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Introduction

San Bernardino Community College District is committed to providing a safe learning and working environment. In compliance with federal laws, policies and procedures have been adopted to raise awareness, prevent, and respond to incidents of sexual assault, domestic violence, dating violence, and stalking involving members of the campus community. These guidelines apply to all students, faculty, staff, contractors and visitors. Anyone can be a victim of an assault. Approximately 70% of survivors of sexual assault and rape know their attacker. On a college campus, approximately 95% of sexual assaults are not reported. If you have been in a relationship/sexual relationship with the perpetrator, that does not mean they are entitled to touch you, or force you to have sex. You must give your willing consent or it is assault/rape.

If You Have Been Sexually Assaulted

- DO NOT blame yourself. Sexual assault and rape are not the survivor's fault. You are not responsible for the criminal actions of others.
- Get to a safe place
- DO NOT shower, bathe, douche, change/destroy/dispose of clothes. You will have evidence on your body that can best be collected if left intact. This evidence can only be collected within the first 72 hours.
- DO NOT touch, move or wash anything where the assault occurred, as you may inadvertently destroy evidence.
- Seek medical attention immediately.
- If you feel you were drugged unknowingly, there will be evidence in your system which can only be collected within 8-96 hours of the incident. (If you knowingly used drugs or alcohol, and were assaulted or raped, it is not your fault that you were assaulted. If you were NOT able to give consent during the incident because you were under the influence of drugs or alcohol, you will not face criminal charges.)

Sexual Assault Response Team (SART)

If you are the survivor of sexual assault or rape, criminal prosecution is more successful with a SART. Survivors are strongly encouraged to get prompt medical attention following an assault or rape. Due to the sensitive nature of assaults, and the physical and emotional trauma involved, an expert medical exam and collection of evidence is performed in a confidential and supportive atmosphere.

The mission of the Sexual Assault Response Team is to protect the survivor from further harm and emotional trauma. The SART consists of local law enforcement agencies, the survivor, the nurse examiner, the Advocate, and the district attorney; all committed to a coordinated response for the immediate medical care, advocacy and criminal justice services for the survivor of sexual assault crimes. SART provides a 24 hour response to children, adult, female and male survivors of sexual assault. Immediate responders include local law enforcement, a nurse examiner, and advocate from San Bernardino Sexual Assault Services. A sexual assault exam is done at NO CHARGE to the survivor.

SBCCD Campus Sexual Assault Response Team (CSART)

The Campus Sexual Assault Response Team will assist the survivor of a sexual assault or rape by working with the county SART. The main goal is still the protection of the survivor from further harm or trauma. The CSART works closely with the county SART. In addition, the CSART will assist the survivor with an internal investigation if both the survivor and perpetrator are members of the campus community.

Reporting to District Police Provides Survivors with Options

Sexual assault survivors are strongly encouraged to report to District Police or the local law enforcement agency where the assault occurred. This gives the survivor the most options to pursue the incident further, either criminally, civilly, or administratively (within the campus community). Reporting to the police ensures a detailed investigation and evidence gathering.

Filing a Report with District Police Will:

- Ensure that the survivor receives information on how to obtain a medical exam for collection of evidence for legal purposes, and/or for the testing of sexually transmitted diseases and pregnancy.
- Ensure that the survivor receives information on where they may go to seek free confidential counseling on campus, or through local or county services.
- Ensure that the survivor is contacted by an Advocate from San Bernardino Sexual Assault Services (SBSAS), or Yucaipa Outreach (a branch of SBSAS), who will guide the survivor through the process, available options, and offer continued support.
- Automatically begin an administrative investigation for the survivor's safety.

What type of Report Can I Make?

There are various levels of reporting to police that are available to the survivor:

- Anonymous Report—The survivor has no options, but may alert District Police to the perpetrator, and may alert the campus community.
- Confidential Report for Documentation—May help this survivor and others in the future.
- Confidential Report for Campus Discipline—May help the survivor now, the perpetrator will be advised and may be subject to sanctions or removal from campus. Possible civil actions may also be available to the survivor.
- Confidential Report for Criminal Prosecution—All options above, plus prosecution as “Jane” or “John Doe.”
- Open Report for Criminal Prosecution—All options above, but survivor’s identity may be disclosed to the public.

Survivors may request their right to confidentiality for the below crimes:

PC 236.1 Human Trafficking	PC 273d Child Abuse
PC 243(e)(1) Spousal Battery	PC 273.5 Domestic Violence
PC 261 Rape	PC 285 Incest
PC 261.5 Unlawful Sexual Intercourse with Minor	PC 286 Sodomy
PC 262 Spousal Rape	PC 288 Lewd Acts on Child
PC 264.1 Rape in Concert with Another	PC 288a Oral Copulation
PC 265 Abduction to Force Marriage	PC 289 Anal/Genital Penetration by Foreign Object
PC 266 Forcing into Prostitution	PC 422.6 Hate Crimes
PC 267 Abduction for Prostitution	PC 646.9 Stalking
PC 269 Aggravated Sexual Assault of a Child	PC 647.6 Annoy or Molest a Child
PC 273a Child Endangerment	

Reports made to the Title IX Coordinator will be kept confidential, and identifying information about the survivor shall not be made public under California Penal Code section 11164. Information about reports will only be shared with institutional personnel as needed to investigate and effectively respond to the report. Every effort will be made to limit the scope of information shared to keep it to a minimum of detail, and only when absolutely necessary. Reports made to medical professionals, or licensed mental health counselors, will not be shared with any third parties except in cases of imminent danger to the victim or a third party.

To File a Police Report for Sexual Assault

- Call 911 for emergency assistance, or:
 - San Bernardino Community College District Police 909.384.4491
 - San Bernardino Police Department 909.384.5742
 - Colton Police Department 909.370.5000
 - San Bernardino Sheriff's Department, Yucaipa 909.790.3105
- District Police and local law enforcement will respond.
- The survivor will be transported to a safe location.
- An Advocate will respond from San Bernardino Sexual Assault Services or Yucaipa Outreach.
- The survivor will be transported to receive medical treatment and/or a sexual assault exam.
- Evidence will be collected by a Sexual Assault Nurse Examiner at Kaiser Hospital in Fontana, or Redlands Community Hospital in Redlands, depending on location of assault. You may not desire prosecution immediately; however, by collecting evidence the potential for future prosecution is possible.
- If you choose not to prosecute, you may still receive medical treatment. In addition to collecting evidence, you may be tested for sexually transmitted diseases and pregnancy.
- The survivor will be given information for counseling services offered on campus, locally, within the county, and nationally.
- An administrative investigation will be conducted.

Sexual Assault Investigation Steps

1. File Report
2. Criminal Investigation
3. Review by District Attorney
4. Court Proceedings (*if charges are filed*)

Will the Incident Affect My Academics or Employment?

If the survivor is a student or staff member, the Dean of Students and Title IX Coordinator will assist in beginning any academic or work-related changes that may be required for the comfort and safety of the survivor, whether a report is filed or not.

Sexual Harassment, Discrimination and Title IX

Any San Bernardino Community College District member, visitor to any of the District properties, student, or any other individual who may be subject to sexual assault or sexual harassment, or is made aware of an actual or potential sexual assault or sexual harassment, should report the incident immediately to any of the persons below.

Once a report is made to any of the individuals, they are required to take action to provide a safe and non-discriminatory environment for all. Title IX of the Education Amendments of 1972, and certain other federal and state laws, prohibit discrimination on the basis of sex in all education programs and activities operated by the District, both on and off campus. Title IX protects all people regardless of their gender or gender identity from sexual discrimination, which includes sexual harassment, sexual assault, stalking, domestic violence, and rape.

Sexual discrimination means denying someone, or limiting someone, on the basis of sex, the student's ability to participate in or to receive benefits, services, or opportunities in the college or university's program. This can include sexual harassment, sexual assault, stalking, domestic violence, and rape, that is perpetrated against an individual on a basis prohibited by Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq., and its implementing regulations, 34 C.F.R. Part 106 (Title IX); California Education Code §66250 et seq. and/or California Government Code § 11135.

Sexual harassment is unwelcome conduct of a sexual nature that includes, but is not limited to, sexual violence, sexual advances, requests for sexual favors, indecent exposure and other verbal, nonverbal or physical unwelcome conduct of a sexual nature, where such conduct is sufficiently severe, persistent or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the individual, and is in fact considered by the individual, as limiting the individual's ability to participate in or benefit from the services, activities or opportunities offered by the District. Sexual harassment also includes gender-based harassment, which may include acts of verbal, non-verbal or physical aggression, intimidation or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

Sexual violence means physical sexual acts (such as unwelcome sexual touching, sexual assault, sexual battery and rape) perpetrated against an individual without consent or against an individual who is incapable of giving consent due to that individual's use of drugs or alcohol, or disability.

To file a sexual harassment complaint under Title IX, contact the Title IX Coordinator for your District location:

- San Bernardino Valley College Title IX Coordinator 909.384.8297
- Crafton Hills College Title IX Coordinator 909.389.3354
- District Office and EDCT Human Resources 909.382.4041
- U.S. Department of Education, Office for Civil Rights (OCR) 800.421.3481

Once a complaint has been made, or if the District knows or has reason to believe that an incident of sexual discrimination, harassment or violence has occurred, it must review the matter to determine if an investigation is warranted. The campus will then take appropriate steps to eliminate and prevent its recurrence, and remedy its effects.

Title IX requires that the District adopt and publish complaint procedures that provide for prompt and equitable resolution of sexual discrimination complaints, including sexual harassment and violence. Please see District board policy regarding discrimination and diversity:

www.sbccd.org/DiversityBP and www.sbccd.org/NonDiscriminationBP

Sexual Assault Investigations of Alleged Student Perpetrator

1. Initiate a Complaint
2. File a Report
3. Investigation
4. Disciplinary Sanctions
5. Appeal Process

Sexual Assault Investigations of Alleged Employee Perpetrator

1. Initiate a Complaint
2. File a Report
3. Investigation
4. Appeal Process

Are You a Survivor of Domestic Violence, Dating Violence or Stalking?

Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the survivor.

Dating violence means violence committed by a person who is or has been in a romantic or intimate relationship with the victim.

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

To File a Police Report for Domestic Violence, Dating Violence or Stalking

- Get to a safe place, or
- Call 911 for emergency assistance if you are in immediate danger, or:
 - San Bernardino Community College District Police 909.384.4491
 - San Bernardino Police Department 909.384.5742
 - Colton Police Department 909.370.5000
 - San Bernardino Sheriff's Department, Yucaipa 909.790.3105
- The local law enforcement agency will respond.
- The survivor may be transported to a safe location.
- The survivor will be transported to receive medical treatment if needed.
- If you choose not to prosecute, you may still receive medical treatment.
- The survivor will be given information on how to reach an Advocate if desired, and for counseling services offered on campus, locally, within the county, and nationally.
- If prosecution is desired, an investigation will be conducted.
- An administrative investigation will be conducted.

Filing a Report with District Police Will:

- Ensure that the survivor receives information on where they may go to seek free confidential counseling on campus, or through local or county services.
- Ensure that the survivor is contacted by an Advocate from San Bernardino Sexual Assault Services (SBSAS), or Yucaipa Outreach (a branch of SBSAS), who will guide the survivor through the process, available options, and offer continued support.
- Automatically begin an administrative investigation for the survivor's safety.

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Information, Support and Counseling Resources for Sexual Assault

On Campus Resources:

- San Bernardino Valley College Student Health Services 909.384.4495
- San Bernardino Valley College Title IX Coordinator 909.384.8297
- San Bernardino Valley College Dean of Students 909.384.8282
- Crafton Hills College Health & Wellness Center 909.389.3272
- Crafton Hills College Title IX Coordinator 909.389.3354
- Crafton Hills College Dean of Students 909.389.3368
- District Office and EDCT--Human Resources (employees) 909.382.4041
- San Bernardino Community College District Police 909.384.4491

The following is available on the District Police website: www.sbccd.org/police

- Annual Security Reports-Include District policy information, safety prevention, how to report a crime, and criminal statistics.
- Safety & Victim Resources-Printable brochures include information and awareness on active shooter survival, dating/domestic/sexual violence, stalking, and disabled person's safety.

Off Campus Resources

- San Bernardino Sexual Assault Services, 24 Hours Crisis 800.656.4673
 - Redlands 909.335.8777
 - Victorville 760.952.0041
 - Yucaipa 909.790.9374
- Center Against Sexual Assault, San Jacinto 951.652.8300
- Riverside Area Rape Crisis Center, 24 Hour Crisis 951.686.RAPE
- Yucaipa Outreach 909.790.9374

On-Line and National Resources:

- [National Sexual Violence Resource Center](#) 877.739.3895
- [Rape, Abuse and Incest National Network](#) 800.656.HOPE
- [California Coalition Against Sexual Assault](#)
- [Office for Victims of Crime](#)
- [Pandora's Project](#)

Information, Support and Counseling Resources for Domestic Violence

On Campus Resources

- San Bernardino Valley College Student Health Services 909.384.4495
- San Bernardino Valley College Title IX Coordinator 909.384.8297
- San Bernardino Valley College Dean of Students 909.384.8282
- Crafton Hills College Health & Wellness Center 909.389.3272
- Crafton Hills College Title IX Coordinator 909.389.3354
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Off Campus Resources

- San Bernardino Sexual Assault Services, 24 Hours Crisis 800.656.4673
 - Redlands 909.335.8777
 - Victorville 760.952.0041
 - Yucaipa 909.790.9374
- WomensLaw.org Because Knowledge is Power
- [California Partnership to End Domestic Violence](http://CaliforniaPartnershiptoEndDomesticViolence.org) 800.524.4765
- [National Teen Dating Violence Hotline](http://NationalTeenDatingViolenceHotline.org) 1-866-331-9474
or text: "loveis" to 22522

If you/someone you know needs a safe place to stay:

- San Bernardino - [Option House](http://OptionHouse.org), 24 Hour Crisis Line: 909.381.3471
- Big Bear - [DOVES](http://DOVES.org), 24 Hour Crisis Line: 800.851.7601
- Morongo - [Morongo Basin Unity Home](http://MorongoBasinUnityHome.org), 24 Hour Crisis Line: 760.366.9663
- Claremont - [House of Ruth](http://HouseofRuth.org), 24 Hour Crisis Line: 909.988.5559
- Victorville - [Family Assistance Program](http://FamilyAssistanceProgram.org): 24 Hour Crisis Line: 760.949.4357

How to File a Restraining Order

A restraining order is for people who have or have had a married or dating relationship or are closely related such as a parent, child, brother, sister, grandmother, grandfather or in-law. You may be divorced, separated, a registered domestic partner, dating or used to date, live together or used to live together. The person seeking protection must have experienced actual physical violence or a credible threat of physical violence.

There is no filing fee to apply for a Domestic Violence Restraining Order. Depending on your situation, you may choose to seek a Workplace Violence Restraining Order (protects one co-worker from another), or a restraining order against a stalker. Either of these forms can be downloaded at; www.courts.ca.gov/forms.htm. **Restraining orders are filed with San Bernardino County Superior Court Family Law, on-line only.**

Go to:

www.sb-court.org/Divisions/FamilyLaw/DomesticViolence. You may watch a tutorial on how to fill out court forms and learn what types of orders are possible.