



LAGUNA COLLEGE OF ART+DESIGN

**Campus SaVE  
Campus Sexual Violence Elimination Act  
VAWA  
Violence Against Women Act**

**Compliance Report Including LCAD Policies,  
Procedures, Education and Resources**

**September 2022**

# Table of Contents

- Introduction ..... 3**
- LCAD Statement ..... 3**
- Definitions ..... 3**
  - Sex Discrimination ..... 3
  - Sexual Harassment ..... 3
  - Complainant ..... 4
  - Respondent ..... 4
  - Sexual Misconduct..... 4
  - Sexual Violence..... 4
  - Domestic Violence ..... 4
  - Dating Violence ..... 5
  - Sexual Assault..... 5
  - Stalking ..... 5
  - Consent ..... 5
- Harassment Prevention – Policy for LCAD Employees ..... 5**
- Harassment Prevention ..... 6**
  - Campus Security Authorities ..... 8
  - Title IX Coordinator..... 8
- Crime Reporting and Timely Warnings to the LCAD Community ..... 9**
  - Reporting Options ..... 9
  - Reporting to Police ..... 9
  - Important Phone Numbers ..... 10
  - Reporting to LCAD Administration ..... 10
  - Preserving Evidence ..... 10
- Confidentiality and Protective Measures .....11**
- Campus Investigations for Campus Save Act, Violence Against Women Act and Title IX Cases.....12**
  - Investigation of Complaint..... 12
  - Student Conduct Committee..... 13
  - Presentation of Charges to Student ..... 13
  - Rights of Respondent and Complainant ..... 13
  - Outcome of Disciplinary Proceedings ..... 13
  - Appeal Procedures ..... 13
  - Administrative Conclusion ..... 13
- Education and Prevention.....14**
- Bystander Intervention .....14**
- How to Protect Yourself.....15**
  - Recognizing Warning Signs of Abusive Behavior..... 15
- Additional Resources .....16**

## **Introduction**

The purpose of this policy is to increase transparency about the scope of sexual violence on campus, provide crime statistics, guarantee victims enhanced rights, provide for standards in institutional conduct proceedings and provide campus community wide prevention and educational programming.

## **LCAD Statement**

Laguna College of Art + Design (LCAD) is dedicated to complying with Campus SaVE Act, VAWA and to protecting our community of students, staff and faculty. The College has put together the following policy that outlines our obligation to the community and our commitment to perform the following:

- A. To report crime statistics in a timely manner
- B. To disclose security related information and timely warnings
- C. To set and enforce policies and procedures related to victims' rights
- D. To develop and conduct disciplinary proceedings
- E. To provide resources and tips to victims of crimes
- F. To provide primary prevention and awareness programs
- G. To train our community on sexual violence

College employees are required to review our policy, complete Campus SaVE Act on-line training and adhere to the required reporting responsibilities. The College is dedicated to maintaining a safe and secure living, learning and work environment for the entire LCAD community. This includes an environment free from sexual harassment, sexual assault, domestic violence, dating violence and stalking. A violation of the Campus SaVE and/or LCAD Code of Conduct shall constitute grounds for disciplinary action. Disciplinary action that results from sexual misconduct may include termination of employment for employees or expulsion from LCAD for students. The College disciplinary action is independent from, and may be in addition to, any criminal or civil penalties.

All complaints of sexual misconduct involving students should be brought to the immediate attention of the Title IX Coordinator, Leo Rowland, 949-376-6000 x 231 or by emailing [lrowland@lcad.edu](mailto:lrowland@lcad.edu). LCAD will act on any complaint of sexual misconduct involving students in order to resolve such complaints promptly and equitably.

Community laws and College policies may sometimes overlap but do not substitute one for the other. The College may pursue enforcement of its own policies whether or not legal proceedings are underway. The College also may use information from local law authorities and the court to determine whether there is a violation of College policies.

## **Definitions**

### **Sex Discrimination**

An adverse action taken against an individual because of gender or sex (including sexual harassment, sexual violence, domestic violence, dating violence, and stalking) as prohibited by Title IX; Title IV; VAWA/Campus SaVE Act; California Education Code § 66250 et seq.; and/or California Government Code § 11135. See also Title VII of the Civil Rights Act of 1964, the California Fair Employment and Housing Act (Cal. Govt. Code § 12940 et seq.), and other applicable laws. Both men and women can be victims of Sex Discrimination.

### **Sexual Harassment**

A form of sex discrimination, sexual harassment is unwelcome verbal, nonverbal or physical conduct of a sexual nature that includes, but is not limited to sexual violence, sexual advances, requests for sexual favors, and indecent exposure, where:

- A. Submission to, or rejection of, the conduct is explicitly or implicitly used as the basis for any decision affecting a student's academic status or progress, or access to benefits and services, honors, programs, or activities available at or through the College; or
- B. 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 student, and is in fact considered by the student, as limiting the student's ability to participate in or benefit from the services, activities or opportunities offered by the College; or
- C. Submission to, or rejection of, the conduct by a College employee is explicitly or implicitly used as the basis for any decision affecting a term or condition of employment, or an employment decision or action; or
- D. 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 College employee or third party, and is in fact considered by the College employee or third party, as intimidating, hostile or offensive.

Sexual harassment also includes acts of verbal, non-verbal or physical aggression, intimidation or hostility based on gender or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

### **Complainant**

A person that makes a complaint or alleges that a violation has occurred.

### **Respondent**

A person against whom a complaint is brought, or who is alleged to have committed a violation.

### **Sexual Misconduct**

As used in this policy, sexual misconduct includes sexual harassment, sexual violence, domestic violence, and stalking. (See Below).

### **Sexual Violence**

Sexual violence is defined as physical sexual acts engaged in without the consent of the other person or when the other person is unable to consent to the activity. Sexual violence is an umbrella term that includes sexual assault, rape, battery, and sexual coercion, domestic violence, dating violence, and stalking.

### **Domestic Violence**

Domestic violence is felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction, or by an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

## **Dating Violence**

Dating violence is violence committed by a person

- A. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- B. Where the existence of such a relationship shall be determined based on a consideration of the following factors:
  - the length of the relationship
  - the type of relationship
  - the frequency of interaction between the persons involved in the relationship

## **Sexual Assault**

Sexual assault is any type of sexual contact or behavior that occurs by force or without consent of the recipient of the unwanted sexual activity. Sexual assault includes sexual acts against individuals who are unable to consent either due to age or lack of capacity.

Crimes that fall under the definition of sexual assault:

- rape (forced sexual intercourse)
- sodomy (forced anal intercourse)
- oral copulation (forced oral-genital contact)
- rape by a foreign object (forced penetration by a foreign object, including a finger)
- sexual battery (the unwanted touching of an intimate part of another person for the purpose of sexual arousal).

The complete California rape law is contained in Section 261 of the Penal Code. The spousal rape law is set forth in Section 262.

## **Stalking**

Stalking is a course of conduct directed at a specific person that would cause a reasonable person to

- A. Fear for their or others' safety
- B. Suffer substantial emotional distress

## **Consent**

According to California Penal Code Section 261.6, consent is defined to mean positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved. Consent can be withdrawn at any time during a sexual act. If one partner withdraws consent and the other continues, this is rape. (See California Penal Code, 261.6 for complete definition.)

## **Harassment Prevention – Policy for LCAD Employees**

LCAD is committed to providing a work environment free of harassment, discrimination, retaliation, and disrespectful or other unprofessional conduct based on:

- Race
- Religion (including religious dress and grooming practices)
- Color
- Sex/gender (including pregnancy, childbirth, breastfeeding or related medical conditions), sex stereotype, gender identity/gender expression/transgender

(including whether or not you are transitioning or have transitioned) and sexual orientation

- National origin
- Ancestry
- Physical or mental disability
- Medical condition
- Genetic information/characteristics
- Marital status/registered domestic partner status
- Age (40 and over)
- Sexual orientation
- Military or veteran status
- Any other basis protected by federal, state or local law or ordinance or regulation

LCAD also prohibits discrimination, harassment, disrespectful or unprofessional conduct based on the perception that anyone has any of those characteristics, or is associated with a person who has or is perceived as having any of those characteristics.

In addition, the College prohibits retaliation against individuals who raise complaints of discrimination or harassment or who participate in workplace investigations.

All such conduct violates College policy.

### **Harassment Prevention**

The College's policy prohibiting harassment applies to all persons involved in the operation of the College. The College prohibits harassment, disrespectful or unprofessional conduct by any employee of the College, including supervisors, managers and co-workers. The College's anti-harassment policy also applies to vendors, customers, students, independent contractors, unpaid interns, volunteers, persons providing services pursuant to a contract and other persons with whom you come into contact while working.

Prohibited harassment, disrespectful or unprofessional conduct includes, but is not limited to, the following behavior:

- Verbal conduct such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations, comments, posts or messages;
- Visual displays such as derogatory and/or sexually-oriented posters, photography, cartoons, drawings or gestures;
- Physical conduct including assault, unwanted touching, intentionally blocking normal movement or interfering with work because of sex, race or any other protected basis;
- Threats and demands to submit to sexual requests or sexual advances as a condition of continued employment, or to avoid some other loss and offers of employment benefits in return for sexual favors;
- Retaliation for reporting or threatening to report harassment; and
- Communication via electronic media of any type that includes any conduct that is prohibited by state and/or federal law or by College policy.

Sexual harassment does not need to be motivated by sexual desire to be unlawful or to violate this policy. For example, hostile acts toward an employee because of their gender can amount to sexual harassment, regardless of whether the treatment is motivated by sexual desire. Prohibited harassment is not just sexual harassment but harassment based on any protected category.

The College's Harassment Prevention Policy also prohibits "abusive conduct" in the workplace. Abusive conduct is any conduct of an employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to an employer's legitimate business interests. Examples of abusive conduct may include repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, and epithets, verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person's work performance. This type of inappropriate behavior is sometimes referred to as "bullying." A single act shall not constitute abusive conduct, unless especially severe and egregious. Any abusive conduct is considered harassment under this policy.

### **Complaint Process**

If you believe that you have been the subject of harassment, discrimination, retaliation or other prohibited conduct, bring your complaint to your supervisor, any other supervisor, or to the Office of Human Resources as soon as possible after the incident. You can bring your complaint to any of these individuals. If you need assistance with your complaint, or if you prefer to make a complaint in person, contact the Office of Human Resources. Please provide all known details of the incident or incidents, names of individuals involved and names of any witnesses. It would be best to communicate your complaint in writing, but it is not mandatory.

The College encourages all individuals to report any incidents of harassment, discrimination, retaliation or other prohibited conduct forbidden by this policy immediately so that complaints can be quickly and fairly resolved.

You also should be aware that the Federal Equal Employment Opportunity Commission and the California Department of Fair Employment and Housing investigate and prosecute complaints of prohibited harassment, discrimination and retaliation in employment. If you think you have been harassed or discriminated against or that you have been retaliated against for resisting, complaining or participating in an investigation, you may file a complaint with the appropriate agency. The nearest office can be found by visiting the agency websites at [www.dfeh.ca.gov](http://www.dfeh.ca.gov) and [www.eeoc.gov](http://www.eeoc.gov).

Supervisors must refer all complaints involving harassment, discrimination, retaliation or other prohibited conduct to the Office of Human Resources so the College can investigate and resolve the complaint.

When the College receives allegations of misconduct, it will immediately undertake a fair, timely, thorough and objective investigation of the allegations in accordance with all legal requirements. The College will reach reasonable conclusions based on the evidence collected.

The College will maintain confidentiality to the extent possible. However, the College cannot promise complete confidentiality. The employer's duty to investigate and take corrective action may require the disclosure of information to individuals with a need to know.

Complaints will be:

- Responded to in a timely manner
- Kept confidential to the extent possible
- Investigated impartially by qualified personnel in a timely manner

- Documented and tracked for reasonable progress
- Given appropriate options for remedial action and resolution
- Closed in a timely manner

If the College determines that harassment, discrimination, retaliation or other prohibited conduct has occurred, appropriate and effective corrective and remedial action will be taken in accordance with the circumstances involved. The College will also take appropriate action to deter future misconduct.

Any employee determined by the College to have engaged in harassment, discrimination, retaliation or other prohibited conduct will be subject to appropriate disciplinary action, up to, and including termination. Employees should also know that, if they engage in unlawful harassment, they can be held personally liable for the misconduct.

### **Campus Security Authorities**

The Campus Security Authority (CSA) is an official of the College who has the responsibility for students and campus activities that are both academic and social in nature. These CSAs are appointed by the College to deal with matters that are related to student discipline and campus judicial proceedings. They are the persons who have the authority and the duty to take action or respond to complaints, breaches of student code of conduct and any other criminal violations on campus and may assist employees as well.

Campus Security Authorities:

<b>Title</b>	<b>Name</b>	<b>Email + Extension</b>
Dean of Strategic Initiatives/Title IX Coordinator	Leo Rowland	<a href="mailto:lrowland@lcad.edu">lrowland@lcad.edu</a> x231
Director of Safety + Security	Jim Wooley	<a href="mailto:jwooley@lcad.edu">jwooley@lcad.edu</a> x296
Director of Student Life	Nicole Drost	<a href="mailto:ndrost@lcad.edu">ndrost@lcad.edu</a> x245
Residence Life Coordinator	Lucinda Howze	<a href="mailto:lhowze@lcad.edu">lhowze@lcad.edu</a> x260
School Counselor	Joy Zembruski	<a href="mailto:jzembruski@lcad.edu">jzembruski@lcad.edu</a> x268
Campus Safety Officer	Security	<a href="mailto:security@lcad.edu">security@lcad.edu</a> 949-715-8034 (x234)
Director of Human Resources	Agnes Sanchez	<a href="mailto:asanchez@lcad.edu">asanchez@lcad.edu</a> x287
Receptionists Main Campus Administration Big Bend MFA Drawing + Painting	Thomas Lillehoff Jillian Curiel Kristen Carl Sharon Flanders	<a href="mailto:receptionist@lcad.edu">receptionist@lcad.edu</a> x299 x221 x304 x270

### **Title IX Coordinator**

The Title IX Coordinator oversees the College's response to reports and complaints from students that involve possible sex discrimination to monitor outcomes, identify and address



any patterns, and assess effects on the campus climate, so the College can address issues that affect the wider school community.

Pursuant to Title IX of the Education Amendments of 1972 and the U.S. Department of Education's implementing regulations at 34 C.F.R. Part 106, the College's Title IX Coordinator has primary responsibility for coordinating the College's efforts to comply with and carry out its responsibilities under Title IX, which prohibits sex discrimination in all the operations of this College, as well as retaliation for the purpose of interfering with any right or privilege secured by Title IX. Sexual misconduct against students, including sexual harassment, sexual assault, rape, and sexual exploitation, can be a form of sex discrimination under Title IX.

### **Crime Reporting and Timely Warnings to the LCAD Community**

The College is committed to complying with all federal laws including reporting crime statistics related to the Jeanne Clery Act, which include crimes related to the Violence Against Women Act. Clery Act crimes are reported in our Student Handbook which can be found on our main website under General Information and then Consumer Information and at [my.lcad.edu](http://my.lcad.edu). Campus crime statistics are also reported in the Annual Security Report each year and reviewed by the Department of Education.

The Clery Act requires institutions to give timely warnings of crimes that represent a threat to the safety of students or employees. Institutions are required to publish their policies regarding timely warnings in their Annual Campus Security Report. The institution is only required to notify the community of crimes, which are covered by the Clery statistics and poses an ongoing or serious threat to the rest of the community. We are committed to keeping the individual or individuals of alleged victims confidential when sending out warnings.

The College places a high priority on keeping the community safe while on our campus and has systems in place to inform the community of critical campus and community issues. Our emergency alert system, Omnilert is the fastest way to communicate. A text message will be sent to the LCAD community regarding safety and other important events with specific instructions and/or updates. It is important that you keep your cell phone number up to date in iSolved to ensure you receive these alerts. E-mail blasts to students, staff and faculty members will also be sent out. The message on the College's main telephone line (949-376-6000) will also be changed to provide specific instructions or updates.

Each fall and spring semester a test of our Omnilert system is conducted to ensure that the community is receiving emergency notifications.

### **Reporting Options**

In case of any emergency on campus, the College community is encouraged to call 911 immediately and to contact Campus Security Authorities. All victims of sex offenses, domestic or dating violence and stalking are encouraged to report crimes to the local authorities only after getting to a place of safety. Know that this is not your fault and you need to get the help that you need.

### **Reporting to Police**

We encourage all members of the community to report any emergencies or crimes to the Laguna Beach Police Department (LBPD). Reporters of a crime who wish to remain anonymous should inform LBPD that this is a SaVE case and that they choose not to

state their names.

After the authorities have been called, please report the incident to the LCAD Campus Security Authorities at 949-715-8034.

### **Important Phone Numbers**

- 911 (If on campus, 911 calls will be directly routed to the LBPD)
- Non-Emergency Police Calls: 949-497-0701

The College has a good working relationship with the LBPD and the Laguna Beach Fire Department (LBFD). The city departments have familiarity with our physical campus locations.

### **Reporting to LCAD Administration**

Anyone in the LCAD community who feels they have been subjected to, or is aware of someone being subjected to domestic violence, sexual violence, sexual harassment, dating violence or stalking is encouraged to report immediately to one of the following College administrators.

- Title IX Coordinator: Leo Rowland, Ext 231
- Director of Campus Safety: Jim Wooley, Ext. 296
- Director of Student Life: Nicole Drost, Ext. 245
- Residence Life Coordinator: Lucinda Howze, Ext. 260
- Director of Human Resources: Agnes Sanchez, Ext. 287
- Registrar: Laura Patrick, Ext. 224
- Campus Receptionists: Ext. 221, 304 and 299
- Emergency Telephone Line (After normal business hours, but not 24 hours) 949-715-8034

LCAD staff and faculty employees are obligated and expected to report all crimes or perceived crimes against students to the Title IV Coordinator, Leo Rowland. Exceptions to this include and are limited to LCAD personnel to whom by the nature of their position any student conversation may be confidential including LCAD counselors or the director of disability services. College staff and faculty includes anyone who is hired by LCAD as an employee and performs services or work for LCAD. The College administrators listed above are trained to also assist victims with notifying law enforcement if the victim so chooses and to provide them with internal college complaint forms and procedures. Complainants may also decline to notify such authorities.

The person reporting the incident should also be referred to the Student Complaint Form, which can be found at [my.lcad.edu](http://my.lcad.edu).

### **Preserving Evidence**

Contacting local authorities ensures that you will receive the necessary medical treatment and tests, at no expense to you. Filing a police report immediately will also allow for proper collection of evidence. It is extremely important that evidence is preserved to prove Sexual Violence, Domestic Violence, Dating Violence or Stalking or to request temporary restraining orders of alleged respondent.

If you are a victim of a crime listed above or a victim of an act of sexual violence, it is highly

recommended that you not perform any of the following until after you have spoken to the authorities and visited a medical facility in order to preserve evidence:

- Bathing or showering
- Douching
- Using the restroom
- Changing clothes
- Combing hair
- Cleaning up the crime scene
- Moving anything the offender may have touched

All evidence should be collected in the first 72 hours after the assault has occurred. Regardless if a victim showers or changes clothing, a rape kit still can be collected. Having a rape kit completed does not mean that the case will go to court or that the individual must file criminal charges.

Victims may always request the assistance of LCAD faculty and staff to assist in the notification of law enforcement.

## **Confidentiality and Protective Measures**

The College is dedicated to keeping the victims' confidentiality protected, but cannot ensure confidentiality in all cases. Identities will only be disclosed to the direct university officials reviewing the case on a "need to know" basis and may include local authorities (in some cases), other College administrators, faculty members, school counselors, etc. While recordkeeping, we will keep documentation private and protect the confidentiality of the victim. No College employee, including the Title IX Coordinator, should disclose the victim's identity to the police without the victim's consent or unless the victim has also reported the incident to the police.

The College requires employees, with the exception of LCAD's Counselor and Disability Services Coordinator to share with the College's Title IX Coordinator information they learn concerning a report of sexual assault, or an incident of domestic violence, dating violence or stalking. Failure by a College employee to maintain privacy in accordance with College policy will be grounds for discipline. The Title IX Coordinator will then conduct an initial investigation of the incident and determine whether additional steps are required in order to ensure the safety of the community. Please note that the Complainant can choose whether or not to be involved in the investigation.

Reports and information received by the College's Counselors are considered legally protected or privileged under California State Law. Counselor shall only report information if the Complainant is in imminent danger or a third party is in imminent danger. Such crimes must be reported in the annual Clery Act Annual Security Report (ASR). Although the crime will be reported, identities and information that may personally identify the victim will not be reported in the ASR.

The College prohibits any kind of retaliation against anyone, including LCAD students, staff and faculty, who reports or is involved in an incident of sexual harassment, sexual assault, domestic violence, dating violence and stalking. The College's retaliation policy is explained and provided during the initial contact with all involved in the investigation and case.

The College is committed to creating a safe environment for community members and to

victims of crimes that occur on campus. The College will provide a letter to victims outlining options for available assistance in academic situations, working situations, living situations and other protective measures. Victims can request accommodations from the College by providing their requests in writing and submitting it to the Title IX Coordinator. Providing such accommodations are reasonably available, the College will work with students to create adjustments in the situations listed above and to protect the victim from encountering the accused while ensuring the victim’s safety. The College also reserves the right to enforce a Stay-Away or No Contact order to the Respondent whether or not the Complainant has reported the incident to law authorities.

**Campus Investigations for Campus Save Act, Violence Against Women Act and Title IX Cases**

<b>Examples of Title IX Cases</b>	<b>Campus SAVE and VaWA Cases</b>
Sexual Violence	Sexual Assault
Sexual Assault	Domestic Violence
Stalking	Dating Violence
Verbal or physical sexually-based threats or abuse	Stalking
Intimate Partner Violence	
Gender-Based Discrimination	
Sexual Harassment	
Retaliation	

The College has a zero-tolerance policy regarding all criminal actions that take place on campus including those that are above mentioned. All incidents of crimes that fall under Campus SaVE Act or Title IX will be handled in a prompt and fair way with an impartial investigation and resolution.

College investigation proceedings may be instituted against a respondent charged with violation of a law, without regard to the pendency of civil litigation or criminal arrest and prosecution. Proceedings under the Code of Conduct may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus. The College will choose to handle all criminal incidents on campus in the following manner.

**Investigation of Complaint**

In the event of criminal cases related to the Campus Save Act or Title IX, the Title IX Coordinator will review the complaint. The standard of proof is by a preponderance of evidence, meaning that it is more likely than not that the event occurred. The Title IX Coordinator will conduct an investigation to determine if the complaint has merit and/or if it can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Title IX Coordinator. The Title IX Coordinator shall have the power to require the accused respondent and any witness to the alleged violation to appear before them, and to collect evidence relevant to the charges. Administrative disposition, which occurs with the consent of the parties, shall be final and there shall be no subsequent proceedings or appeal. If the charges cannot be disposed of by mutual consent, the Title IX Coordinator shall impanel the Disciplinary or Code of Conduct Committee.

### **Student Conduct Committee**

The Registrar, Dean of Students, Vice President of Enrollment Management and two Faculty Senate representatives shall conduct such proceedings as members of the Disciplinary Committee. The members of this Disciplinary Committee or Code of Conduct Committee will receive annual training on issues related to these offenses and how to properly conduct an investigation and hearing process that protects the safety of victims and delivers accountability.

### **Presentation of Charges to Student**

All charges shall be presented to the accused respondent in written form stating what the respondent is accused of doing. A time shall be set for a hearing, not less than three nor more than ten business days after the respondent has been notified. Maximum time limits for scheduling of hearings may be extended at the discretion of the Title IX Coordinator.

### **Rights of Respondent and Complainant**

During any disciplinary proceedings, the complainant and respondent are entitled to the same opportunity to have others present, including the opportunity to be accompanied to any related meetings or proceedings by any advisor of their choice. Both the complainant and the respondent must be informed of the outcome of any institutional disciplinary proceeding brought alleging a sex offense. Both parties will receive unconditional notification of outcomes of hearing, sanctions and terms of sanctions in place. Any decision by the Disciplinary Committee at this time becomes final.

### **Outcome of Disciplinary Proceedings**

The Disciplinary Committee shall have the right to impose any one or more of the following sanctions for misconduct:

- Permanent dismissal from the College, which may include permanently barring the respondent from the College premises
- Suspension, which may include barring the respondent from the College premises
- Restricting the respondent's right to participate in one or more College activities
- Probation
- Removal from the Residence Hall
- Such other sanctions as the Committee determines appropriate

Both the respondent and complainant will be informed in writing of the disciplinary proceedings and results immediately upon a decision that is considered final.

### **Appeal Procedures**

Both the respondent and the complainant have the right to appeal any action or determination of the Student Conduct Committee to the Title IX Coordinator. Appeals of the decision and/or sanctions of the Student Conduct Committee should be made in writing and delivered within 10 business days to the Title IX Coordinator. The Title IX Coordinator will meet with the respondent or complainant to determine the validity of the appeal and/or the potential presentation of new evidence. The Title IX Coordinator shall impanel an Appeals Committee comprised of three impartial individuals (faculty or staff) who were not involved in the previous proceedings. These individuals will have been trained to handle VAWA and Title IX cases. Any decision by the Appeals Committee at this time becomes final.

### **Administrative Conclusion**

Both the respondent and complainant will be informed in writing of the disciplinary

proceedings and results immediately upon a decision, which is considered final.

## **Education and Prevention**

A goal of the LCAD Administration is to provide education and prevention tips to students and employees, regarding Sexual Violence Against Women. The College has established ongoing primary prevention and awareness programs for incoming Residence Hall students, incoming freshmen, transfer students and newly hired employees, that educate and train the student body and employees on important definitions, bystander intervention, risk reduction and an emphasis on victims' rights and how to report incidents. For LCAD students, training and education are presented at the Residence Hall during the fall semester and in our first semester College Skills class. For LCAD employees, initial information and training is provided during new hire orientation. Annual prevention and awareness information training is also provided every two years.

Poster sessions and free on-campus counseling are ways that LCAD supports and educates our community throughout the academic year. The LCAD counselor can be reached by emailing [counselor@lcad.edu](mailto:counselor@lcad.edu). The counselor can assist the complainant in finding support with victim advocacy, legal assistance and other services both on and off campus. Contacting the Dean of Strategic Initiatives or the Title IX Coordinator can be another way to discuss counseling options either on-campus or referral to an off-campus mental health provider.

### **Contact Information:**

Dean of Strategic Initiatives/Title IX Coordinator: Leo Rowland, [lrowland@lcad.edu](mailto:lrowland@lcad.edu)

On-Campus Counselor: Joy Zembruski, [jzembruski@lcad.edu](mailto:jzembruski@lcad.edu)

Off-Campus Virtual Care Group: Danny Zusman, [danny@thevirtualcaregroup.com](mailto:danny@thevirtualcaregroup.com)

The College has invited professional speakers from the Sexual Assault Victims Service to discuss with students protecting yourself from sexual violence. The group also came to campus as a part of our Sexual Assault Awareness Month campaign with the Clothesline Project.

The College partners with resources such as the Laguna Beach Police Department and Community Services Programs, Inc. (CSP) which is a component of Sexual Assault Victim Services (SAVS) and the Orange County Rape Crisis Center.

## **Bystander Intervention**

An active bystander is a person who intervenes to interrupt behaviors in social situations that may lead to sexual violence. All members of the LCAD community should consider it their responsibility to intervene in potentially dangerous situations and to act. The five stages of effective bystander intervention are listed below:

<b>STAGE ONE:</b>	Notice when a situation can lead to violence
<b>STAGE TWO:</b>	Identify when it's appropriate to intervene
<b>STAGE THREE:</b>	Recognize personal responsibility for intervention
<b>STAGE FOUR:</b>	Know how to intervene
<b>STAGE FIVE:</b>	Take action to intervene

Some real-life tips:

- Believe someone who tells you they have been sexually assaulted, are in an abusive

- relationship or are experiencing stalking or cyber stalking
- Be respectful of yourself and others; make sure any sexual act you engage in is OK with your partner and check in every time you initiate greater intimacy. Is your partner enthusiastically giving consent? If not, check in with them and make sure you are both comfortable with what is going on.
- Watch out for your friends and classmates. If you come across someone who looks like they are in trouble, check in with them and make sure they are okay. If you see a friend doing something sketchy, say something and tell them you are willing to help.
- If you witness a person in a potentially harmful setting, move them away from the situation by distracting, removing or interrupting
- Speak up; if someone says something offensive, derogatory, racist or abusive let him or her know that this behavior is wrong and not acceptable. Don't laugh at racist, sexist or homophobic jokes.
- Offer to drive an incapacitated friend home from a party or ensure friends who are incapacitated do not leave the party or go to secluded places with others.
- Encourage victims to seek medical care or counseling and remind them that this is not their fault

## **How to Protect Yourself**

The following practices may possibly reduce your risk of sexual assault. Although this list is not exhaustive, it is a good beginning in educating yourself on staying safe. We encourage you to review a list of resources that are listed under "Additional Resources."

1. Be alert and walk with confidence and purpose.
2. Walk in well-lit areas and NEVER walk alone. Don't be afraid to ask a co-worker, friend or Campus Safety to escort you to your car.
3. Be aware of your surroundings.
4. Avoid drugs and alcohol as these tend to cloud judgment and clarity.
5. Trust your instincts. If your gut is telling you something does not seem right, listen to it. Remove yourself safely from the situation.
6. If you think you are being followed, change directions and look for crowded places, open stores or restaurants.
7. Never open your doors to strangers.
8. Be wary of isolated spots such as laundry rooms, parking lots, empty classrooms, etc.

## **Recognizing Warning Signs of Abusive Behavior**

- Frequent yelling directed at a partner
- Blaming partner for own faults
- Name-calling
- Consistently accusing partner of infidelity
- Kicking, holding, slapping and/or scratching
- Forcible sex or (e.g., wanting sex after hitting)
- Being afraid of your partner
- Watching what you say to avoid upsetting your partner
- Feeling isolated from your friends and family because of your relationship

## **Additional Resources**

The list below has been created to give you additional support in case you or someone you know becomes a victim of a sexually violent crime.

### 24-Hour Crisis Hotlines

(714) 957-2737

(949) 831-9110

### North County Rape Crisis Center

(714) 834-4317

### South County Rape Crisis Center

(949) 752-1971

### Para ayuda en Español

(714) 834-4317

### Laguna Beach Police Department

911 for Emergencies

Non-Emergency Calls: (949) 497-0701

### Orange County Sherriff's Department

911 for Emergencies

Non-Emergency Calls: (714) 647-7000 or (949) 770-6011

### Rape, Abuse & Incest National Network

[www.rainn.org](http://www.rainn.org)

(800) 656-HOPE (4673)

### The National Domestic Violence Hotline

[www.thehotline.org](http://www.thehotline.org)

(800) 799-SAFE

### Community Service Programs serving Orange County

<http://www.cspinc.org/>

(949) 250-0488