

DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT AND STALKING

Violence Against Women Act (VAWA)

The Violence Against Women Act of 1994 (VAWA) is federal legislation that addresses prevention of violence against women, including requirements to offer services for victims of violence and to hold offenders accountable. On March 7, 2013, President Obama signed a bill that strengthened and reauthorized the Violence Against Women Act. Included in the bill was the Campus Sexual Violence Elimination Act (Campus SaVE), which amends the Jeanne Clery Act and affords additional rights to campus victims of sexual violence, dating violence, domestic violence, and stalking. For additional information regarding VAWA see References section or visit govtrack.us/congress/bills

The Southwestern Community College District prohibits crimes of domestic violence, dating violence, sexual assault and stalking as defined by the Clery Act and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the college community.

Reporting Incidents of Domestic Violence, Dating Violence, Sexual Assault and Stalking

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the District's Title IX Coordinator, the Interim Director of Employee Relations and Title IX by calling, writing or coming into the office to report in person to

Meng Zhang, 900 Otay Lakes Road Room 1650, Chula Vista, CA 91910, 619-421-6700 x5207, mzhang@swccd.edu

Victims are also encouraged to report the incident to the College Police Department at 619-482-6380. Victims of domestic violence, dating violence, sexual assault, and stalking may also report the incident to District Administration or local law enforcement agencies.

All reports of domestic violence, dating violence, sexual assault and stalking made to the College Police will automatically be referred to the Title IX Coordinator regardless of whether the complainant chooses to pursue criminal charges or not.

However, in order for the District to investigate a Title IX complaint, the alleged incident must meet the following conditions:

1. The alleged incident occurred within the US;
2. The individuals involved in the alleged incident must be participating in any educational program or activity controlled by the College District (including buildings or property controlled by recognized student organizations);
3. If the alleged incident took place off-campus, it must have been at a College District sponsored event;
4. The alleged conduct meet the definitions of sexual harassment and/or gender-based harassment under Title IX Final Rule.

Under Title IX, sexual harassment is defined as unwelcome conduct that is based on sex, which must meet ONE of the following conditions:

1. Quid Pro Quo Harassment, a school employee conditions education or employment benefits on an individual's participation in the unwelcome sexual conduct;
2. Hostile Environment Harassment: the unwelcome conduct must be one where a reasonable person determine it is so severe, pervasive, *and objectively offensive* that it effectively denied a person equal access to the school's employment or education programs;
3. Sexual assault, Dating violence, Domestic violence, or Stalking behavior.

The College Police Department will immediately initiate a criminal investigation into on-campus sexual assaults and utilize investigation services and resources of partner agencies. Although strongly encouraged to report, victims have the right not to report crimes to law enforcement and decline any of all involvement with the police.

The College Police will undertake immediate steps to ensure the safety of the victim and others on and off campus, begin the collection of evidence which could include obtaining physical evidence and statements from the victim, witnesses, and suspect(s), and meeting the legal requirement of criminal investigations and prosecutions. The College Police will also notify the Office of Employee Relations and Title IX for potential administrative action, and Student Services for potential victim accommodation for students. Student Services staff members and the Title IX Coordinator will assist any victim with notifying law enforcement if the victim so desires.

Victims of domestic violence, dating violence, sexual assault, and stalking may report the incident directly to Meng Zhang, the Interim Director of Employee Relations and Title IX, at 619-421-6700 x5207. If victims who are students desire accommodations, they may reach out directly to Student Services by contacting Rachel Fischer or Janet Bynum at 619-421-6700 x5810. For victims who are employees and who desire accommodations, they may reach out directly to Meng Zhang, the Interim Director of Employee Relations and Title IX, at 619-421-6700 x5207. The Office of Employee Relations and Title IX or Student Services will assist any victim with notifying law enforcement if the victim so desires.

Victims may also report crimes to District administrators at other campuses who will assist any victim with notifying the College Police and local law enforcement if they so desire.

HEC Otay Mesa Campus

Silvia Cornejo, Dean of Otay Mesa scornejo@swccd.edu (619) 216-6755

HEC National City Campus

Christine Perri, Dean of National City cperri@swccd.edu 619-216-6668

HEC San Ysidro Campus

Patricia Bartow, Director of HEC San Ysidro 619-216-6795

Crown Cove Aquatic Center

Fernando Poveda, Director of CCAC 619-575-6176

Victims will be given information on counseling and support groups. If a change of academic schedule is desired, appropriate steps will be taken to accommodate the victim to the full extent possible. To request accommodations to academic schedules and other academic accommodations, contact the Dean of Student Services, Rachel Fisher, Room S109, Cesar Chavez Student Services Center, phone

619-482-6369, email rfischer@swccd.edu (mflood@swccd.edu). To request accommodations to working situations, contact Meng Zhang, the Interim Director of Employee Relations and Title IX at 619-421-6700 x5207.

To request assistance with protective measures or transportation to include campus escorts, contact the Chief Safety Officer, Marco Bareno, College Police Department, College Police Building (Building 22), phone (619) 216-6784, email mbareno@swccd.edu (dnighswonger@swccd.edu) or the College Police Dispatch Center at (619) 482-6380.

The Southwestern Community College District will protect the identity of persons who report having been victims of sexual assault, domestic violence, dating violence, or stalking to the fullest extent of the law and as otherwise mentioned in this report. Victims who are students may request that directory information on file with the college be withheld by request by contacting Rachel Fisher, Dean of Student Services (619) 482-6369 rfischer@swccd.edu (mflood@swccd.edu). Furthermore, the college will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the college to provide the accommodations or protective measures.