emergency Response Plan includes the following functions:

- Management
- Operations
- Logistics
- Planning and Intelligence, and
- Finance/Administration

Local governments use SEMS in order to be eligible for state funding for response-related personnel costs which occur in response to an incident. The District shall use SEMS to coordinate multiple jurisdiction or multiple agency emergency and disaster operations.

In the event that a local emergency occurs and the Governor of California declares a state of emergency, if the District responds to the emergency, the District shall complete and transmit an after-action report to the California Office of Emergency Services (OES) within 90 days of the close of the incident period. The after-action report shall include a review of the response actions taken, the application of SEMS, the identified training needs, suggested modifications to SEMS, necessary modifications to the SEMS plans and procedures, and an up-to-date recall of the recovery actions.

National Incident Management System

The District must also be in compliance with the federal requirements for emergency preparedness using NIMS.

Compliance with NIMS

The District will ensure that its employees receive the appropriate NIMS training. NIMS compliance is measured by a performance-based "metrics" system. In addition to the training requirements, the District must also comply with state and federal preparedness laws for public institutions.

Testing Emergency Response and Evacuation Procedures

Each VCCCD college has an Emergency Team consisting of members whose training complies with Federal Emergency Management Agency (FEMA) guidelines. Teams perform yearly exercises and recreate possible emergencies that could affect each campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. All notification systems are tested on a regular basis, typically once during spring break and again in conjunction with the Great California Shakeout, which occurs in October.

Emergency Operations Centers (EOCs)

Each VCCCD college has an Emergency Operations Center (EOC), which will be activated during emergency situations. The college president will activate the EOC, which may be staffed by one or more key administrators depending on the situation and response. The EOC staff will direct the college's response to the emergency situation, coordinate with outside agencies, and request outside support.

The EOCs are composed of trained, pre-determined District employees, as defined in the colleges' Emergency Operations Plans. As part of their designated responsibilities, the EOC members may:

- Declare a major emergency in the event of earthquake, explosion, flood, etc.
- Implement the Emergency Operations Plan by organizing, staffing, supporting, and operating the emergency operations center.
- Collect, evaluate, analyze, and disseminate damage assessment and other essential information.
- Initiate the emergency notification chain (including call back of employees).
- Mobilize employees and resources to heavily damaged areas for triage, treatment, etc.
- Monitor the emergency situation and evaluate the effectiveness of operations.
- Communicate information, warnings, and guidance to the campus community.
- Maintain information on the status of resources, services, and operations.
- Provide status and other reports to the local jurisdictions' emergency management organization.

MAINTENANCE AND SECURITY OF, AND ACCESS TO, COLLEGE FACILITIES

The maintenance and operations departments and the VCCCD Police Department combine efforts to enhance the District's maintenance and security programs. Exterior doors on the college campuses are checked by VCCCD Police Department and maintenance personnel to ensure they are properly secured. Building alarms are activated and monitored by the VCCCD Police Department and private alarm companies. Grounds staff routinely trim trees and bushes to reduce potential safety hazards.

Students and staff members may be asked to produce positive identification to prove authorization to be in a specific area. Employees who need to be in campus buildings or areas not during normal operating hours should notify the VCCCD Police Department of their presence.

It is the responsibility of those who use the classrooms, offices, and other areas to close and lock doors, turn off lights, and close windows. The VCCCD Police Department may check many of the areas of the colleges during off hours, but the primary responsibility for security of the buildings lies with the user.

During business hours, the District will be open to students, employees, contractors, guests, and invitees. During non-business hours, access to all District facilities is by key, if issued, or by admittance via the VCCCD Police Department or maintenance and operations personnel. In the case of periods of extended closing, access to appropriate facilities will be provided to authorized employees.

The college facilities are maintained by the maintenance and operations departments and are patrolled by members of the VCCCD Police Department. Police personnel often report the need for replacement of lights and any other physical hazards they notice to the maintenance and operations departments for repair.

Hours of Access

The hours of operation for District property are 6:00 A.M. to 11:00 P.M. daily. Expressive activities are not permitted outside hours of operation (see BP 3900 & AP 3900 on Speech: Time, Place, and Manner). Overnight use or sleeping on any VCCCD college is not permitted, nor is use of the campus areas for sleeping, camping, laying down of bedding, and use of facilities for similar purposes authorized during hours of operation.

No person shall enter, loiter, or remain on any District facility at any time between 11:00 p.m. and 6:00 a.m. of the following day. When District facilities are closed, the use, presence, or occupation of any areas on District property is prohibited without authorization from the college president or authorized representative, or unless the person is a participant in an activity approved or sponsored by the District.

District Property Closure

A duly authorized District representative may close a District facility or college at any time there is an apparent danger to the persons using the property, or for any cause which would provide for the safety and protection of the public. This section may be enforced without concurrence of those individuals or groups involved in the use of the facility. Remaining in an area closed by an authorized representative is prohibited. Refusing or failing to leave immediately upon being requested by the authorized representative is a violation of California Penal Code Section 602(m).

District facilities and grounds are for the use of District-authorized activities and events. The college maintenance and operations departments are responsible for administering the process for issuance, use, and return, including monitoring, of keys. All issued keys are the property of the VCCCD. As such, they are subject to recall at any time.

SECURITY AWARENESS PROGRAMS

The VCCCD Police Department may conduct training and orientation sessions for students and employees as needed, along with periodic security awareness events.

The VCCCD Police Department offers two safety presentations aimed at providing students, faculty, and staff the knowledge to respond to emergencies on campus, as well as general campus safety and security tips. The safety presentations may be requested by faculty and staff to be provided in classrooms for students, individual department trainings, committee meetings, flex training, or any other similar venue. To learn more and request a presentation, please visit the VCCCD Police Department's webpage at [VCCCD.edu/Police](https://vcccd.edu/Police).

In addition to periodic safety and security awareness trainings, safety information is regularly disseminated to the college community through brochures, the public websites, emails, and public service announcements.

CRIME PREVENTION PROGRAMS

The VCCCD Police Department's primary responsibility is the safety and security of all members of the college community. The Police Department makes every effort to inform students and staff of criminal activity or any other concern which may be of an immediate threat to the safety and security of the District. Crime prevention workshops are offered during the academic year to students and staff. It is the responsibility of every member of the campus community to act in ways that promote the safety of self, others, and the protection of District property.

The Police Department participates in both student- and staff-related functions, such as student government meetings, college club events, and District safety meetings. The Police Department also offers and participates in various presentations throughout the year, with topics including emergency preparedness, campus safety orientations, and sex crime awareness and prevention.

In addition to periodic crime prevention trainings, crime information is regularly disseminated to the college community through crime bulletins, crime statistics, and the Daily Crime Log, which is available for review on the VCCCD Police Department's webpage at [VCCCD.edu/Police](https://vcccd.edu/Police).

ALCOHOL AND DRUG POLICIES

The VCCCD is committed to maintain a safe and healthy environment for the college community. Alcohol and other drugs must not interfere with the District's educational mission. All VCCCD students, faculty, staff, and administrators are subject to local state and federal laws regarding the unlawful possession, distribution, or use of alcohol or illegal drugs. Counseling services and support groups for students are available through each college's Student Health Center. The student health centers also publish information about alcohol and treatment programs on their websites.

Drug Free Environment and Prevention Program (BP 3550)

The District shall be free from all illegal drugs and from the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. The unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in all facilities under the control and use of the District. Any student or employee who violates this policy will be subject to disciplinary action, (consistent with local, state, or federal law), which may include referral to an appropriate rehabilitation program, suspension, demotion, expulsion, or dismissal. The Chancellor shall assure that the District distributes annually to each student the information required by the Drug-Free Schools and Communities Act Amendments of 1989 and complies with other requirements of the Act.

Alcoholic Beverages (BP 3560)

The possession, sale, or the furnishing of alcohol on campus is governed by California state law and these procedures. The possession, sale, consumption or furnishing of alcohol is controlled by the California Department of Alcohol and Beverage Control. However, the enforcement of alcohol laws on-campus is the primary responsibility of the VCCCD Police Department. The campuses have been designated “drug free” and only under certain circumstances is the consumption of alcohol permitted. The possession, sale, manufacture, or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the VCCCD Police Department. Violators are subject to disciplinary action, criminal prosecution, fines, and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21 years. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation for anyone to consume or possess alcohol in any public or private area of the College without prior District approval. Organizations or groups violating alcohol or substance policies or laws may be subject to sanctions by the VCCCD.

Alcoholic beverages on campus are permitted under the following circumstances:

- The alcoholic beverage is for use during a fundraiser held to benefit College Foundation(s), or by groups or organizations that rent college facilities, that has/have obtained a license under the provisions of the California Business and Professions Code, to do so provided that no alcoholic beverage can be acquired, possessed, or used at a football game or other athletic contest sponsored by the District and its colleges. Any fundraising event requesting to serve alcoholic beverages requires advance approval of the Chancellor or designee.
- The alcoholic beverage is acquired, possessed, or used in connection with a college academic program, a course of instruction, or a sponsored dinner.

Referral for prosecution may result in conviction and criminal penalties under local, state, and federal laws that may include substantial fines and/or incarceration. For example:

- Under California law:
 - Possession of any amount of certain controlled substances is punishable by up to one year of imprisonment in a county jail (H&S §§ 11054 & 11350);

- Unlawful possession of marijuana or cannabis is punishable based upon the amount involved, ranging up to a fine of \$500 and six months of imprisonment in a county jail (H&S § 11357);
 - The sale, or purchase with the intent to sell, of certain controlled substances is punishable by up to four years of imprisonment (H&S § 11351); and,
 - The sale, or purchase with the intent to sell, of marijuana is punishable by a term of imprisonment in a county jail of up to three years (H&S § 11359 & PC § 1170(h)).
- Under Federal law:
 - Possession of a “controlled substance” is punishable by up to three years of imprisonment (21 U.S.C. §§ 802 & 844(a)); and,
 - Penalties for unlawful distribution of controlled substances are complex but are summarized in the publication by Brian T. Yeh (2015).¹

WEAPONS ON CAMPUS (BP 3530 & AP 3530)

Firearms or other weapons shall be prohibited on any college or District center, or in any facility of the District, except for activities conducted under the direction of District officials or as authorized by an official law enforcement agency.

Firearms, knives, and other dangerous weapons of any kind are not permitted on District property. Intentional use, possession, or sale of firearms, knives or any other dangerous weapon is strictly prohibited on a school campus by state law. The VCCCD Police Department strictly enforces state laws, as well as the VCCCD’s zero-tolerance policy for the possession or use of any weapon on campus.

Firearms, knives, explosives, or any other dangerous objects, including but not limited to any facsimile firearm, knife or explosive, are prohibited on any District campus or at any District center, or in any facility of the District.

Activities involving firearms or any other weapons conducted under the direction of District officials or as authorized by an official law enforcement agency shall be reported to the VCCCD Police Department Chief of Police before taking place.

Any person who believes that he/she/they may properly possess a firearm or other weapon on campus or in a District center or other facility of the District must promptly notify the VCCCD Police Department Chief of Police located in the Police Services office.

Bringing or possessing any dirk, dagger, ice pick, or knife having a fixed or locking blade longer than 2-1/2 inches, taser, or stun gun, upon the grounds, unless the person is authorized to possess

¹ U.S. Congressional Research Service. Drug Offenses: Maximum Fines and Terms of Imprisonment for Violation of the Federal Controlled Substances Act and Related Laws (RL30722; January 20, 2015), by Brian T. Yeh. Available online: <https://sgp.fas.org/crs/misc/RL30722.pdf>.

such a weapon in the course of his/her/their employment, has been authorized by a District administrator, or is a duly appointed peace officer, who is engaged in the performance of his/her/their duties.

Violators of BP 3530 and AP 3530 are subject to college discipline and/or criminal prosecution. Students found in violation of the VCCCD's weapons policy may be subject to academic probation, suspension, or expulsion. Parents or guardians may be notified about any disciplinary violation involving a weapon which has been committed by a student who is under the age of 18.

DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND STALKING POLICY STATEMENTS (BP & AP 3540)

Any sexual assault or physical abuse, including, but not limited to rape as defined by California law, whether committed by an employee, student, or member of the public, that occurs on District property, is a violation of District policies and procedures, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures consistent with State and Federal law. Students, faculty, and staff who may be victims of sexual and other assaults shall be treated with dignity and provided comprehensive assistance.

BP 3540 dictates the Chancellor or designee shall establish administrative procedures that ensure that students, faculty, and staff who are victims of sexual and other assaults receive appropriate information and treatment, and that educational information about preventing sexual violence is provided and publicized as required by law. The procedures shall meet the criteria contained in California Education Code Sections 67385, 67385.7, and 67386, and Title 34 of the Code of Federal Regulations Section 668.46.

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 District property, in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities or at another location, or on an off-campus site or facility maintained by the District, or on grounds or facilities maintained by a student organization, is a violation of District policies and regulations, and is subject to all applicable punishment, including criminal procedures and employee or student discipline procedures (see also AP 5500 on Standards of Conduct).

Relevant Definitions Related to Sexual Assault, Dating Violence, and Stalking

The following are definitions from AP 3433 on Prohibition of Sexual Harassment under Title IX:

- **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.
- **Rape (except Statutory Rape):** The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical

incapacity. There is carnal knowledge if there is the slightest penetration of the genital or anal opening of the body of another person.

- **Sodomy:** Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity.
- **Sexual Assault with an Object:** To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her/their age or because of his/her/their temporary or permanent mental or physical incapacity. An 'object' or 'instrument' is anything the offender uses other than the offender's genitalia, e.g., a finger, bottle, handgun, stick.
- **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/their age or because of his/her/their temporary or permanent mental or physical incapacity.
- **Sex Offenses, Non-Forcible Unlawful, Non-Forcible Sexual Intercourse:**
 - **Incest:** Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - **Statutory Rape – Non-Forcible:** Sexual intercourse with a person who is under the statutory age of consent. There is no force or coercion used in Statutory Rape; the act is not an attack.
- **Dating violence:** Violence against a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a relationship will be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- **Domestic Violence:** 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 California; or,
 - By any other person against an adult or youth victim protected from that person's acts under the domestic or family violence laws of California.
- **Stalking:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her/their safety or the safety of others or suffer substantial emotional distress (California law defines “stalking” as willfully, maliciously, and repeatedly following or willfully and maliciously harassing another person, and making a credible

threat with the intent to place that person in reasonable fear for his/her safety, or the safety of his/her immediate family).

It is the responsibility of each person involved in sexual activity to ensure that they have the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent. "Affirmative consent" means affirmative, conscious, and voluntary agreement to engage in sexual activity.

The written procedures and protocols in AP 3540 are designed to ensure victims of domestic violence, dating violence, sexual assault, or stalking receive treatment and information. For physical assaults/violence, see AP 3500 on Campus Safety, AP 3510 on Workplace Violence Plan, and AP 3515 on Reporting of Crimes.

All students, faculty members or staff members who allege they are the victims of domestic violence, dating violence, sexual assault, or stalking on District property shall be provided with information regarding options and assistance available to them. Information shall be available from the designated Title IX Coordinator or designee, which shall maintain the identity and other information about alleged sexual assault victims as confidential unless and until the Title IX Coordinator or designee is authorized to release such information.

The Title IX Coordinator or designee shall provide all victims of domestic violence, dating violence, sexual assault, or stalking, with the following:

- A copy of the District's policy and procedure regarding domestic violence, dating violence, sexual assault, or stalking;
- A list of personnel on campus who should be notified and procedures for such notification, if the victim consents:
 - VCCCD Police Department
 - Student Health Centers
 - Chancellor or designee
- Information about the importance of preserving evidence and the identification and location of witnesses;
- A description of available services, and the persons on campus available to provide those services if requested. Services and those responsible for provided or arranging them include:
 - Transportation to a hospital, if necessary (Student Health Center);
 - Counseling or referral to a counseling center (Student Health Center);
 - Notice to the police, if desired (Student Health Center, Title IX Coordinator or designee);

- A list of other available college resources or appropriate off-campus resources (Student Health Center, Title IX Coordinator, or designee).
- The victim's option to:
 - Notify proper law enforcement authorities, including on-campus and local police;
 - Be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and,
 - Decline to notify such authorities.
- Information about the participation of victim advocates and other supporting people;
- The rights of victims and the institution's responsibilities regarding orders of protection, no contact orders, or similar lawful orders issued by a court;
- Information about how the District will protect the confidentiality of victims;
- Written notification of victims about options for, and available assistance in, changing academic, living, transportation, and working situations, if requested and if such accommodations are reasonably available, regardless of whether the victim chooses to report the crime to the VCCCD Police Department or local law enforcement; and,
- A description of each of the following procedures:
 - Criminal prosecution;
 - Civil prosecution (i.e., lawsuit);
 - District disciplinary procedures, both student and employee;
 - Modification of class schedules;
 - Tutoring, if necessary.

The Title IX Coordinator or designee should be available to provide assistance to the VCCCD Police Department regarding how to respond appropriately to reports of sexual violence.

The District will investigate all complaints alleging sexual assault under the procedures for sexual harassment investigations described in AP 3434 on Responding to Harassment Based on Sex under Title IX, regardless of whether a complaint is filed with local law enforcement.

All alleged victims of domestic violence, dating violence, sexual assault, or stalking, on District property shall be kept informed, through the Title IX Coordinator or designee, of any ongoing investigation. Information shall include the status of any student or employee disciplinary proceedings or appeal; alleged victims of domestic violence, dating violence, sexual assault, or stalking are required to maintain any such information in confidence, unless the alleged assailant has waived rights to confidentiality consistent with State and Federal law.

A complainant or witness who participates in an investigation of sexual assault, domestic violence, dating violence, or stalking will not be subject to disciplinary sanctions for a violation of the District's student conduct policy at or near the time of the incident, unless the District determines that the

violation was egregious, including but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic honesty.

In the evaluation of complaints in any disciplinary process, it shall not be a valid excuse to alleged lack of affirmative consent that the accused believed that the complainant consented to the sexual activity under either of the following circumstances:

- The accused's belief in affirmative consent arose from the intoxication or recklessness of the accused.
- The accused did not take reasonable steps, in the circumstances known to the accused at the time, to ascertain whether the complainant affirmatively consented.

In the evaluation of complaints in the disciplinary process, it shall not be a valid excuse that the accused believed that the complainant affirmatively consented to the sexual activity if the accused knew or reasonably should have known that the Complainant was unable to consent to the sexual activity under any of the following circumstances:

- The complainant was asleep or unconscious.
- The complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the complainant could not understand the fact, nature, or extent of the sexual activity.
- The complainant was unable to communicate due to a mental or physical condition.

The District shall maintain the identity of any alleged victim, witness, or third-party reporter of domestic violence, dating violence, sexual assault, or stalking on District property, as defined above, in confidence consistent with State and Federal law, unless the alleged victim, 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 assault, or stalking on District property, shall be referred to the District's Public Information Officer, who shall work with the Title IX Coordinator or designee to assure that all confidentiality rights are maintained consistent with State and Federal law.

Prohibition of Sexual Harassment Under Title IX (AP 3433)

The VCCCD is committed to providing an academic and work environment free of unlawful sex harassment under Title IX. This procedure defines sexual harassment on campus.

This procedure and the related policy protect students and employees in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities, a District bus, or at a class or training program sponsored by the District at another location.

Prohibition of Harassment (AP 3430)

The District is committed to providing an academic and work environment free of unlawful harassment. This procedure defines sexual harassment and other forms of harassment on campus, and sets forth a procedure for the investigation and resolution of complaints of harassment by or against any staff or faculty member or student within the District.

This procedure and the related policy protect students, employees, unpaid interns, and volunteers in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities, a District bus, or at a class or training program sponsored by the District at another location.

Policy Section Definitions

General Harassment

Harassment based on race, religious creed, color, national origin, ancestry, physical disability, mental disability, medical condition, genetic information, marital status, sex, gender, gender identity, gender expression, age, sexual orientation of any person, military and veteran status, or the perception that a person has one or more of these characteristics is illegal and violates District policy. Harassment shall be found where a reasonable person with the same characteristics as the victim of the harassing conduct would be adversely affected to a degree that interferes with his/her/their ability to participate in or to realize the intended benefits of an institutional activity, employment, or resource.

For sexual harassment under Title IX, Complainants must proceed under BP 3433 Prohibition of Sexual Harassment under Title IX, AP 3433 Prohibition of Sexual Harassment under Title IX, and AP 3434 Responding to Harassment Based on Sex under Title IX. For other forms of sexual harassment or gender-based harassment, Complainants should use this procedure.

Gender-based harassment does not necessarily involve conduct that is sexual. Any hostile or offensive conduct based on gender can constitute prohibited harassment if it meets the definition above. For example, repeated derisive comments about a person's competency to do the job, when based on that person's gender, could constitute gender-based harassment. Harassment comes in many forms, including but not limited to the following conduct that could, depending on the circumstances, meet the definition above, or could contribute to a set of circumstances that meets the definition:

- Verbal: Inappropriate or offensive remarks, slurs, jokes or innuendoes based on a person's race gender, sexual orientation, or other protected status. This may include, but is not limited to, inappropriate comments regarding an individual's body, physical appearance, attire, sexual prowess, marital status or sexual orientation; unwelcome flirting or propositions; demands for sexual favors; verbal abuse, threats or intimidation; or sexist, patronizing or ridiculing statements that convey derogatory attitudes based on gender, race nationality, sexual orientation or other protected status.

- Physical: Inappropriate or offensive touching, assault, or physical interference with free movement. This may include, but is not limited to, kissing, patting, lingering or intimate touches, grabbing, pinching, leering, staring, unnecessarily brushing against, or blocking another person, whistling, or sexual gestures. It also includes any physical assault or intimidation directed at an individual due to that person's gender, race, national origin, sexual orientation, or other protected status. Physical sexual harassment includes acts of sexual violence, such as rape, sexual assault, sexual battery, and sexual coercion. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual also may be unable to give consent due to an intellectual or other disability.
- Visual or Written: The display or circulation of visual or written material that degrades an individual or group based on gender, race, nationality, sexual orientation, or other protected status. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics, or electronic media transmissions.
- Environmental: A hostile academic or work environment may exist where it is permeated by sexual innuendo; insults or abusive comments directed at an individual or group based on gender, race, nationality, sexual orientation or other protected status; or gratuitous comments regarding gender, race, sexual orientation, or other protected status that are not relevant to the subject matter of the class or activities on the job. A hostile environment can arise from an unwarranted focus on sexual topics or sexually suggestive statements in the classroom or work environment. It can also be created by an unwarranted focus on, or stereotyping of, particular racial or ethnic groups, sexual orientations, genders or other protected statuses. An environment may also be hostile toward anyone who merely witnesses unlawful harassment in his/her/their immediate surroundings, although the conduct is directed at others. The determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as the frequency of the conduct, the severity of the conduct, whether the conduct is humiliating or physically threatening, and whether the conduct unreasonably interferes with an individual's learning or work.
- Sexual Harassment: In addition to the above, sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature made by someone from, or in, the work or educational setting when:
 - Submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, progress, internship, or volunteer activity;
 - Submission to, or rejection of, the conduct by the individual is used as a basis of employment or academic decisions affecting the individual;
 - The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile or offensive work or educational environment (as more fully described below); or
 - Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the community college.

This definition encompasses two kinds of sexual harassment:

- "Quid pro quo" sexual harassment occurs when a person in a position of authority makes educational or employment benefits conditional upon an individual's willingness to engage in or tolerate unwanted sexual conduct.
- "Hostile environment" sexual harassment occurs when unwelcome conduct based on a person's gender alters the conditions of an individual's learning or work environment, unreasonably interfere with an individual's academic or work performance, or create an intimidating, hostile, or abusive learning or work environment. The victim must subjectively perceive the environment as hostile, and the harassment must be such that a reasonable person of the same gender would perceive the environment as hostile. A single or isolated incident of sexual harassment may be sufficient to create a hostile environment if it unreasonably interfered with the person's academic or work performance or created an intimidating, hostile, or offensive learning or working environment.

Sexually harassing conduct can occur between people of the same or different genders. The standard for determining whether conduct constitutes sexual harassment is whether a reasonable person of the same gender as the victim would perceive the conduct as harassment based on sex.

Consensual Relationships

Romantic or sexual relationships between supervisors and employees, or between administrators, faculty members, or staff members and students are discouraged. There is an inherent imbalance of power and potential for exploitation in such relationships. A conflict of interest may arise if the administrator, faculty members, or staff member must evaluate the student's or employee's work or make decisions affecting the employee or student. The relationship may create an appearance of impropriety and lead to charges of favoritism by other students or employees. A consensual sexual relationship may change, with the result that sexual conduct that was once welcome becomes unwelcome and harassing. In the event that such relationships do occur, the District has the authority to transfer any involved employee, to eliminate or attenuate the supervisory authority of one over the other, or of a teacher over a student. Such action by the District is a proactive and preventive measure to avoid possible charges of harassment and does not constitute discipline against any affected employee.

Academic Freedom

No provision of this Administrative Procedure shall be interpreted to prohibit conduct that is legitimately related to the course content, teaching methods, scholarship, or public commentary of an individual faculty member or the educational, political, artistic, or literary expression of students in classrooms and public forums. Freedom of speech and academic freedom are, however, not limitless and this procedure will not protect speech or expressive conduct that violates federal or California anti-discrimination laws.

Responding to Sexual Harassment (AP 3434)

The VCCCD encourages members of the college community to report sexual harassment. This procedure only applies to conduct defined sexual harassment under Title IX and applicable Federal regulations and that meet Title IX jurisdictional requirements. The District will respond to sexual

harassment and sexual misconduct that falls outside that definition and outside the jurisdiction of the Title IX Federal regulations using California law and applicable District policies and procedures. In implementing these procedures discussed below, the District will also provide supportive measures, training, and resources in compliance with California law, unless they are preempted by the Title IX regulations.

Title IX Coordinator

Questions concerning Title IX may be referred to the designated Title IX Coordinator whose contact information is listed on the Ventura County Community College District website.

The Title IX Coordinator is required to respond to reports of sexual harassment or misconduct. The Title IX Coordinator will handle information received with the utmost discretion and will share information with others on a need-to-know basis. For example, the Title IX Coordinator may need to address public safety concerns on campus, comply with State and Federal legal requirements, or share information to implement supportive measures.

A report of sexual harassment to the Title IX Coordinator does not necessarily lead to a full investigation, as discussed more fully below. However, the Title IX Coordinator will make an assessment to determine if there is a safety risk to the campus. If the Title IX Coordinator finds there is a continued risk, the Title IX Coordinator will file the formal complaint without the Complainant's consent or cooperation.

Title IX Harassment Complaints, Investigations, and Hearings

These Title IX sexual harassment procedures and the related policy protect students, employees, applicants for employment, and applicants for admission.

Jurisdictional Requirements – Application of Procedures

These procedures apply if the conduct meets the following three jurisdictional requirements:

- The conduct took place in the United States;
- The conduct took place in a District “education program or activity.” This includes locations, events, or circumstances over which the District exercised substantial control over both the Respondent and the context in which the harassment occurred, including on-campus and off-campus property and buildings the District owns or controls or that student organizations officially recognized by the District own or control.
- The conduct meets the definition of Title IX “sexual harassment.”

Policy Section Definitions

- **Advisor:** Throughout the grievance process, both the Complainant and Respondent have a right to an Advisor of their choice. If a Party does not have an Advisor at the time of the hearing, the District must provide the Party an Advisor of its choice, free of charge during the cross-examination portion of the hearing. The District may establish restrictions regarding the extent to which the Advisor may participate in the proceedings as long as the restrictions apply equally to both Parties.

- **Complainant:** A Complainant is an individual who alleges he/she/they is the victim of conduct that could constitute sexual harassment.
- **Consent:** Consent means affirmative, conscious, and voluntary agreement to engage in sexual activity. Both Parties must give affirmative consent to sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he/she/they has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest, lack of resistance, or silence does not indicate consent. Affirmative consent must be ongoing throughout a sexual activity and one can revoke his/her/their consent at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, is not an indicator of consent.

The Respondent's belief that the Complainant consented will not provide a valid defense unless the belief was actual and reasonable, based on the facts and circumstances the Respondent knew, or reasonably should have known, at the time of the incident. A Respondent's belief is not a valid defense where:

- The Respondent's belief arose from the Respondent's own intoxication or recklessness;
- The Respondent did not take reasonable steps to ascertain whether the Complainant affirmatively consented; or
- The Respondent knew or a reasonable person should have known that the Complainant was unable to consent because the Complainant was incapacitated, in that the Complainant was:
 - Asleep or unconscious;
 - Unable to understand the fact, nature, or extent of the sexual activity due to the influence of drugs, alcohol, or medication; or
 - Unable to communicate due to a mental or physical condition.
- **Decision-Maker:** The person(s) who will oversee the live hearing and make a determination of responsibility. The Decision-Maker cannot be the Title IX Coordinator or the investigator.
- **Formal Complaint:** A written complaint signed by the Complainant or Title IX Coordinator, alleging sexual harassment and requesting an investigation. If the Title IX Coordinator signs the formal complaint, he/she/they will not become a Party to the complaint.
- **Parties:** As used in this procedure, this means the Complainant and Respondent.
- **Respondent:** A Respondent is an individual reported to be the perpetrator of conduct that could constitute sexual harassment.
- **Sexual Harassment under Title IX:** Conduct that satisfies one or more of the following:
 - A District employee conditions the provision of an aid, benefit, or service of the District on an individual's participation in unwelcome sexual conduct (quid pro quo harassment);
 - Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the District's education program or activity;

- Sexual assault, including the following:
 - Sex Offenses
 - Rape
 - Sodomy
 - Sexual Assault with an Object
 - Fondling
 - Sex Offenses, Non-Forcible Unlawful, Non-Forcible Sexual Intercourse.
 - Dating violence
 - Domestic Violence
 - Stalking

Reporting Options

Any individual may report sexual harassment to the District's Title IX Coordinator.

The District strongly encourages prompt reporting of sexual harassment. Prompt reporting allows for the collection and preservation of evidence, including physical evidence, digital media, and witness statements. A delay may limit the District's ability to effectively investigate and respond.

Individuals have the opportunity to decide whether they want to pursue a formal Title IX complaint. Reporting sexual harassment to the Title IX Coordinator does not automatically initiate an investigation under these procedures. A report allows the District to provide a wide variety of support and resources to impacted individuals and to prevent the recurrence of the conduct. A Complainant or the Title IX Coordinator filing a formal complaint will initiate an investigation.

If there are parallel criminal and Title IX investigations, the District will cooperate with the external law enforcement agency and will coordinate to ensure that the Title IX process does not hinder legal process or proceedings.

The District will document reports of sexual harassment in compliance with the Clery Act, a federal law requiring data collection of crime within the campus geography. Under the Clery Act, the District does not document personal information; the District reports the type of conduct, and the time, date, and location (Also see BP/AP 3540 Sexual and Other Assaults on Campus).

District Employees and Officials with Authority

District Officials with Authority are not confidential resources and are required to report allegations of sexual harassment to the Title IX Coordinator promptly. All other employees are encouraged to report allegations to the Title IX Coordinator but are not required to do so.

The District has designated the following employees as Officials with Authority:

- Title IX Coordinators
- Student life directors, coordinators, or deans
- Athletic directors, coordinators, or deans
- Coaches of any student athletic or academic team or activity
- Faculty and associate faculty, teachers, instructors, or lecturers
- Laboratory directors, coordinators, or principal investigators
- Internship or externship directors or coordinators
- Study abroad program directors or coordinators
- Supervisors, as defined by California's Fair Employee and Housing Act

Officials with Authority are required to report all relevant information they know about sexual harassment including the name of the Respondent, the Complainant, any other witnesses, and the date, time, and location of the alleged incident.

Intake and Processing of Report

After receiving a report of sexual harassment, the Title IX Officer will contact the Complainant and reporting party to explain rights under this policy and procedure and invite the Complainant to an in-person meeting. The Title IX Officer will discuss supportive measures with the Parties.

Timeframe for Reporting

To promote timely and effective review, the District strongly encourages individuals to report sexual harassment as soon as possible because a delay in reporting may affect the ability to collect relevant evidence and may affect remedies the District can offer.

Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services offered free of charge to the Complainant or the Respondent regardless of whether a formal complaint has been filed. The District will provide the Complainant and Respondent with supportive measures as appropriate and as reasonably available to restore or preserve equal access to the District's education program or activities. These measures are designed to protect the safety of all Parties, protect the District's educational environment, or deter sexual harassment. The District will provide supportive measures on a confidential basis and will only make disclosures to those with a need to know to enable the District to provide the service. Supportive measures may include counseling, extensions of deadlines, other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the Parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

Removal of Respondent Pending Final Determination

Upon receiving a report regarding sexual harassment, the Title IX Coordinator will make an immediate assessment concerning the health and safety of the Complainant and campus community as a whole. The District has the right to order emergency removal of a Respondent, or if the Respondent is an employee, place the employee on administrative leave.

Emergency Removal

The District may remove a non-employee Respondent from the District's education program or activity on an emergency basis after it conducts an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal.

The District may not use emergency removal to address a Respondent's threat of obstructing the sexual harassment investigation or destroying relevant evidence. Emergency removal is only available to address health or safety risks against individuals arising out of sexual harassment allegations, not to address other forms of misconduct that a Respondent might commit pending the processing of a complaint. The Title IX Coordinator or designee will conduct the individualized safety and risk analysis.

If the Title IX Coordinator or designee determines emergency removal is appropriate, he/she/they or designee will provide the person the District is removing from campus on an emergency basis with a notice and opportunity to attend a meeting and challenge the basis of his/her/their removal. The Title IX Coordinator or designee will determine whether the emergency removal from campus order is warranted after considering information provided by the Respondent challenging the emergency removal.

Administrative Leave

The District may place a non-student employee Respondent on administrative leave during the pendency of a grievance process described in the formal complaint process below. The District will follow any relevant policies, procedures, collective bargaining agreements, or state law in placing an employee on administrative leave.

Formal Complaint Grievance Process

Upon receipt of a formal complaint, the Title IX Coordinator will provide the following notice in writing, to the Parties:

- Notice of the District's Title IX grievance process;
- Notice of the allegations of alleged sexual harassment with sufficient details known at the time and with sufficient time to prepare a response before any initial interview;
- Statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- Notice that the Parties may have Advisor of their choice, who may be, but is not required to be, an attorney;
- Notice that the Parties may inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility, and inculpatory or exculpatory evidence whether obtained from a Party or other source; and,
- Inform the Parties of any provision in the District's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the District decides to investigate allegations about the Complainant or Respondent that are not included in the notice provided above, the Title IX Coordinator will provide notice in writing of the additional allegations to the Parties.

Dismissal of Formal Complaint

The District must investigate the allegations in a formal complaint. However, the District must dismiss the formal complaint and will not process the complaint under these procedures if any of the following three circumstances exist:

- If the conduct alleged in the formal complaint would not constitute Title IX sexual harassment as defined in this procedure;
- If the conduct alleged did not occur in the District's education program or activity;
- If the conduct alleged did not occur against a person in the United States.

The District has discretion to dismiss a formal complaint or any allegation under the following circumstances:

- If at any time during the investigation or hearing: a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations;
- If the Respondent is no longer enrolled or employed by the District; or
- If there are specific circumstances that prevent the District from gathering evidence sufficient to reach a determination regarding responsibility as to the formal complaint or allegations.

If the District dismissed the formal complaint or any allegations, the Title IX Coordinator shall simultaneously provide the Parties with written notice of the dismissal and reason. The District will also notify the Parties of their right to appeal.

The District may commence proceedings under other policies and procedures after dismissing a formal complaint.

Consolidation of Formal Complaints

The District may, but is not required to, consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against the other Party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Equitable Treatment of the Parties

The District's determination of responsibility is a neutral, fact-finding process. The District will treat Complainants and Respondents equitably. The procedures will apply equally to both Parties. The District will not discipline a Respondent unless it determines the Respondent was responsible for sexual harassment at the conclusion of the grievance process.

Statement of Presumption of Non-Responsibility

The investigation is a neutral, fact-finding process. The District presumes all reports are in good faith. Further, the District presumes the Respondent is not responsible for the alleged conduct. The District makes its determination regarding responsibility at the conclusion of the grievance process.

Bias or Conflict of Interest

The District's Title IX Coordinator, investigator, Decision-Maker, or any person designated by the District to facilitate an informal resolution process, will not have potential actual bias or conflict of

interest in the investigatory, hearing, sanctioning, or appeal process or bias for or against Complainants or Respondents generally. Actual bias is an articulated prejudice in favor of or against one Party or position; it is not generalized concern about the personal or professional backgrounds, positions, beliefs, or interests of the Decision-Maker in the process. The District will ensure that the Title IX Coordinator, investigator, Decision-Maker, and facilitator receive training on:

- The definition of sexual harassment in this procedure;
- The scope of the District's education program or activity;
- How to conduct an investigation;
- The grievance process including conducting hearings, appeals, and informal resolution processes; and
- How to serve impartially, including avoiding: prejudgment of the facts at issue; conflicts of interest; and bias.

Timeline for Completion

The District will undertake its grievance process promptly and as swiftly as possible. The District will complete the investigation and its determination regarding responsibility or the informal resolution process within 270-calendar days.

When appropriate, the Title IX Coordinator may determine that good cause exists to extend the 270-calendar day period to conduct a fair and complete investigation, to accommodate an investigation by law enforcement, to accommodate the unavailability of witnesses or delays by the Parties, to account for District breaks or vacations, or due to the complexity of the investigation. The District will provide notice of this extension to the Complainant and Respondent in writing and include the reason for the delay and anticipated timing of completion.

A Party may request an extension from the Title IX Coordinator in writing by explaining the reason for the delay and the length of the continuance requested. The Title IX Coordinator will notify the Parties and document the grant or denial of a request for extension or delay as part of the case recordkeeping.

Role of Advisor

The role of the Advisor is to provide support and assistance in understanding and navigating the investigation process.

The Advisor may not testify in or obstruct an interview or disrupt the process. The Title IX Coordinator has the right to determine what constitutes appropriate behavior of an Advisor and take reasonable steps to ensure compliance with this procedure.

A Party does not have a right to self-representation at the hearing; an Advisor must conduct any cross-examination. The District must provide an Advisor of its choice, free of charge to any Party without an Advisor in order to conduct cross-examination. If an Advisor fails to appear at the hearing, the District will provide an Advisor to appear on behalf of the non-appearing Advisor. To

limit the number of individuals with confidential information about the issues, each Party may identify one Advisor.

Confidentiality Agreements

To protect the privacy of those involved, the Parties and Advisors are required to sign a confidentiality agreement prior to attending an interview or otherwise participating in the District's grievance process. The confidentiality agreement restricts dissemination of any of the evidence subject to inspection and review or use of this evidence for any purpose unrelated to the Title IX grievance process. The confidentiality agreement will not restrict the ability of either Party to discuss the allegations under investigation.

Use of Privileged Information

The District's formal complaint procedure does not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally-recognized privilege (e.g., attorney-client privilege, doctor-patient privilege, spousal privilege, etc.), unless the person holding the privilege provides voluntary, written consent to waive the privilege.

Investigations

The Title IX Coordinator is responsible to oversee investigations to ensure timely resolution and compliance with Title IX and this procedure. Both Parties have the right to have an Advisor present at every meeting described in this section.

Trained Investigators

The District will investigate Title IX formal complaints fairly and objectively. Individuals serving as investigators under this procedure will have adequate training on what constitutes sexual harassment and how the District's grievance procedures operate. The District will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence and complies with this procedure.

Gathering Evidence and Burden of Proof

The District, not the Parties, has the responsibility to gather information and interview witnesses. When the investigator evaluates the evidence, he/she/they will do so using the preponderance of the evidence standard. After considering all the evidence gathered, the investigator will decide whether it is more likely than not that reported conduct occurred.

Notice of Investigative Interview

The District will provide written notice of the date, time, location, participants, and purpose of all investigative interviews to a Party whose participation is invited or expected, with sufficient time for the Party to prepare to participate.

Evidence Review

Both Parties have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the District does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a Party or other source.

Prior to the investigator preparing an investigative report, the District will send to each Party and the Party's Advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The Parties will have at least ten days to submit a written response. The investigator must consider this written response prior to completing the investigative report.

Investigative Report

The results of the investigation of a formal complaint will be set forth in a written report that will include at least all of the following information:

- A description of the circumstances giving rise to the formal complaint;
- A description of the procedural steps taken during the investigation, including all individuals contacted and interviewed;
- A summary of the testimony of each witness the investigator interviewed;
- An analysis of relevant evidence collected during the investigation, including a list of relevant documents;
- A specific finding as to whether the allegations occurred using a preponderance of the evidence standard;
- A table of contents if the report exceeds ten pages; and
- Any other information deemed appropriate by the District.

The investigator will not make a determination regarding responsibility. The investigator may redact information not directly related to the allegations or privileged information. However, the investigator will keep a log of information he/she/they do not produce to the Parties. The investigator will provide this log only to the Title IX Coordinator. The Title IX Coordinator will not disclose the log to the Parties, but will maintain the log in the Title IX Coordinator's file, in the event it later becomes relevant.

At least ten days prior to a hearing or other time of determination regarding responsibility, the District will send the investigative report to each Party and their Advisors, if any, the investigative report in an electronic format or a hard copy, for review and written response. The Parties will have at least ten days to submit a written response.

Hearing

After completing an investigation and prior to completing a determination regarding responsibility, the District will hold a live hearing to provide the Complainant and Respondent an opportunity to respond to the evidence gathered before a Decision-Maker. Neither Party may choose to waive the right to a live hearing, but the Parties can choose whether to participate in the hearing or answer some or all cross-examination questions.

Notice

If the District proceeds to a hearing, the District will provide all Parties written notice of the date, time, location, participants, and purpose of the hearing with sufficient time for the Party to prepare to participate.

Hearing Format

The District may provide a live hearing with all Parties physically present in the same geographic location or, at the District's discretion if either Party requests, the District may provide any or all Parties, witnesses, and other participants the ability to appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other in real time.

The District will make the information reviewed during the Evidence Review available at the hearing for reference and consultation. The District will not restrict the ability of either Party to discuss the allegations under investigation or to gather and present relevant evidence. The District will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the Parties for inspection and review.

Decision-Maker

The Decision-Maker will be free from conflict of interest or bias, including bias for or against Complainants or Respondents. The Decision-Maker may ask the Parties and the witnesses questions during the hearing. The Decision-Maker must objectively evaluate all relevant evidence both inculpatory and exculpatory and must independently reach a determination regarding responsibility without giving deference to the investigative report. The Decision-Maker must receive training on issues of relevance, how to apply the rape-shield protections for Complainants, and any technology to be used at the hearing.

Presenting Witnesses

The District will provide the Complainant and Respondent an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. Witnesses, like Parties, are not required to participate in the live hearing process.

Only relevant evidence will be admissible during the hearing. Relevant evidence means evidence, including evidence relevant to the credibility of a Party or witness, having any tendency in reason to prove or disprove any disputed fact material to the allegations under investigation.

Cross-Examination

The District will permit each Party's Advisor to ask the other Party and any witnesses all relevant questions and follow-up questions, including those questions challenging credibility. The Party's Advisor must conduct cross-examination directly, orally, and in real time. A Party may never personally conduct cross-examination.

Advisors may only ask relevant cross-examination and other questions of a Party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Decision-Maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant. The Decision-Maker need not provide a lengthy or complicated explanation in support of a relevance determination. If a Party or witness disagrees with a relevance determination, that individual has the choice of either (1) abiding by the Decision-Maker's determination and answering the question or (2) refusing to answer the question.

If a Party or witness does not submit to cross-examination at the live hearing, the Decision-Maker will not rely on any statement of that Party or witness in reaching a determination regarding

responsibility. A Party or witness may also decline to answer a question, and the Decision-Maker cannot rely on any statement on which that Party or witness has declined to answer cross-examination questions. A Decision-Maker cannot draw an inference about the determination regarding responsibility based solely on a Party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

Determinations of Responsibility

When the Decision-Maker makes a determination of responsibility or non-responsibility, the Decision-Maker will issue a written determination regarding responsibility, no later than 30 business days after the date that the hearing ends.

When making a determination regarding responsibility, a Decision-Maker will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence. A Decision-Maker may not make credibility determinations based on an individual's status as a Complainant, Respondent, or witness. In evaluating the evidence, the Decision-Maker will use the preponderance of the evidence standard. Thus, after considering all the evidence it has gathered, the District will decide whether it is more likely than not that sexual harassment occurred.

The written determination will include:

- Identification of the allegations potentially constituting Title IX sexual harassment as defined in these procedures;
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including who conducted the investigation and gave notifications to the Parties. The determination will also state when, where, and the date the investigator interviewed the Parties and witnesses, conducted site visits, the methods used to gather other evidence. The procedural section should also discuss the dates and how the Parties were provided the opportunity to review and inspect evidence and the date of any hearings held and who attended the hearing;
- Findings of fact supporting the determination. In making these findings, the Decision-Maker will focus on analyzing the findings of fact that support the determination of responsibility or non-responsibility;
- Conclusions regarding the application of the District's code of conduct to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;
- A statement of, and rationale for, any disciplinary sanctions the District imposes on the Respondent;
- A statement of whether the District will provide the Complainant with remedies designed to restore or preserve equal access to the District's education program or activity;
- The District need not disclose to the Respondent remedies that do not affect him/her/them as part of the written determination. The District can inform the Respondent that it will provide remedies to the Complainant. However, the District will inform the Complainant of the sanctions against the Respondent;

- The District’s procedures and permissible bases for the Complainant and Respondent to appeal.

The District will provide the written determination to the Parties simultaneously. The determination regarding responsibility becomes final either on the date that the District provides the Parties with the written determination of the result of the appeal, if the Parties file an appeal, or if the Parties do not file an appeal, the date on which an appeal would no longer be timely.

Disciplinary Sanctions and Remedies

The District must have completed the grievance procedures (investigation, hearing, and any appeal, if applicable) before imposing disciplinary sanctions or any other actions that are not supportive measures against a Respondent. If the Decision-Maker determines the Respondent was responsible for conduct that constitutes sexual harassment, the District will take disciplinary action against the Respondent and any other remedial action it determines to be appropriate. The action will be prompt, effective, and commensurate with the severity of the offense.

Remedies for the Complainant might include, but are not limited to:

- Providing an escort to ensure that the Complainant can move safely between classes and activities;
- Ensuring that the Complainant and Respondent do not attend the same classes or work in the same work area;
- Providing counseling services or a referral to counseling services;
- Providing medical services or a referral to medical services;
- Providing academic support services, such as tutoring;
- Arranging for a Complainant, if a student, to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the Complainant’s academic record; and
- Reviewing any disciplinary actions taken against the Complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the Complainant’s discipline.

Possible disciplinary sanctions for student Respondents include written or verbal reprimand, required training or counseling, non-academic probation, suspension, and expulsion. Possible disciplinary sanctions for employee Respondents include written or verbal reprimand, required training or counseling, reduction in pay, demotion, suspension, or discharge.

Appeal of Dismissal of a Formal Complaint or of the Determination of Responsibility

A Complainant or Respondent may appeal the District’s determination regarding responsibility or the dismissal of a formal complaint or any allegations. A Complainant or Respondent must submit a written appeal within ten business days from the date of the notice of determination regarding responsibility or from the date of the District’s notice of dismissal of a formal complaint or any allegations.

Grounds for Appeal

The Title IX Appeals Officer will serve as the Decision-Maker on Appeal. In filing an appeal of the District's determination regarding responsibility or the District's dismissal of a formal complaint, the Party must state the grounds for appeal and a statement of facts supporting those grounds. The grounds for appeal are as follows:

- A procedural irregularity affected the outcome;
- New evidence was not reasonably available at the time the District's determination regarding responsibility or dismissal was made, and this new evidence could affect the outcome; or
- The District's Title IX Coordinator, investigator, or Decision-Maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome.

Appeal Procedure

If the Complainant or Respondent submit an appeal to the District, the District will:

- Notify the other Party in writing within five business days of receiving a Party's appeal;
- Allow the non-appealing Parties at least ten business days from the date of receipt of the appeal to submit a written statement in support of, or challenging, the outcome;

The appeal Decision-Maker will issue a written decision on whether to grant or deny the appeal, and the rationale for the decision, within 45 business days after the Decision-Maker on appeal receives the response to the appeal or the last day to provide a response. The District will provide the written decision simultaneously to both Parties.

The Decision-Maker on appeal may extend or otherwise modify the deadlines provided above. Either Party may seek an extension by submitting a written request to the appeal Decision-Maker explaining the need for the extension and the proposed length of the extension. The Decision-Maker will respond to the request within 48 hours in writing and will inform the Parties simultaneously whether the extension is granted.

Informal Resolution

If the District determines that a formal complaint is appropriate for informal resolution, it may provide the Parties with the opportunity to participate in an informal resolution process, including mediation, at any time prior to reaching a determination regarding responsibility.

The District will provide the Complainant and Respondent written disclosure of the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the Parties from resuming a formal complaint arising from the same allegations, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

The District must obtain the Parties' voluntary, written consent to the informal resolution process. If the Parties reach an agreement, the District does not have to complete a full investigation and adjudication of a report of sexual harassment. At any time prior to agreeing to a resolution, any Party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint. The informal resolution process is not available to resolve allegations that an employee sexually harassed a student.

Retaliation Prohibited

The District prohibits any intimidation, threats, coercion, or discrimination against any individual who made a report or complaint of sexual harassment, testified, assisted, or participated or refused to participate in any manner in a Title IX investigation, proceeding, or hearing. Individuals who experience retaliation may file a complaint using the formal complaint process described above.

Dissemination of Policy and Procedures

The District will provide its policy and procedures related to Title IX on its website and in each handbook or catalog provided to applicants for admission and employment, students, employees, and all unions or professional organizations holding collective bargaining with the District. When hired, employees are required to sign acknowledging that they have received the policy and procedures. The District will place the signed acknowledgment of receipt in each employee's personnel file.

Training

The District will provide training to Title IX Coordinators, investigators, Decision-Makers, and any individual who facilitates an informal resolution process, on the definition of sexual harassment, the scope of the District's education program or activities, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Any materials used to train the District's Title IX Coordinator, investigators, Decision-Makers, and any person who facilitates an informal resolution process, will not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

File Retention

The District will retain on file for a period of at least seven years after closing the case copies of:

- The original report or complaint;
- Any actions taken in response to the complaint, including supportive measures;
- The investigative report including all evidence gathered and any responses from the Parties;
- The District's determination regarding responsibility;
- Audio or audiovisual recording or transcript from a hearing;
- Records of any disciplinary sanctions imposed on the Respondent;
- Records of any remedies provided to the Complainant;
- Any appeal and the result;

- Any informal resolution and the result; and
- All materials used to train Title IX Coordinators, investigators, Decision-Makers, and any person who facilitates an informal resolution process. The District will make these training materials publicly available on its website.

The District will make these documents available to the U.S. Department of Education Office for Civil Rights upon request.

Discrimination and Harassment Complaints and Investigations (AP 3435)

For sexual harassment under Title IX, Complainants must proceed under BP 3433 Prohibition of Sexual Harassment under Title IX, AP 3433 Prohibition of Sexual Harassment under Title IX, and AP 3434 Responding to Harassment Based on Sex under Title IX. For other forms of sexual harassment or gender-based harassment, Complainants should use this procedure.

Reporting and Filing Complaints

The law prohibits coworkers, supervisors, managers, and third parties with whom an employee comes into contact from engaging in harassment, discrimination, or retaliation. Any person who has suffered harassment, discrimination, or retaliation or who has learned of harassment, discrimination, or retaliation may report harassment, discrimination, or retaliation. Complainants may have the option of filing a Complaint.

Complaints

A Complaint is a written or verbal statement filed with the District that alleges harassment, discrimination, or retaliation in violation of the District's Board Policies, Administrative Procedures, or in violation of state or federal law. Complaints must be filed with the Vice Chancellor of Human Resources, unless the Party submitting the Complaint alleges discrimination, harassment, or retaliation against the responsible district officer, in which case it should be submitted directly to the Chancellor or designee.

The District may request, but shall not require, the Complainant to submit a Complaint on the form prescribed by the Chancellor of the California Community Colleges. A copy of the form will be available at the District Human Resources Department and on the District's Human Resources website. A Complainant shall report a verbal Complaint to the Vice Chancellor of Human Resources. The Vice Chancellor of Human Resources shall record the verbal Complaint in writing. The Vice Chancellor of Human Resources will take steps to ensure the writing accurately reflects the facts alleged by the Complainant.

A Complaint must meet each of the following criteria:

- It must allege facts with enough specificity to show that the allegations, if true, would constitute a violation of District policies or procedures prohibiting discrimination, harassment, or retaliation;
- The Complainant must file any Complaint not involving employment within one year of the date of the alleged discriminatory, harassing, or retaliatory conduct or within one year of

the date on which the Complainant knew or should have known of the facts underlying the allegation(s) of discrimination, harassment, or retaliation; and

- The Complainant must file any Complaint alleging discrimination, harassment, or retaliation in employment within 180 days of the date of the alleged discriminatory, harassing, or retaliatory conduct, except that this period shall be extended by no more than 90 days following the expiration of the 180 days if the Complainant first obtained knowledge of the facts of the alleged violation after the expiration of the 180 days.

If the Complaint does not meet the requirements set forth above, the Vice Chancellor of Human Resources will promptly contact the Complainant and specify the defect. If the Complainant is unable to fix the defect in the Complaint, the Vice Chancellor of Human Resources shall consider the allegations contained in the Complaint and determine the appropriate course of action. This may include efforts to informally resolve the matter or a fact-finding investigation.

Oversight of Complaint Procedure

The Vice Chancellor of Human Resources is the "responsible District officer" charged with receiving complaints of discrimination or harassment, and coordinating their investigation. The actual investigation of complaints may be assigned by the Vice Chancellor of Human Resources to other staff or to outside persons or organizations under contract with the District. This shall occur whenever the Vice Chancellor of Human Resources is named in the Complaint or implicated by the allegations in the Complaint.

Who May File a Complaint

Any student, employee, parent of a minor, or an individual with legal authority on behalf of a student or employee who believes the student or employee has been discriminated against or harassed by a student, employee, or third party in violation of this procedure and the related policy.

Where to File a Complaint

A student, employee, parent of a minor, or an individual with legal authority on behalf of a student or employee who believes the student or employee has been discriminated against or harassed in violation of these policy and procedures may make a Complaint orally or in writing directed to the Vice Chancellor of Human Resources. Complainants may but are not required to use the form prescribed by the California Community Colleges Chancellor's Office. These forms are available from the Vice Chancellor of Human Resources and at the California Community Colleges Chancellor's Office website.

Employment-Related Complaints

Complainants filing employment-related complaints shall be notified that they may file employment discrimination complaints with the U.S. Equal Employment Opportunity Commission (EEOC) or the Department of Fair Employment and Housing (DFEH). Any District employee who receives a harassment or discrimination complaint shall notify the Vice Chancellor of Human Resources immediately.

Filing a Timely Complaint

Since failure to report harassment and discrimination impedes the District's ability to stop the behavior, the District strongly encourages anyone who believes they are being harassed or discriminated against to file a complaint. The District also strongly encourages the filing of such complaints within 30 days of the alleged incident. While all complaints are taken seriously and will be investigated promptly, delay in filing impedes the District's ability to investigate and remediate.

All supervisors and managers have a mandatory duty to report incidents of harassment and discrimination, the existence of a hostile, offensive, or intimidating work environment, and acts of retaliation. The District will investigate complaints involving acts that occur off campus if they are related to an academic or work activity or if the harassing conduct interferes with or limits a student's or employee's ability to participate in or benefit from the school's programs or activities.

Communicating that the Conduct is Unwelcome

The District further encourages students and staff to let the offending person know immediately and firmly that the conduct or behavior is unwelcome, offensive, in poor taste, or inappropriate.

Intake and Processing of the Complaint

Upon receiving notification of a harassment or discrimination complaint, the Vice Chancellor of Human Resources shall:

- Consider whether the District can undertake efforts to informally resolve the charges, including but not limited to mediation, rearrangement of work/academic schedules, obtaining apologies, providing informal counseling, training, etc.
- Advise all Parties that he/she/they need not participate in an informal resolution of the Complaint, as described above, and they have the right to end the informal resolution process at any time.
- Advise a student Complainant that he/she/they may file a complaint with the Office for Civil Rights of the U.S. Department of Education and employee Complainants may file a complaint with the Department of Fair Employment and Housing. All Complainants should be advised that they have a right to file a complaint with local law enforcement, if the act complained of is also a criminal act. The District must investigate even if the Complainant files a complaint with local law enforcement. In addition, the District should ensure that Complainants are aware of any available resources, such as counseling, health, and mental health services.
- Take interim steps to protect a Complainant from coming into contact with the Respondent, especially if the Complainant is a victim of sexual violence. The Vice Chancellor of Human Resources should notify the Complainant of his/her/their options to avoid contact with the Respondent and allow students to change academic situations as appropriate. For instance, the District may prohibit the Respondent from having any contact with the Complainant pending the results of the investigation. When taking steps to separate the Complainant and Respondent, the District shall minimize the burden on the Complainant. For example, it is not appropriate to remove Complainants from classes or housing while allowing the Respondent to remain.

Investigation

The Vice Chancellor of Human Resources shall:

- Authorize the investigation of the Complaint, and supervise or conduct a thorough, prompt, and impartial investigation of the Complaint, as set forth below. Where the Parties opt for informal resolution, the designated officer will determine whether further investigation is necessary to ensure resolution of the matter and utilize the investigation process outlined below as appropriate. The investigation will include interviews with the Complainant, the Respondent, and any other persons who may have relevant knowledge concerning the Complaint. This may include victims of similar conduct.
- Review the factual information gathered through the investigation to determine whether the alleged conduct constitutes harassment, or other unlawful discriminatory conduct, giving consideration to all factual information and the totality of the circumstances, including the nature of the verbal, physical, visual, or sexual conduct, and the context in which the alleged incidents occurred.

Investigation of the Complaint

The District shall promptly investigate every Complaint. No claim of workplace or academic harassment or discrimination shall remain unexamined. This includes Complaints involving activities that occur off campus and in connection with all the academic, educational, extracurricular, athletic, and other programs of the District, whether those programs take place in the District's facilities, on a District bus, or at a class or training program sponsored by the District at another location. The District shall promptly investigate complaints of harassment or discrimination that occur off campus if the alleged conduct creates a hostile environment on campus. The District shall notify the Complainant that the District will commence an impartial fact-finding investigation of the allegations contained in the Complaint.

As set forth above, where the Parties opt for an informal resolution, the Vice Chancellor of Human Resources may limit the scope of the investigation, as appropriate. The District will keep the 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 District 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 harassment complaints about the same individual; and the Respondent's rights to receive information about the allegations if the information is maintained by the District as an "education record" under the Family Educational Rights and Privacy Act (FERPA), 20 U.S. Code Section 1232g; 34 Code Federal Regulations Part 99.15. The District will inform the Complainant if it cannot maintain confidentiality.

Investigation Steps

The District will fairly and objectively investigate harassment and discrimination complaints. Employees designated to serve as investigators under this procedure shall have adequate training on what constitutes sexual harassment, including sexual violence, and that they understand how the District's grievance procedures operate. The investigator may not have any real or perceived conflicts of interest and must be able to investigate the allegations impartially.

Investigators will use the following steps: interviewing the Complainant(s); interviewing the Respondent(s); identifying and interviewing witnesses and evidence identified by each Party; identifying and interviewing any other witnesses, if needed; reminding all individuals interviewed of the District's no-retaliation policy; considering whether any involved person should be removed from the campus pending completion of the investigation; reviewing personnel/academic files of all involved Parties; reach a conclusion as to the allegations and any appropriate disciplinary and remedial action; and see that all recommended action is carried out in a timely fashion. When the District evaluates the Complaint, it shall do so using a preponderance of the evidence standard. Thus, after considering all the evidence it has gathered, the District will decide whether it is more likely than not that discrimination or harassment has occurred.

Timeline for Completion

The District will undertake its investigation promptly and swiftly as possible. To that end, the investigator shall complete the above steps, and prepare a written report within 90 days of the District receiving the Complaint.

Cooperation Expected

All employees are expected to cooperate with a District investigation into allegations of harassment or discrimination. Lack of cooperation impedes the ability of the District to investigate thoroughly and respond effectively. However, lack of cooperation by a Complainant or witnesses does not relieve the District of its obligation to investigate. The District will conduct an investigation if it is discovered that harassment is, or may be occurring, with or without the cooperation of the alleged victim(s) and regardless of whether a Complaint is filed. No employee will be retaliated against as a result of lodging a complaint or participating in any workplace investigation.

Written Report

The results of the investigation of a Complaint shall be set forth in a written report that will include at least all of the following information:

- A description of the circumstances giving rise to the Complaint;
- A description of the procedural steps taken during the investigation, including all individuals contacted and interviewed;
- A summary of the testimony provided by each witness, including the Complainant and any available witnesses identified by the Complainant in the Complaint;
- An analysis of relevant data or other evidence collected during the course of the investigation, including a list of relevant documents;
- A specific finding as to whether each factual allegation in the Complaint occurred based on the preponderance of the evidence standard;
- A table of contents if the report exceeds ten pages; and
- Any other information deemed appropriate by the District.

Confidentiality of the Process

Investigations are best conducted within a confidential climate. Therefore, the District does not reveal information about ongoing investigations except as necessary to fulfill its legal obligations. The District will keep the investigation confidential to the extent possible, but it cannot guarantee absolute confidentiality because release of some information on a “need-to-know-basis” is essential to a thorough investigation and to protect the rights of students and employees during the investigation process and any ensuing discipline.

Administrative Determination

In any case not involving employment discrimination, within 90 days of receiving a Complaint, the District shall complete its investigation and forward a copy or summary of the report, and written notice to the Complainant setting forth all of the following:

- The Chancellor’s or his/her/their designee’s determination as to whether unlawful discrimination occurred with respect to each allegation in the Complaint based on a preponderance of the evidence standard;
- In the event a discrimination allegation is substantiated, a description of actions taken, if any, to prevent similar acts of unlawful discrimination from occurring in the future;
- The proposed resolution of the Complaint;
- The Complainant’s right to appeal to the District’s Board of Trustees and the California Community Colleges Chancellor’s Office; and
- In matters involving student sexual misconduct, the Respondent’s right to appeal to the District’s Board of Trustees any disciplinary sanction imposed upon the Respondent.

In any case involving employment discrimination, within 90 days of receiving a formal complaint, the District shall complete its investigation and forward a copy or summary of the report and written notice to the Complainant setting forth all the following:

- The Chancellor’s or his/her/their designee’s determination as to whether the discrimination occurred with respect to each allegation in the Complaint based on the preponderance of the evidence standard;
- If a discrimination allegation is substantiated, a description of actions taken, if any, to prevent similar acts of unlawful discrimination from occurring in the future;
- The proposed resolution of the Complaint; and
- The Complainant’s right to appeal to the District’s Board of Trustees and to file a complaint with Department of Fair Employment and Housing.

The District shall also provide the Respondent the following:

- The Chancellor’s or his/her/their designee’s determination as to whether unlawful discrimination occurred with respect to each allegation in the Complaint based on the preponderance of the evidence standard;

- The proposed resolution of the Complaint, including any disciplinary action against the Respondent; and
- In matters involving student sexual misconduct not subject to Title IX, the Respondent's right to appeal to the District's Board of Trustees any disciplinary sanction imposed upon the Respondent.

Discipline for Student Sexual Misconduct Not Subject to Title IX

In a complaint involving student sexual misconduct not subject to Title IX, if a student Respondent is subject to severe disciplinary sanctions, and the credibility of witnesses was central to the investigative findings, the District will provide an opportunity for the student Respondent to cross-examine witnesses indirectly at a live hearing, either in person or by videoconference and a live hearing conducted by a neutral decision-maker other than the investigator. The District shall appoint a neutral third party to attend the hearing solely for the purpose of asking any questions to the witnesses. The neutral third party shall not be the student Respondent, the student Respondent's representative, or any individual charged with making a final determination regarding discipline. The student Respondent may submit written questions before and during the cross-examination, including any follow-up questions. The neutral third-party asking questions shall not exclude any questions unless there is an objection to the question by any individual charged with making a final determination regarding discipline.

Discipline and Corrective Action

If harassment, discrimination, or retaliation occurred in violation of the policy or procedure, the District shall take disciplinary action against the Respondent and any other remedial action it determines to be appropriate consistent with state and federal law. The action will be prompt, effective, and commensurate with the severity of the offense.

Remedies for the Complainant might include, but are not limited to:

- Providing an escort to ensure that the Complainant can move safely between classes and activities;
- Ensuring that the Complainant and alleged perpetrator do not attend the same classes or work in the same work area;
- Preventing offending third parties from entering campus;
- Providing counseling services or a referral to counseling services;
- Providing medical services or a referral to medical services;
- Providing academic support services, such as tutoring;
- Arranging for a student-Complainant to re-take a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the Complainant's academic record; and
- Reviewing any disciplinary actions taken against the Complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the Complainant being disciplined.

If the District imposes discipline, the nature of the discipline will not be communicated to the Complainant. However, the District may disclose information about the sanction imposed on an individual who was found to have engaged in harassment when the sanction directly relates to the Complainant; for example, the District may inform the Complainant that the harasser must stay away from the Complainant.

Disciplinary actions against faculty, staff, and students will conform to all relevant statutes, regulations, personnel policies and procedures, including the provisions of any applicable collective bargaining agreement. The District shall also take reasonable steps to protect the Complainant from further harassment, or discrimination, and to protect the Complainant and witnesses from retaliation as a result of communicating the Complaint or assisting in the investigation.

The District will ensure that Complainants and witnesses know how to report any subsequent problems, and should follow-up with Complainants to determine whether any retaliation or new incidents of harassment have occurred. The District shall take reasonable steps to ensure the confidentiality of the investigation and to protect the privacy of all Parties to the extent possible without impeding the District's ability to investigate and respond effectively to the Complaint. If the District cannot take disciplinary action against the Respondent because the Complainant refuses to participate in the investigation, it should pursue other steps to limit the effects of the alleged harassment and prevent its recurrence.

Appeals

If the District imposes discipline against a student or employee as a result of the findings in its investigation, the student or employee may appeal the decision using the procedure for appealing a disciplinary decision.

If the Complainant is not satisfied with the results of the administrative determination, he/she/they may, within 30 days, submit a written appeal to the Board of Trustees.

In a Complaint involving student sexual misconduct not subject to Title IX, a Respondent who is not satisfied with the results of the administrative determination may submit a written appeal to the District's Board of Trustees within 30 days.

The Board shall review the original Complaint, the investigative report, the administrative decision, and the appeal. The Board shall issue a final District decision in the matter within 45 days after receiving the appeal. A copy of the decision rendered by the Board shall be forwarded to the Complainant and the Respondent. The Complainant shall also be notified of his/her/their right to appeal this decision.

If the Board does not act within 45 days the administrative determination shall be deemed approved on the forty-sixth day and shall become the final decision of the District in the matter. The District shall promptly notify the Complainant and the Respondent of the Board's action, or if the Board took no action, that the administrative determination is deemed approved.

In any case not involving workplace discrimination, harassment, or retaliation, the Complainant shall have the right to file a written appeal with the California Community Colleges Chancellor's

Office within 30 days after the Board issued the final District decision or permitted the administrative decision to become final. Such appeals shall be processed pursuant to the provision of Title 5 Section 59350.

In any case involving employment discrimination, including workplace harassment, the Complainant may, at any time before or after the issuance of the final decision of the District, file a complaint with the Department of Fair Employment and Housing.

Remand

The California Community College Chancellor's Office may remand any matter to the District for any of the following reasons: to cure defects in the investigation or in procedural compliance; to consider new evidence not available during the investigation despite the Complainant's due diligence that would substantially impact the outcome of the investigation; or to modify or reverse a decision of the District's Board of Trustees based upon misapplication of an applicable legal standard or an abuse of discretion.

If the California Community College Chancellor's Office remands a matter to the District, the District shall take necessary action and issue a decision after remand within 60 days. In any case not involving employment discrimination, the Complainant may appeal the District's amended determination to the California Community College Chancellor's Office within 30 days by following the appeal procedures above.

Extension of Time

If the District is unable to comply with the 90-day deadline, the District may extend the time to respond by up to 45 additional days. An extension may be taken only once without permission from the California Community Colleges Chancellor's Office, and must be necessary for one of the following reasons:

- A need to interview a party or witness who has been unavailable;
- A need to review or analyze additional evidence, new allegations, or new complaints related to the matter; or
- To prepare and finalize an administrative determination.

The District shall send a written notice to the Complainant and to a Respondent who is aware of an investigation indicating the necessity of an extension, the justification for the extension, and the number of days the deadline will be extended. The District shall send this notice no later than 10 days prior to the initial time to respond.

The District may request additional extensions from the California Community Colleges Chancellor's Office after the initial 45-day extension. The District shall send a copy of the extension request to the Complainant and to a Respondent who is aware of an investigation. The Complainant and Respondent may each file a written objection with the California Community Colleges Chancellor's Office within five days of receipt.

Disclosures to the California Community Colleges Chancellor's Office

Upon request of the California Community Colleges Chancellor's Office, the District shall provide copies of all documents related to a discrimination complaint, including the following: the original Complaint, any investigative report unless subject to the attorney-client privilege, the written notice to the Complainant setting forth the results of the investigation, the final administrative decision rendered by the Board or a statement indicating the date upon which the decision became final, and a copy of the notification to the Complainant of his/her/their appeal rights, the Complainant's appeal of the District's administrative determination, and any other non-privileged documents or information the Chancellor requests.

The District shall provide to the California Community Colleges Chancellor's Office an annual report with the following information:

- the number of employment and non-employment discrimination complaints and informal charges received in the previous academic year;
- the number of complaints and informal charges resolved in the previous academic year; the number of complaints of unlawful discrimination received in the previous academic year; and,
- the number of those complaints that were sustained in whole or in part; and any other information requested by the Chancellor.

File Retention

The District will retain on file for a period of at least five years after closing the case copies of:

- The original Complaint;
- The investigatory report;
- The summary of the report if one is prepared;
- The notice provided to the Parties of the District's administrative determination and the right to appeal;
- Any appeal; and
- The District's final decision.

For any appeal to the California Community Colleges Chancellor's Office, shall provide all relevant, non-privileged documents upon request of the Chancellor.

Dissemination of Policy and Procedures

District Policy and Procedures related to harassment will include information that specifically addresses sexual violence. District policy and procedures will be provided to all students, faculty members, members of the administrative staff and members of the support staff, and will be posted on campus and on the District's website.

When hired, employees are required to sign that they have received the policy and procedures, and the signed acknowledgment of receipt is placed in each employee's personnel file. In addition, these policies and procedures are incorporated into the District's course catalogs and orientation materials for new students.

Training

By January 1, 2021, the District shall provide at least two hours of classroom or other effective interactive training and education regarding sexual harassment to all supervisory employees and at least one hour of classroom or other effective interactive training and education regarding sexual harassment to all nonsupervisory employees. All new employees must be provided with the training and education within six months of their assumption of his/her/their position. After January 1, 2021, the District shall provide sexual harassment training and education to each employee once every two years. An employee who received this training and education in 2019 is not required to have refresher training until after two years thereafter.

The training and education required by this procedure shall include information and practical guidance regarding the federal and state statutory provisions concerning the prohibition against and the prevention and correction of sexual harassment and the remedies available to victims of sexual harassment in employment, a review of "abusive conduct," and harassment based on gender identity, gender expression, and sexual orientation. The training and education shall also include practical examples aimed at instructing supervisors in the prevention of harassment, discrimination, and retaliation, and shall be presented by trainers or educators with knowledge and expertise in the prevention of harassment, discrimination, and retaliation. Supervisor's harassment training must also address potential exposure and liability for employers and individuals, supervisor's obligation to report sexual harassment, discrimination, and retaliation when they become aware of it, appropriate remedial measures to correct harassing behavior.

The District will maintain appropriate records of the training provided, including the names of the supervisory employees trained, the date of training, sign in sheets, copies of all certificates of attendance or completion issued, the type of training provided, a copy of all written or recorded training materials, and the name of the training provider. If the training is provided by webinar, the District will maintain a copy of the webinar, all written materials used by the training and all written questions submitted during the webinar, and document all written response or guidance the trainer provided during the webinar. The District will retain these records for at least two years.

The District will also provide training to students who lead student organizations. The District should provide copies of the sexual harassment policies and training to all District law enforcement unit employees regarding the grievance procedures and any other procedures used for investigating reports of sexual violence.

In years in which a substantive policy or procedural change has occurred, all District employees will attend a training update or receive a copy of the revised policies and procedures. Participants in training programs will be required to sign a statement that they have either understood the policies and procedures, their responsibilities, and their own and the District's potential liability, or that they did not understand the policy and desire further training.

Complaint Reporting

The Chancellor shall provide the Board of Trustees, upon request, a report of complaints filed pursuant to AP 3435. This report must disaggregate the Complaints by complaint type (Student Complainant and Student Respondent, Student Complainant and Employee Respondent, Employee Complainant and Student Respondent, Employee Respondent and Employee Respondent, etc.). This report must also disaggregate the Complaints by the Complainant's race, age, gender, religion, or any other characteristic identified by the Board.

Education and Prevention Information (AP 3540)

The Vice Chancellor of Institutional Effectiveness or designee shall:

- Provide, as part of each college's established on-campus orientation program, education and prevention information about domestic violence, dating violence, sexual assault, and stalking.
- The information shall be developed in collaboration with college-based and community-based victim advocacy organizations, and shall include the District's sexual assault policy and prevention strategies including empowerment programming for victim prevention, awareness raising campaigns, primary prevention, bystander intervention, and risk reduction.
- Post sexual violence prevention and education information on the college internet website regarding domestic violence, dating violence, sexual assault and stalking.

In order to take proactive measures to prevent sexual harassment and violence toward students, the District will provide preventive education programs and make victim resources, including comprehensive victim services, available. The District will include such programs in their orientation programs for new students, and in training for student athletes and coaches. These programs will include discussion of what constitutes sexual harassment and sexual violence, the District's policies and disciplinary procedures, and the consequences of violating these policies. A training program or informational services will be made available to all students at least once annually.

The education programs will also include information aimed at encouraging students to report incidents of sexual violence to the appropriate District and law enforcement authorities. Since victims or third parties may be deterred from reporting incidents if alcohol, drugs, or other violations of District or campus rules were involved, the District will inform students that the primary concern is for student safety and that use of alcohol or drugs never makes the victim at fault for sexual violence. If other rules are violated, the District will address such violations separately from an allegation of sexual violence.

STUDENT DISCIPLINE PROCEDURE (AP 5520)

The purpose of this procedure is to provide a prompt and equitable means to address violations of the Standards of Student Code, which guarantees to the student or students involved the due process rights guaranteed them by state and federal constitutional protections. This procedure will be used in a fair and equitable manner, and not for purposes of retaliation. It is not intended to substitute for criminal or civil proceedings that may be initiated by other agencies.

This Administrative Procedure is specifically not intended to infringe in any way on the rights of students to engage in free expression as protected by the state and federal constitutions, and by Education Code Section 76120, and will not be used to punish expression that is protected.

For discipline resulting from a sexual harassment complaint under Title IX, the procedure in AP 3434 Responding to Harassment Based on Sex under Title IX, must be used.

Definitions

The following are definitions related to AP 5520 on Student Discipline Procedure:

- **District:** The Ventura County Community College District
- **Student:** Any person currently enrolled as a student at any college or in any program offered by the District who was also enrolled at the time of the alleged violation of the Standards of Student Conduct.
- **Instructor:** Any academic employee of the District in whose class a student subject to discipline is enrolled, or counselor who is providing or has provided services to the student, or another academic employee who has responsibility for the student's educational program.
- **Short-term Suspension:** Exclusion of the student by the College President or designee for good cause from one or more classes for a period of up to ten consecutive days of instruction.
- **Long-term Suspension:** Exclusion of the student by the College President or designee for good cause from one or more classes for the remainder of the school term, or from all classes and activities of the college for one or more terms.
- **Expulsion:** Exclusion of the student by the Board of Trustees from all colleges in the District for one or more terms.
- **Removal from Class:** Exclusion of the student by Instructor for the day of the removal and the next class meeting.
- **Written or Verbal Reprimand:** An admonition to the student to cease and desist from conduct determined to violate the Standards of Student Conduct. Written reprimands may become part of a student's permanent record at the college. A record of the fact that a verbal reprimand has been given may become part of a student's record at the college for a period of up to one year.
- **Withdrawal of Consent to Remain on Campus:** Withdrawal of consent by the CSSO for any person to remain on campus in accordance with California Penal Code Section 626.4

where the CSSO has reasonable cause to believe that such person has willfully disrupted the orderly operation of the campus.

- **Day:** Days during which the District is in session and regular classes are held, excluding Saturdays and Sundays.
- **Short-term Suspensions, Long-term Suspensions, and Expulsions:** Before any disciplinary action to suspend or expel is taken against a student, the following procedures will apply:
 - **Notice:** The CSSO will provide the student with written notice of the conduct warranting the discipline. The written notice will include the following:
 - the specific section of the Student Code of Conduct that the student is accused of violating;
 - a short statement of the facts supporting the accusation.
 - the right of the student to meet with the CSSO or designee to discuss the accusation, or to respond in writing.
 - the nature of the discipline that is being considered.
 - **Time limits:** The notice must be provided to the student within 14 days of the date on which the conduct took place; in the case of continuous, repeated, or ongoing conduct, the notice must be provided within 14 days of the date on which conduct occurred which led to the decision to take disciplinary action.
 - **Meeting:** If the student chooses to meet with the CSSO, the meeting must occur no sooner than 14 days after the notice is provided. At the meeting, the student must again be told the facts leading to the accusation, and must be given an opportunity to respond verbally or in writing to the accusation.
- **Short-term Suspension:** Within 10 days after the meeting described above, the College President or designee shall, pursuant to a recommendation from the CSSO, decide whether to impose a short-term suspension, whether to impose some lesser disciplinary action, or whether to end the matter. Written notice of the College President or designee's decision shall be provided to the student. The notice will include the length of time of the suspension, or the nature of the lesser disciplinary action. The College President or designee's decision on a short-term suspension shall be final.
- **Long-term Suspension** - Within 10 days after the meeting described above, the College President or designee shall, pursuant to a recommendation from the CSSO or designee, decide whether to impose a long-term suspension. Written notice of the College President or designee's decision shall be provided to the student. The notice will include the right of the student to request a formal hearing before a long-term suspension is imposed, and a copy of AP 5520 Student Discipline Procedures describing the procedures for the hearing.
- **Expulsion:** Within 7 days after the meeting described above, the College President or designee shall, pursuant to a recommendation from the CSSO or designee, decide whether to recommend expulsion to the Board of Trustees. Written notice of the College President or designee's decision shall be provided to the student. The notice will include the right of the student to request a formal hearing before expulsion is imposed, and a copy of the AP 5520 Student Discipline Procedures describing the procedures for a hearing.

Hearing Procedures

Within 5 days after receipt of the College President or designee's decision regarding a long-term suspension or expulsion, the student may request a formal hearing. The request must be made in writing to the College President or designee.

Schedule of Hearing

The formal hearing shall be held within 20 days after a formal request for hearing is received.

Hearing Panel

The hearing panel for any disciplinary action shall be composed of one administrator, one faculty member, and one student.

The College President or designee, the president of Academic Senate, and the Associated Student president shall at the beginning of the academic year, and no later than October 1st, establish a list of at least five persons who will serve on student disciplinary panels. The College President, or designee, shall appoint the hearing Panel from the names on these lists. However, no administrator, faculty member or student who has any personal involvement in the matter to be decided, who is a necessary witness, or who could not otherwise act in a neutral manner shall serve on a hearing Panel.

Upon notification of the Hearing Panel's composition, the student and the District shall each be allowed one peremptory challenge. The College President shall substitute the challenged member or members and replace them with another member of the panel pool to achieve the appropriate Hearing Panel composition. In the event the pool names are exhausted in any one category, further designees shall be submitted by the College President or designee (for administrators), the President of the Academic Senate (for faculty), or the Associated Student President (for students). The chairperson may, by giving written notice to both parties, reschedule the hearing as necessary pending the submission of alternate designees. A quorum shall consist of all three members of the committee.

Hearing Panel Chair

The College President, or designee, shall appoint one member of the panel to serve as the chair. The decision of the hearing panel Chair shall be final on all matters relating to the conduct of the hearing unless there is a vote by both other members of the panel to the contrary.

Conduct of the Hearing

The members of the hearing panel shall be provided with a copy of the accusation against the student and any written response provided by the student before the hearing begins. The facts supporting the accusation shall be presented by a college representative who shall be the CSSO or designee. The college representative and the student may call witnesses and introduce oral and written testimony relevant to the issues of the matter. Formal rules of evidence shall not apply. Any relevant evidence shall be admitted.

After consultations with the parties, in the interests of justice, a time limit on the amount of time provided for each party to present its case, or any rebuttal, may be set by the hearing panel. Formal rules of evidence shall not apply. All members of the campus community shall be bound by the

student code of conduct or code of professional ethics to provide only true testimony. Witnesses who are not members of the campus community will testify under oath subject to the penalty of perjury. Any relevant evidence may be admitted at the discretion of the Hearing Panel Chair, in consultation with the Hearing Panel. Hearsay evidence will be admissible, but will be insufficient, alone, to establish a charge against the student. The Hearing Panel Chair, in consultation with the Hearing Panel, shall be responsible for determining the relevancy of presented evidence and testimony, the number of witnesses permitted to testify, and the time allocated for testimony and questioning. The Hearing Panel Chair, in consultation with the Hearing Panel, shall further be responsible for instructing and questioning witnesses on behalf of the Hearing Panel, and for dismissing any persons who are disruptive or who fail to follow instructions. If either party refuses to adhere to the instructions of the Hearing Panel Chair, the right to the hearing will be deemed waived. The Hearing Panel Chair shall have the final decision on all procedural questions concerning the hearing.

Unless the Hearing Panel determines to proceed otherwise, the college representative and the student shall each be permitted to make an opening statement. Thereafter, the college representative shall make the first presentation, followed by the student. The college representative may present rebuttal evidence after the student completes his or her evidence. The burden shall be on the college representative to prove by the preponderance of the evidence that the facts alleged are true.

The student may represent himself/herself/themself and may also have the right to be represented by a person of his/her/their choice, except that the student shall not be represented by an attorney unless, in the judgment of the hearing panel, complex legal issues are involved. If the student wishes to be represented by an attorney, a request must be presented not less than five days prior to the date of the hearing. If the student is permitted to be represented by an attorney, the college representative may request legal assistance. The hearing panel may also request legal assistance; any legal advisor provided to the panel may sit with it in an advisory capacity to provide legal counsel but shall not be a member of the panel nor vote with it.

Hearings shall be closed and confidential unless the student requests that they be open to the public. Any such requests must be made no less than 5 working days prior to the date of the hearing. In a closed hearing, witnesses shall not be present at the hearing when not testifying, unless all parties and the panel agree to the contrary.

The hearing shall be recorded by the District either by tape recording or stenographic recording. The official recording shall be the only recording made. No witness who refuses to be recorded may be permitted to give testimony. In the event the recording is by tape recording, the hearing panel chair shall, at the beginning of the hearing, ask each person present to identify themselves by name, and thereafter shall ask witnesses to identify themselves by name. Recordings shall remain in the custody of the District at all times, unless released to a professional transcribing service. The student may request a copy of the recording.

All testimony shall be taken under oath; the oath shall be administered by the hearing panel chair. Written statements of witnesses under penalty of perjury shall not be used unless the witness is unavailable to testify. A witness who refuses to be tape recorded is not unavailable.

Within 5 working days following the close of the hearing, the hearing panel shall prepare and send to the College President or designee a written decision. The decision shall include specific factual findings regarding the accusation, and shall include specific conclusions regarding whether any specific section(s) of the Standards of Student Conduct were violated. The decision shall also include a specific recommendation regarding the disciplinary action to be imposed, if any. The decision shall be based only on the record of the hearing, and not on matters outside of that record. The record consists of the original accusation, the written response, if any, of the student, and the oral and written evidence produced at the hearing.

College President or Designee Decision

For a decision on long-term suspension, within 15 days following receipt of the hearing panel's recommended decision, the College President or designee shall render a final written decision. The College President or designee may accept, modify or reject the findings, decisions and recommendations of the hearing panel. If the College President or designee modifies or rejects the hearing panel's decision, the College President or designee shall review the record of the hearing, and shall prepare a new written decision which contains specific factual findings and conclusions. The decision of the College President or designee shall be final.

For a decision on expulsion, within 15 days following receipt of the hearing panel's recommended decision, the College President or designee shall render a written recommended decision to the Board of Trustees. The College President or designee may accept, modify or reject the findings, decisions and recommendations of the hearing panel. If the College President or designee modifies or rejects the hearing panel's decision, he/she/they shall review the record of the hearing and shall prepare a new written decision which contains specific factual findings and conclusions. The College President or designee's decision shall be forwarded to the Board of Trustees.

Board of Trustees Decision

The Board of Trustees shall consider any recommendation from the College President or designee for expulsion at the next regularly scheduled meeting of the Board after receipt of the recommended decision. The Board shall consider an expulsion recommendation in closed session, unless the student has requested that the matter be considered in a public meeting in accordance with these procedures (Education Code Section 72122).

The student shall be notified in writing, by registered or certified mail to the address last on file with the District or by personal service, at least three days prior to the meeting, of the date, time, and place of the Board's meeting. The student may, within 48 hours after receipt of the notice, request that the hearing be held as a public meeting. Even if a student has requested that the Board consider an expulsion recommendation in a public meeting, the Board will hold any discussion that might be in conflict with the right to privacy of any student other than the student requesting the public meeting in closed session.

The Board may accept, modify or reject the findings, decisions and recommendations of the College President or designee or the hearing panel. If the Board modifies or rejects, the Board shall review the record of the hearing, and shall prepare a new written decision which contains its specific factual findings and conclusions. The decision of the Board shall be final.

The final action of the Board on the expulsion shall be taken at a public meeting, and the result of the action shall be a public record of the District.

Immediate Interim Suspension (Education Code Section 66017)

The College President or designee may order immediate suspension of a student where he/she/they concludes that immediate suspension is required to protect lives or property and to ensure the maintenance of order. In cases where an interim suspension has been ordered, the time limits contained in these procedures shall not apply, and all hearing rights, including the right to a formal hearing where a long-term suspension or expulsion is recommended, will be afforded to the student within ten (10) days.

Removal from Class (Education Code Section 76032)

Any instructor may order a student removed from his/her/their class for the day of the removal and the next class meeting. The instructor shall immediately report the removal to the College President or designee, CSSO and the Dean of Conduct. The Dean of Conduct shall arrange for a conference between the student and the instructor regarding the removal. If the instructor or the student requests, the Dean of Conduct shall attend the conference. The student shall not be returned to the class during the period of the removal without the concurrence of the instructor. Nothing herein will prevent the Dean of Conduct from recommending further disciplinary procedures in accordance with these procedures based on the facts which led to the removal.

Withdrawal of Consent to Remain on Campus

The CSSO or designee may notify any person for whom there is a reasonable belief that the person has willfully disrupted the orderly operation of the campus that consent to remain on campus has been withdrawn. If the person is on campus at the time, he/she/they must promptly leave or be escorted off campus. If consent is withdrawn by the CSSO or designee, a written report must be promptly made to each college President or designee.

The person from whom consent has been withdrawn may submit a written request for a hearing on the withdrawal within the period of the withdrawal. The request shall be granted not later than seven days from the date of receipt of the request. The hearing will be conducted in accordance with the provisions of this procedure relating to interim suspensions. In no case shall consent be withdrawn for longer than 14 days from the date upon which consent was initially withdrawn.

Any person whose consent to remain on campus has been withdrawn who knowingly reenters the campus during the period in which consent has been withdrawn, except to come for a meeting or hearing, is subject to arrest (Penal Code Section 626.4).

Time Limit

Any times specified in these procedures may be shortened or lengthened if there is mutual concurrence, in writing, by all parties.

No Disciplinary Action against Complainants or Witnesses in Sexual Assault Investigations

An individual who participates as a Complainant or witness in an investigation of sexual assault, domestic violence, dating violence, or stalking will not be subject to disciplinary sanctions for a

violation of the District's student conduct policy at or near the time of the incident, unless the District determines that the violation was egregious, including, but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic dishonesty.

REGISTERED SEX OFFENDER INFORMATION

Effective October 28, 2002, California Penal Code (PC) Section 290.01 was expanded and now requires a convicted sex offender who is enrolled as a student, or employed as a full- or part-time employee, or is carrying on a vocation, in a community college for more than 14 days, or for an aggregate period exceeding thirty (30) days in a calendar year, to register with the VCCCD Police Department within five (5) working days of commencing enrollment or employment. Violation of the above requirement is a misdemeanor and may result in a fine, imprisonment, or both. Public information regarding sex offenders in California may be obtained by viewing the Department of Justice's Megan's Law website at <http://www.meganslaw.ca.gov/>.

The VCCCD Police Department may not release information regarding a sex offender on campus unless the person seeking the information has signed a statement, on a form provided by the California Department of Justice, stating that the person is not a registered sex offender, that the person understands that the purpose of the release of information is to allow members of the college community to protect themselves and their children from sex offenders, and that the person understand it is unlawful to use the information received to commit a crime against any registered sex offender or to engage in illegal discrimination or harassment of a registered sex offender.

The VCCCD Police Department will release the following information regarding a registered sex offender, upon request and receipt of the signed statement:

- Full name;
- Known aliases;
- Gender;
- Race;
- Physical description;
- Photograph;
- Date of birth;
- Crimes resulting in registration; and,
- The date of last registration or re-registration.

HOW TO REGISTER

Individuals seeking to register with the VCCCD Police Department pursuant to Penal Code Section 290.01 must contact their college's police station and register in person.* All individuals meeting the above criteria will be required to download, complete, and submit to the VCCCD Police Department the California Department of Justice's Sex Offender Registration Form.

Furthermore, any individual who is required to register as an Internet Identifier, pursuant to Penal Code Section 290.024, must complete and submit to the VCCCD Police Department the California Department of Justice's Internet Identifier Registration Form.

*Individuals who are only solely participating in online courses with absolutely no requirement to be present on college grounds at any time and shall not be present at any time on college grounds may register as required by §290.01PC via mail with the California Department of Justice's Online Course Registration Form. Keep in mind, if any component of the online course requires you to be physically on college grounds, you ARE REQUIRED to register IN PERSON using the standard Sex Offender Registration Form.

HATE CRIMES

Hate crimes, as defined by California Penal Code Sections 422.55 and 422.6 and the Higher Education Opportunity Act (Public Law 110-315), are “any act of physical intimidation or physical harassment, physical force, physical violence, or the threat of physical force or physical violence, that is directed against any person or group of persons because of ethnicity, race, national origin, religion, sex, sexual orientation, disability, or political and/or religious beliefs of that person or group.” Incidents of hate violence should be reported to the VCCCD Police Department. The Department does not condone violence and is charged with ensuring that the rights guaranteed by State law and the U.S. Constitution are protected for all people regardless of their ethnicity, race, national origin, religion, sex, sexual orientation, gender, gender identity, disability, or political and/or religious beliefs.

MISSING STUDENT NOTIFICATION PROCEDURES

The VCCCD colleges do not have on-campus student housing and therefore are not required to maintain a Missing Student Notification Procedure.

FIRE SAFETY REPORT

The VCCCD colleges do not have on-campus student housing and therefore are not required to publish a Fire Safety Report.

DAILY CRIME LOG

The VCCCD Police Department maintains a Daily Crime Log for all colleges, which includes summary information about crimes and reports taken by the Police Department, such as:

- The date and time a crime was reported;
- The nature of the crime;
- The date and time the crime occurred;
- At which campus the crime occurred; and,
- The disposition of the complaint (if known).

Daily Crime Log entries include all crimes reported to the VCCCD Police Department and is not solely limited to just Clery Act crimes. An entry, an addition to an entry, or a change in the disposition of a complaint, will be recorded within two business days of the reporting of the information to the VCCCD Police Department (excluding weekends and holidays).

Information may be temporarily withheld from the Daily Crime Log only if, in the judgment of the Chief of Police or designee, the release of information would jeopardize an ongoing investigation, jeopardize the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence. Only that information that could cause a specifically identified adverse effect will be withheld, and the information will be disclosed once the adverse effect is no longer present.

The Daily Crime Log is available on the VCCCD Police Department webpage (VCCCD.edu/Police). Hard copies are available upon request.

CLERY ACT STATISTICS DEFINITIONS

For purposes of compiling and reporting campus crime statistics and campus security policies as required under the Clery Act, the VCCCD utilizes the definitions set forth below for applicable crimes.

Criminal Offense Definitions

- **Murder and Non-Negligent Manslaughter:** the willful (non-negligent) killing of one human being by another.
- **Negligent Manslaughter:** the killing of another person through gross negligence.
- **Sexual Assault (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. There are four types of sex offenses:
- **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. This offense includes the rape of both males and females.

- **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. (Note: If force is used or threatened, or the victim was incapable of giving consent because of his/her age or temporary or permanent or mental impairment, the offense is Rape, not Statutory Rape).
- **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.
- **Burglary:** the unlawful entry of a structure to commit a felony or a theft. A structure is defined as having four walls, a roof, and a door.
- **Motor Vehicle Theft:** the theft or attempted theft of a motor vehicle, even if the vehicle is recovered.
- **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.

Hate Crime Offense Definitions

A hate crime is defined as a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. In addition to the offenses listed above, larceny (theft), simple assault, intimidation, and the destruction, damage, or vandalism of property motivated by bias are counted as hate crimes.

- **Larceny (Theft):** the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Constructive possession is the condition in which a person does not have physical custody or possession but is in a position to exercise dominion of control over a thing.
- **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.

Although there are many possible categories of bias, only the following eight categories are reported under the Clery Act:

- **Disability:** a preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.
- **Ethnicity:** a preformed negative opinion or attitude toward a group of people whose members identify with each other through a common heritage, often consisting of a common language, common culture (often including a shared religion), and/or ideology that stresses common ancestry.
- **Gender:** a preformed negative opinion or attitude toward a person or a group of persons based on their actual or perceived gender (e.g., male or female).
- **Gender Identity:** a preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity (e.g., bias against transgender or gender non-conforming individuals).
- **National Origin:** a preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.
- **Race:** a preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind (e.g., Asians, blacks or African Americans, whites).
- **Religion:** a preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).
- **Sexual orientation:** a preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation (i.e., a person's physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual individuals).

Violence Against Women Act (VAWA) Offense Definitions

- **Dating Violence:** 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 the consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- **Domestic Violence:** a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person 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.

- **Stalking:** engaging in 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.
 - **Course of conduct:** two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
 - **Reasonable person:** a reasonable person under similar circumstances and with similar identities to the victim.
 - **Substantial emotional distress:** significant mental suffering or anguish that may, but does not necessarily require medical or other professional treatment or counseling.

Arrests and Disciplinary Referrals Definitions

- **Referred for Disciplinary Action** – the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.
- **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. This classification encompasses weapons offenses that are regulatory in nature.
- **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 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.

CLERY ACT GEOGRAPHIC DEFINITIONS

On-Campus

On-campus is defined as any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to the institution's geographic area, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

On-Campus Residence Facilities

On-campus residence facilities is defined as any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonable contiguous geographic area that makes up the campus. The VCCCD does not currently have any on-campus student housing.

Non-Campus Property

Non-Campus Property is defined as any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution; or any building or property owned or controlled by a student organization that is officially recognized by the institution.

Public Property

Public property is defined as all public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus or immediately adjacent to and accessible from the campus.

CRIME STATISTICS REPORTING AREAS

For purposes of understanding the crime statistics gathered for this *Annual Security Report*, the reporting areas for Clery Act crime statistics for on-campus, non-campus property, and public property designations include the following locations.

On-Campus

Moorpark College
7075 Campus Road
Moorpark, CA 93021

**Oxnard College
Fire Technology Academy**
104 Durley Avenue
Camarillo, CA 93010

Oxnard College
4000 South Rose Avenue
Oxnard, CA 93033

Ventura College
4667 Telegraph Road
Ventura, CA 93003

Ventura College East Campus

957 Faulkner Road #106
Santa Paula, CA 93060

Non-Campus Property

Oxnard College Marine Center and Aquarium

2741 Victoria Avenue
Oxnard, CA 93035

Ventura College Basic Law Enforcement Academy

106 Durley Avenue
Camarillo, CA 93010

Public Property

The following describes the public areas adjacent to and accessible from the on-campus property, where students can access campus with no wall, fence, or barrier.

Moorpark College

- Sidewalks and street of Collins Drive between University Drive and Shakespeare Place.
- Sidewalks and street of Campus Park Drive between Delfen Street and Beragan Street.

Oxnard College

- Sidewalks and street of Bard Avenue between South Rose Avenue and the Oxnard College Automotive Technology parking lot.
- Sidewalks and street of South Rose Avenue between Bard Avenue and Gary Drive.
- The entirety of College Park.

Oxnard College Fire Technology Academy

- Sidewalks and street of Durley Avenue south of the Camarillo Aircraft Maintenance Hangar.

Ventura College

- Sidewalks and street of Telegraph Road between Day Road and the east alley of Ashwood Avenue.
- Sidewalks and street of Day Road between Telegraph Road and Loma Vista Road.
- Sidewalks and street of Loma Vista Road between Day Road and Ashwood Avenue.
- The stretch of the east alley of Ashwood Avenue immediately adjacent to the athletic fields.

CRIME STATISTICS

Crime statistics include all reports received by the VCCCD Police Department and from VCCCD officials with significant responsibility for student and campus activities, including those persons designated as Campus Security Authorities. The statistics also include data received from the Oxnard Police Department, Santa Paula Police Department, Ventura Police Department, and the Ventura County Sheriff's Office for the reporting locations identified previously.

For purposes of reporting arrests and referrals of disciplinary actions for weapons, drug, and liquor law violations in which there are multiple violations, statistics are reported based on the hierarchy rule where weapon violations are reported first, then drugs, then alcohol.

This report includes statistics on hate crimes, in which the victim is intentionally selected because of the actual or perceived disability, ethnicity, gender, gender identity, national origin, race, religion, or sexual orientation of the victim.

This report also includes statistics for the total number of crime reports that were "unfounded" and subsequently withheld from crime statistics during each of the three most recent calendar years. For Clery Act purposes, a crime is considered unfounded only if sworn or commissioned law enforcement personnel make a formal determination that the report is false or baseless. Crime reports can be properly determined to be false only if the evidence from a complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner. A reported crime cannot be designated unfounded if no investigation was conducted or the investigation was not completed. Nor can a crime report be designated unfounded merely because the investigation failed to prove that the crime occurred. The determination to unfound a crime can be made only when the totality of available information specifically indicates that the report was false or baseless.

2020-2022 CRIME STATISTICS COMPARISON

The following tables show a three-year comparison of Clery Act statistics for Moorpark College, Oxnard College, Ventura College, Ventura College East Campus, and the Oxnard College Fire Technology Academy.

MC = Moorpark College **VCEC = Ventura College East Campus**
OC = Oxnard College **FTA = Oxnard College Fire Technology Academy**
VC = Ventura College

Criminal Offenses

OFFENSE	YEAR	ON CAMPUS					NON-CAMPUS					PUBLIC PROPERTY				
		MC	OC	VC	VCEC	FTA	MC	OC	VC	VCEC	FTA	MC	OC	VC	VCEC	FTA
MURDER / NON-NEGLIGENT MANSLAUGHTER	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
NEGLIGENT MANSLAUGHTER	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
RAPE	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
FONDLING	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
INCEST	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
STATUTORY RAPE	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ROBBERY	2020	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AGGRAVATED ASSAULT	2020	0	0	0	0	0	0	0	1	0	0	1	0	2	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0
BURGLARY	2020	0	11	4	0	0	0	0	0	0	0	0	0	0	0	0
	2021	1	10	4	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	4	1	0	0	0	0	0	0	0	0	0	0	0	0
MOTOR VEHICLE THEFT	2020	0	0	1	0	0	0	0	0	0	0	0	0	2	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	1	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
ARSON	2020	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Violence Against Women Act Offenses

OFFENSE	YEAR	ON CAMPUS					NON-CAMPUS					PUBLIC PROPERTY				
		MC	OC	VC	VCEC	FTA	MC	OC	VC	VCEC	FTA	MC	OC	VC	VCEC	FTA
DOMESTIC VIOLENCE	2020	0	0	1	0	0	0	0	1	0	0	0	0	1	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0
DATING VIOLENCE	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
STALKING	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Special Category Arrests

OFFENSE	YEAR	ON CAMPUS					NON-CAMPUS					PUBLIC PROPERTY				
		MC	OC	VC	VCEC	FTA	MC	OC	VC	VCEC	FTA	MC	OC	VC	VCEC	FTA
LIQUOR LAW ARRESTS	2020	0	1	3	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	2	2	0	0	0	0	0	0	0	0	2	0	0	0
	2022	0	0	1	0	0	0	0	0	0	0	0	0	1	0	0
DRUG VIOLATION ARRESTS	2020	0	11	6	0	0	0	9	5	0	0	12	0	10	0	0
	2021	0	10	7	0	0	0	4	0	0	0	0	0	3	0	0
	2022	0	1	2	0	0	0	0	1	0	0	0	0	4	0	0
WEAPONS LAW ARRESTS	2020	0	1	2	0	0	0	0	1	0	0	3	0	3	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Special Category Disciplinary Referrals (Law Violations w/o Arrests)

OFFENSE	YEAR	ON CAMPUS					NON-CAMPUS					PUBLIC PROPERTY				
		MC	OC	VC	VCEC	FTA	MC	OC	VC	VCEC	FTA	MC	OC	VC	VCEC	FTA
LIQUOR LAW REFERRALS	2020	0	2	2	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	2	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	1	1	0	0	0	0	0	0	0	0	0	1	0	0
DRUG VIOLATION REFERRALS	2020	0	1	2	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	1	0	0	0	0	0	0	0	0	0	0	0	0	0
WEAPONS LAW REFERRALS	2020	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Hate Crimes

OFFENSE	YEAR	ON CAMPUS					NON-CAMPUS					PUBLIC PROPERTY				
		MC	OC	VC	VCEC	FTA	MC	OC	VC	VCEC	FTA	MC	OC	VC	VCEC	FTA
HATE CRIMES	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Unfounded Crimes

OFFENSE	YEAR	ON CAMPUS					NON-CAMPUS					PUBLIC PROPERTY				
		MC	OC	VC	VCEC	FTA	MC	OC	VC	VCEC	FTA	MC	OC	VC	VCEC	FTA
UNFOUNDED CRIMES	2020	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2021	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	2022	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

*None of the VCCCD colleges have on-campus student housing.

VENTURA COUNTY COMMUNITY COLLEGE DISTRICT
POLICE DEPARTMENT

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