

TITLE IX

Rights and Responsibilities

A Student's Guide



ORANGE
COAST
COLLEGE



COASTLINE
COLLEGE



The Title IX Promise

Your well-being is our top priority here on campus. **You deserve to feel welcomed, safe and heard in an environment where you can thrive as a student and an individual.**

That's part of the promise of the federal legislation known as Title IX, too: allowing you to pursue an education free from sex discrimination of any kind. Title IX prohibits sex discrimination in its multiple forms, including sexual assault, sexual harassment, dating violence, domestic violence and stalking.

Inside these pages, you'll discover your rights, responsibilities and the resources available to you regarding Title IX. **We take sex discrimination violations very seriously and will respond promptly and effectively, with support and a fair process for all involved.**

Our Title IX Coordinator

Here on campus, our Title IX Coordinator is available to all students and is responsible for...

- Ensuring that our institution carries out its Title IX responsibilities
- Accepting any report of sex discrimination, at any time, from a complainant or someone else speaking on that person's behalf
- Giving students full information so they can make informed choices about how to report incidents of sex discrimination, if they choose
- Contacting complainants confidentially and promptly to discuss supportive measures that can be put in place, whether or not they file a formal complaint
- Taking prompt, effective action to end sex discrimination, prevent its recurrence and address its effects
- Ensuring that no one is subjected to retaliation
- Acting without bias or conflicts of interest to treat complainants and respondents equitably, and serve impartially

You can talk with the Title IX Coordinator if you or someone you know is experiencing sex discrimination or the distress of being accused. We'll provide you with information, access to supportive measures and connect you with necessary resources.

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

- Title IX of the Education Amendments of 1972

Note: This brochure doesn't serve as a substitute for our institution's full policies and procedures, and is solely meant to offer an informational summary.

What You Can Expect from Us

We don't tolerate discrimination and here's what this notice of non-discrimination means when it comes to Title IX...

- Our institution doesn't discriminate on the basis of sex within educational programs and activities, in accordance with Title IX requirements
- Inquiries about the application of Title IX may be referred to our Title IX Coordinator
- Prohibited sex discrimination covers sexual harassment, including sexual assault, dating violence, domestic violence and stalking

Our Pledge to You

Here's what you can expect from us when it comes to handling Title IX incidents...

- We will investigate Title IX complaints brought to our attention in a prompt, fair and impartial manner
- We'll treat complainants and respondents equitably
- We'll take steps to stop the act of sex discrimination, prevent its recurrence and address its effects
- We'll respond to incidents that occur within our school's educational programs or activities, whether they are on- or off-campus
- We'll respond to sexual harassment at buildings owned or under the control of school-sanctioned student organizations
- School officials will serve impartially without bias for or against any party
- You'll be protected from retaliation for reporting sex discrimination or participating/refusing to participate in a Title IX grievance process
- We'll provide appropriate supportive measures, including referrals and information about campus and community resources

Knowing the Terms

Complainant = Individual alleged to be the victim of conduct that could constitute sexual harassment

Respondent = Individual reported to be the perpetrator of conduct that could constitute sexual harassment

Grievance Procedures = Process providing for the prompt, equitable resolution of sex discrimination complaints

Report = When a complainant or third party submits information alleging sexual harassment

Formal Complaint = Document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment by a respondent and requesting that the allegations be investigated

Helpful Information for Complainants

Complainant = *Individual alleged to be the victim of conduct that could constitute sexual harassment*

Title IX complainants are empowered to make decisions regarding the remedies they would like to pursue if they experience sexual harassment. **We're here to help while you are in control.**

Here's what you can expect...

- Your wishes and autonomy will be respected.
- You'll have your identity kept confidential as required by law, except when necessary to ensure the safety of any person or as necessary to carry out a Title IX proceeding.
- You'll be given a clear choice about whether to file a formal complaint.
- You'll be provided with a fair and impartial grievance process, if you choose it.
- You'll be protected from being coerced or threatened into participating in a grievance process.
- You'll be protected from retaliation.
- You may request to participate in the hearing from a room that is separate from that of the respondent.
- You'll have the right to an advisor of your choice who may or may not be an attorney. If you do not have an advisor, one will be appointed to assist you in a live hearing without additional cost to you.
- You'll have the right to present your own evidence and witnesses.
- You'll have the opportunity to review and respond to all available evidence in advance of a hearing.
- You'll have all relevant evidence objectively evaluated.

Supportive Measures

As a complainant, you'll be contacted confidentially by the Title IX Coordinator and offered **supportive measures** to restore or preserve equal access to education, protect your safety and deter further sexual harassment. These individualized services are those reasonably available that are non-punitive, non-disciplinary and not unreasonably burdensome to the other party. Your wishes will always be considered with respect to supportive measures. And these measures must be offered even if you don't wish to initiate or participate in a grievance process.

- You'll be provided with protections so you're not required to face any irrelevant questions about your sexual history. There might be exceptions to this rule.
- You'll be treated equitably and provided with remedies any time a respondent is found responsible.
- You'll be told what the stated standard of evidence being used is.
- You'll receive a written decision and rationale from our institution once the grievance process is completed.
- You'll have an equal right to appeal and will receive information about our appeal procedures.

Helpful Information for Respondents

Respondent = *Individual who has been reported to allegedly be the perpetrator of conduct that could constitute sexual harassment*

Respondents are treated equitably with a presumption that they are not responsible until a determination is made. **We're here to help and answer any questions you have.**

Here's what you can expect...

- You'll be treated fairly.
- You'll have your identity kept confidential as required by law, except when necessary to ensure the safety of any person or as necessary to carry out a Title IX proceeding.
- You'll receive written notice of allegations upon receipt of a formal complaint.
- You'll be contacted confidentially by the Title IX Coordinator and offered supportive measures to restore or preserve equal access to education and protect your safety.
- You'll be treated equitably and not have any disciplinary sanctions imposed without the campus grievance process being followed. An emergency removal would be an exception to this.
- You'll be provided with a fair and impartial grievance process administered by trained, impartial school officials.
- You'll be protected from being coerced or threatened into participating in a grievance process.
- You'll be protected from retaliation.
- You may request to participate in the hearing from a room that is separate from that of the complainant.
- You'll have the right to be accompanied by an advisor of your choice, who may

Consistent with FERPA, we will keep confidential the identity of any person alleged to be a respondent in a report of sexual harassment except in the following instance: We are required by law to disclose and in order to comply with Title IX the disclosure of the names of the complainant or respondent are necessary. One example of when we are required to disclose is if a complaint is filed and an investigation is initiated.

or may not be an attorney. If you do not have an advisor, one will be appointed to assist you in a live hearing without additional cost to you.

- You'll have the right to present your own evidence and witnesses.
- You'll have the opportunity to review and respond to all available evidence in advance of a hearing.
- You'll have all relevant evidence objectively evaluated.
- You'll be told what the stated standard of evidence being used is.
- You'll receive a written decision and rationale from our institution once the grievance process is completed.
- You'll have an equal right to appeal and will receive information about our appeal procedures.

Sexual Harassment

Sexual harassment is defined as being “Severe, pervasive, and objectively offensive conduct that effectively denies a person equal educational access.” Therefore, it is a form of sex discrimination prohibited by Title IX.

The three types of misconduct, on the basis of sex, that encompass the sexual harassment definition include:

Quid Pro Quo Harassment occurs when someone is made to believe they must participate in unwelcome sexual conduct in order to participate in an institution’s aids, benefits or services, or that an educational decision will be made based on whether they submit to unwelcome sexual conduct. It doesn’t matter whether a person resists and suffers the threatened harm or submits to it and avoids the threatened harm for it to be considered sexual harassment.

For example: A faculty member threatens to fail a student unless the student agrees to a date.

Hostile Environment Harassment occurs when unwelcome conduct of a sexual nature that a reasonable person would find so severe, pervasive and objectively offensive denies someone equal educational access, or creates an intimidating, threatening or abusive educational environment.

For example: Someone repeatedly targets another person with crude, sexually suggestive comments.

Any Instance of Sexual Assault, Dating Violence, Domestic Violence or Stalking, as defined by our institution’s policy.

All these forms of sex discrimination jeopardize the equal access to education that Title IX is designed to protect. **You should never have to endure any of them!**

Key Points

- Sexual harassment can take different forms depending on the harasser and the nature of the harassment.
- College or university employees, other students and non-employee third parties, such as a visiting speaker, may carry out this conduct.
- The conduct can be verbal, nonverbal or physical.
- It can occur in-person or online, including through email, texts or messages, apps or other technologies.
- All people can be victims of sexual harassment, and complainants and respondents may be of the same or different sexes.
- Sexual harassment can occur in any school program or activity and can take place in institutional facilities or at off-campus locations, such as a school-sponsored retreat or training program at another location.

Sexual Harassment

Recognizing Instances of Sexual Harassment

Some examples of sexual harassment on campus include...

- A faculty member conditions an intern's evaluation on submission to the faculty member's sexual advances
- A drama director does not give a student a part in a play because the student does not respond to sexual overtures from the director
- One student gropes another when they're dancing at a fraternity party
- An interested student engages in excessive social media messaging and gift giving to an uninterested student, despite the uninterested student telling the interested student to stop
- A graduate teaching assistant repeatedly asks a student to stay after class and attempts to engage the student in discussions about sex and personal experiences while they are alone in the classroom, causing the student to stop coming to class

How to Help a Friend

Do you have a friend who has experienced sexual harassment of some type?

To help in the best ways possible, you can...

- Listen with compassion
- Provide them with information on available resources
- Offer to attend appointments as a support
- Be nonjudgmental
- Not take everything on your shoulders

Getting the appropriate, trained professionals involved is the best thing you can do to help a friend get the necessary support and assistance. However, if that's not working right now, please know that you can also reach out to trained professionals for help and support.



Sexual Assault

Sexual assault is a form of sexual harassment, prohibited by Title IX and the law. If you or someone else experience this, we are here to help, support and listen. There is never a reason to be embarrassed, ashamed or to think you won't be believed. **Please talk with a trusted person so we can provide you with the assistance you need while making sure you are in control of the process, every step of the way.**

Anyone can experience sexual assault, no matter their sex. People who commit sexual assaults and those who are subject to them may be of the same or different sexes.

If You are Sexually Assaulted...

- Get to a place where you feel safe
- Seek a friend you can trust
- Don't shower, bathe any part of your body, douche, urinate, defecate, use medications or brush your teeth, if possible
- Stay in the clothes you are wearing or, if you've already changed, bring clothes, sheets and anything that was in contact with you during the assault in a paper bag (not plastic!) or wrapped in a clean sheet – don't clean or straighten the area
- Don't touch anything the respondent may have touched or left behind – this physical evidence can help in a subsequent investigation
- Get medical help to check for internal injuries you might not be aware of, treat external injuries, be treated for certain STIs, and get information about HIV/AIDS and pregnancy prevention
- Consider having a rape kit exam done by a specially trained Sexual Assault Nurse Examiner at the hospital – even if you don't think you want to press charges now, having this exam done allows you to have evidence collected should you change your mind later
- Seek counseling support
- Consider your legal options with campus/ community support resources and ask questions for clarification
- Preserve any electronic evidence, such as text messages, pictures, videos, social media posts or conversations related to the assault that may have taken place before, during or after the incident

Sexual Assault Offenses Include...

- Forcible rape
- Forcible sodomy
- Sexual assault with an object
- Forcible fondling
- Incest
- Statutory rape

Try to Write Down What Happened

Write down what happened in as much detail as possible, noting the time, place and anyone around, recommended the American Association of University Women.

Even if it's uncomfortable, it's important to record what happened while it's fresh in your mind. If you decide to file a formal complaint, you'll need to provide information about what happened.

Source: American Association of University Women, aauw.org

Sources: Wake Forest University, Sexual Assault Support; Southwestern University, Medical Issues and Immediate Safety; UCSC Title IX/Sexual Harassment Office

Understanding Campus Grievance Procedures

We will provide a consistent, transparent grievance process for resolving formal complaints of sexual harassment.

Here's what you can expect...

- We will provide you with information about our procedures for resolving formal complaints (filed by a complainant or by the Title IX Coordinator) and we will work to resolve the complaint within a reasonable timeframe.
- All parties will be treated fairly and equitably.
- All parties will be given simultaneous written notice of the allegations, an equal opportunity to select an advisor of their choice (may or may not be an attorney) and an equal opportunity to submit and review evidence throughout the investigation.
- Trained Title IX staff will objectively evaluate all relevant evidence and be free from conflicts of interest, prejudice or bias.
- Reasonable steps will be taken to protect the privacy of complainants, respondents and witnesses during grievance procedures.
- The institution will bear the burden of proof and the burden of the investigation.
- We will send written notice of any investigative interviews, meetings or hearings.
- The decision maker(s) will not be the same people as the investigator(s) or Title IX coordinator.
- A live hearing will be held – and can be conducted via video conference to keep the parties in separate rooms.
- Cross-examination by party advisors will be allowed – but never directly by the complainant or respondent.
- All parties will be simultaneously sent written determination of the conclusion.
- All parties will have an equal opportunity to appeal and will be provided with our appeal procedures, as well as the range of supportive measures available to both complainants and respondents.

Confidentiality Concerns

When it comes to confidentiality, we'll be up front with you.

- We will keep your identity confidential, except when necessary to ensure the safety of any person or as necessary to carry out a Title IX investigation
- If a student requests anonymity, that might limit our ability to respond to the alleged sexual harassment
- If the safety of others in the community could be at risk, the good of the whole may need to outweigh your right to confidentiality
- If you decide not to proceed in a sex discrimination case, the Title IX office may still need to submit a report of the incident to certain campus officials or law enforcement to comply with campus crime reporting laws

Safety and Investigations

Proactive and Reactive Bystander Strategies

Here are some ways you can be an engaged, helpful bystander who addresses sexual violence issues safely and with care.

Proactive Bystander Strategies

- Work to create an environment where sexual violence is unacceptable
- Treat people with respect
- Speak up when you hear people making statements that blame survivors
- Talk openly with friends about the issues and how to confront them
- Encourage friends to trust their instincts to stay safe and keep others safe
- Be a knowledgeable resource for survivors
- Don't laugh at sexist jokes or comments
- Look out for friends at parties, bars and other gatherings
- Educate yourself and your friends
- Use campus resources
- Attend an awareness event
- Empower survivors to tell their stories

Reactive Bystander Strategies

- Get campus police or other authorities involved
- Create a distraction
- Get help
- Ask someone in a potentially dangerous situation if they are okay and/or want to leave
- Make sure they get home safely
- Intervene if you hear someone "targeting" another person
- Separate someone too intoxicated to consent from a potential perpetrator
- Say or do something

Sources: "What Can I Do?" Prevention Innovations, UNH; The Transformation Project/Green Dot, The University of Tennessee Chattanooga

How Campus Title IX and Law Enforcement Investigations Differ

If our institution receives a report of sexual harassment occurring in an educational program or activity, we will confidentially contact the complainant to provide supportive measures and information about the complaint process. If a formal complaint is filed and a formal investigation initiated, we will promptly and equitably investigate as required by Title IX to determine what occurred. We'll also take appropriate steps to resolve the situation in a fair manner.

A campus Title IX investigation is separate from any law enforcement investigation.

You can file a Title IX complaint and use the campus grievance process. You can also choose to file a police report. You get to decide the best course of action for you.

Our Title IX Coordinator and other resource people can provide the information that you need to choose the best course of action. This will include describing our grievance procedures and the rights and opportunities available to both complainants and respondents. Please ask!

Title IX and Coast Community College District

In an Emergency

- If you are in immediate danger or seriously injured, call **911**
- Coastline College **(714) 241-6040**
- Golden West College **(714) 895-8999** (emergency) or **(714) 895-8924** (non-emergency)
- Orange Coast College **(714) 432-5555** (emergency) or **(714) 432-5017** (non-emergency)

Seek Medical Attention

You are encouraged to seek medical attention and support. Medical centers provide treatment for injuries, testing for sexually transmitted disease and pregnancy, and emergency contraceptives. On-campus Student Health Center provides basic first aid, medical consultation, and some wellness services.

- **OCC Student Health Center-** (714) 432-5808
- **GWC Student Health Center-** (714) 895-8379
(all Coastline students have access to both health centers)

Confidential Report to Mental Health Services

You are encouraged to seek emotional care and support whether that be immediately after an assault or sometime later. Therapy is an open and nonjudgmental space to work through difficulties. You may learn new coping skills or new strategies to manage stress.

On-campus mental health counselors can offer options and advice confidentially. Except in limited circumstances, your information will not be disclosed to the Title IX Coordinator or local law enforcement.

- **Coastline College Mental Health Services-** (714) 241-6005
- **Golden West College Mental Health Services-** (714) 895-8379
- **Orange Coast College Mental Health Services-** (714) 714-7715

Title IX Coordinators

Dr. Christina Oja, Acting Director Student Equity and Title IX

- (714) 241-6142
- titleix@coastline.edu
- located on the second floor of the College Center, room 209 (11460 Warner Ave, Fountain Valley CA 92708)

Dr. Carla Martinez, Dean of Students

- (714) 895-8781
- gwcitleix@cccd.edu
- located on the third floor of the Learning Resources Center, suite 336 (15744 Goldenwest St, Huntington Beach CA 92647)

Shannon Quihuiz, Dean, Student Relations and Title IX

- (714) 432-5930
- occtitleix@occ.cccd.edu
- located on the second floor of the Student Union, suite 202 (2701 Fairview Road, Costa Mesa CA 92626)

Crystal Crane, Executive Director, Human Resources and Employee/ Employer Relations

- (714) 438-4708
- ccrane@cccd.edu
- located at the District Office (1370 Adams Avenue, Costa Mesa, CA 92626)

Title IX and Coast Community College District

File a Title IX Complaint

Reports of sexual harassment, including sexual assault, stalking, dating violence, and domestic violence, can be made verbally or in writing to the Title IX Coordinator. The Title IX Coordinator will explain your rights, resolution options under District policy, and supportive measures.

When you make a report, you are not required to decide immediately whether to request any specific action. You retain the right to file a formal complaint with the Title IX Coordinator at any point. The Title IX Coordinator will respect your choices on how to proceed and balance your interests with the obligation to maintain a safe and non-discriminatory environment for the entire campus community.

Coast Community College District enforces Board Policy/Administrative Procedure 5910 Sexual Misconduct

- BP 5910 Sexual Misconduct
- AP 5910 Sexual Misconduct

File A Criminal Report

Reporting a crime to local law enforcement can:

- Protect your safety and help prevent future crimes.
- Ensure you receive proper medical care and support services.
- Initiate a criminal investigation that could prevent future crimes by the perpetrator.

Many district attorney offices provide victim services, assisting you in understanding your legal options and navigating the criminal justice system.

File a Civil Lawsuit

A civil lawsuit can help you seek financial compensation, including medical expenses, therapy costs, lost wages, and emotional distress.

Supportive Measures

Supportive measures are non-disciplinary, non-punitive steps to restore or preserve access to Coast Colleges educational programs and activities. Examples include academic accommodations, counseling and mental health support, contact limitations between parties, employee or on-campus housing adjustments.

What supportive measures might be implemented to restore or preserve equal access to education, protect your safety and deter further sexual harassment? On our campuses, they could include:

- Academic assistance
- On-campus housing room changes
- Counseling
- No-contact orders
- Leaves of absence
- Class schedule changes
- On-campus work changes
- Deadline extensions

Our Title IX Coordinator and Deputy Coordinator are available to discuss these with you anytime. (See *previous page* for contact information)