

Golden State College of Court Reporting & Captioning



SECURITY POLICY & PROCEDURES STATEMENT

Campus security and safety is an important feature of postsecondary education. Golden State College of Court Reporting & Captioning is privileged to partner with the Department of Education in providing students nationwide a safe environment in which to learn and to keep students, parents and employees well informed about campus security.

LEGISLATIVE HISTORY OF THE CLERY ACT

The law is named for Jeanne Clery, a 19-year-old Lehigh University freshman who was raped and murdered by another Lehigh student in her campus residence hall in 1986.

The *Clery Act*, signed in 1990, was originally known as the *Crime Awareness and Campus Security Act*.

The *Student Right to Know and Campus Security Act* was signed into law by President Bush in 1990 and went into effect on September 1, 1991.

Title II of this act is known as the *Crime Awareness and Campus Security Act of 1990*. **

This act addresses campus crime statistics and reporting provisions for postsecondary institutions.

It requires the disclosure of crime statistics for the most recent three years, as well as disclosure of the institution's current security policies.

Institutions are also required to issue timely warnings when necessary.

Institutions are required to develop and distribute a policy statement concerning their campus sexual assault programs targeting the prevention of sex offenses. This statement must also address the procedures to be followed if a sex offense occurs.

ED is required to collect, analyze, and report to Congress on the incidences of crime on college campuses.

Institutions must disclose to students, faculty, staff, and upon request, prospective students, information regarding the incidence of crimes on campus as part of their campus security report.

The *Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act* was further amended in October 2000 by the *Campus Sex Crimes Prevention Act*. Beginning in 2003, institutions are required to notify the campus community where law enforcement agency information provided by a state concerning registered sex offenders who are on campus may be obtained.

On March 7th, 2013, President Obama signed the Violence Against Women Reauthorization Act of 2013 (VAWA). This law amended the Clery Act.

These statutory changes require institutions to compile statistics for certain crimes that are reported to campus security authorities or local police agencies including incidents of sexual assault, domestic violence, dating violence, and stalking. Additionally, institutions will be required to include certain policies, procedures, and programs pertaining to these crimes in their Annual Security Reports. Institutions subject to the Clery Act must distribute an Annual Security Report to current and prospective students and employees that contains campus crime statistics for the previous three calendar years, as well as policies and procedures pertaining to campus safety and security.

The Violence Against Women Act (VAWA) is a landmark piece of federal legislation that seeks to improve the criminal justice and community-based responses to domestic violence, dating violence, sexual assault and stalking in the United States. The passage of VAWA in 1994, and its reauthorization in 2000, 2005, and again in 2013 has changed the landscape for victims of domestic violence, dating violence, sexual assault and stalking.

All public and private Title IV eligible institutions must comply with the requirements of this act which is enforced by the U.S. Department of Education (ED).



1.a. Current campus policy regarding procedures for students and others to report criminal actions or other emergencies occurring on campus.

TIMELY WARNINGS

Golden State College will keep the campus community informed about safety and security issues on an ongoing basis, with the objective of alerting students and staff of potentially dangerous situations, as well as aiding in the prevention of similar crimes.

- **The campus community will be alerted to crimes that fall under the *Clery Act* mentioned below.**

These crimes will include all *Clery Act* crimes that are reported to campus security authorities or our local police agency, The Pleasanton Police Department; and are considered by Golden State College to represent a serious or continuing threat to students and employees.

Timely warnings will be issued for threats to property, as well as for threats to persons. It is irrelevant whether the victims or perpetrators are members of the campus community.

- **Timely warnings will be issued at the direction of the School Director, Campus Security Authority.**

A warning shall be issued as soon as the pertinent information is available because the intent of a timely warning is to alert the campus community of continuing threats especially concerning safety, thereby enabling community members to protect themselves.

- **Phone Calls/Text Messages**

In the event that a situation arises that in the judgment of the local police department and the campus security authority constitutes an ongoing or continuing threat, a campus-wide "timely warning" will be issued.

Students and employees will receive phone calls and/or text messages instructing all to stay away from the campus until further notice.

If school is in session at the time, students and staff will be directed to leave the premises in a safe manner.

- **E-mails/Postings on Campus**

If a situation is not immediately threatening, but an event has occurred that requires notification to students, postings will be placed at the front entrances of the campus and at the time clock where all students and staff begin their day, and e-mails will be sent to those absent that day.

- **Information To Be Included In The Timely Warning**



The warning will include the following accurate, reliable information to promote safety:

- nature of the crime
- when it occurred
- exactly where it occurred
- who was involved
- status of the perpetrator, if known
- status of the victim, if known, and at the discretion of the Director,
- status of current campus safety; possible continuing danger
- current law enforcement activity, if any, and school's impact on enforcement efforts

- **Timely Warning Requirement and FERPA: Family Educational Rights and Privacy ACT**

"FERPA does not preclude an institution's compliance with the timely warning provision of the campus security regulations. FERPA recognizes that information can, in case of an emergency, be released without consent when needed to protect the health and safety of others. In addition, if institutions utilize information from the records of a campus law enforcement unit to issue a timely warning, FERPA is not implicated as those records are not protected by FERPA."

ED's May 1996 Dear Colleague Letter

- **Clery Act Crimes fall into four categories:**

1. **offenses**
2. **hate crimes**
3. **arrests and referrals for disciplinary action** resulting from illegal weapons possession, drug law violations and liquor law violations.
4. **violent crimes against women/stalking**

Offenses Disclosed/Reported:

- Murder & Non-Negligent Manslaughter
- Negligent Manslaughter
- Robbery
- Aggravated Assault
- Motor Vehicle Theft
- Arson
- Burglary
- Sex Offenses - forcible
- Sex Offenses - non-forcible
- Violent crimes against women/stalking

Hate Crimes Disclosed/Reported:

Hate crimes are crimes that manifest evidence that the victim was intentionally selected because of the perpetrator's bias and that the perpetrator was motivated by prejudice. Bias can be based on:

- Race
- Religion
- Gender
- Sexual Orientation
- Ethnicity/National Origin
- Disability

**You are encouraged to consult the local police in the school's jurisdiction
if you still need additional assistance.**

_____ Pleasanton Police (925) 931-5100 _____

1.b. Policy For Reporting The Annual Disclosure of Crime Statistics .

The School Director of Golden State College of Court Reporting & Captioning acting as Campus Security Authority prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act.

The full text of this report can be located on our Web site at www.goldenstatecourtreporting.com.



This report is prepared in cooperation with the local law enforcement agency: Pleasanton Police Department.

Campus crime, arrest and referral statistics include those reported to the Pleasanton Police Department and those reported to the School Director who has been designated as the Campus Security Authority.

Each year, a notification is made to all enrolled students that provides the Web site to access this report. Faculty and staff receive similar notification. Copies of the report may also be obtained directly from the School Director, or by calling (925) 223-6604.

All prospective students and employees may obtain a copy, as well.

1.c. "Who Should I Call?"

A list of titles of each person to whom students and employees should report criminal offenses described in the law for the purpose of making timely warning reports and the annual statistical disclosure.



To Report A Crime:

Contact the Pleasanton Police Department: Dial 9-1-1

Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around campus should be reported to the police department. In addition, you may report a crime to the following people:

1. Sandy Finch, Director/Owner -(925) 223-6604
2. Kelly Emerick, Faculty/Owner- (925) 831-9029

Golden State College of Court Reporting & Captioning encourages anyone who is the victim or witness to any crime to promptly report the incident to the police. Because police reports are public records under state law, the police department cannot hold reports of crime in confidence.

Therefore, Golden State College does not allow voluntary, confidential reporting.

2. **Current policies concerning: security of, and access to, campus facilities, including:**
- a. **Security of and access to campus facilities, including campus residences; and**
 - b. **Security considerations used in the maintenance of campus facilities.**



ACCESS POLICY

Golden State College does not have any campus residences.

Golden State College does not have any separate branch campuses or additional locations.

Golden State College does not have any non-campus buildings or property associated with it.

During business hours, the College campus will be open to students, parents, employees, contractors, guests, and invitees.

During non-business hours, the doors are securely locked, both in the front and in the back. During non-business hours, access to all College facilities is by key, if issued, or by admittance or invitation of the School Director or school owners.

In the case of periods of extended closing, the College will admit only those with issued keys.

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3. **Current policies concerning campus law enforcement that:**
- a. **Addresses the enforcement authority of security personnel, including:**
 - **their working relationship with state and local police agencies; and**
 - **whether those security personnel have the authority to arrest individuals.**
 - b. **Encourages accurate and prompt reporting of all crimes to the campus police and the appropriate police agencies.**
 - c. **Describes procedures, if any, that encourage pastoral counselors and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.**



LAW ENFORCEMENT

Golden State College does not have pastoral or professional counselors.

All reports will be investigated. The College does not have procedures for voluntary, confidential reporting of crime statistics. Violations of the law will be referred to law enforcement agencies and when appropriate, to the School Director for disciplinary review.

When a potentially dangerous threat to the college community arises, timely reports or warnings will be issued through phone calls, text messages, e-mail announcements, the posting of flyers at the campus, in-class announcements, or other appropriate means.

Golden State College does not have campus police, a security department, or security personnel.

Security for Golden State College is provided by the Pleasanton Police Department, our local law enforcement, who patrols on or near our campus without special arrangement or contract with the police for this service.

Criminal incidents are referred to the local police who have jurisdiction on the campus.

Golden State College makes a good-faith effort to obtain crime statistics from our local law enforcement agency, the Pleasanton Police Department. Crimes reported to local police may not be classified according to UCR (Uniform Crime Reporting) definitions. If not, we will indicate what classification is used: e.g., state crime classifications.

IMPORTANTListen Up!

All crime victims and witnesses are strongly encouraged to immediately report the crime to the local police agency. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

**Pleasanton Police Department: Dial 9-1-1
CRIME TIPS: 925-931-5100**



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4. **Describe the type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others.**

SECURITY AWARENESS PROGRAMS

There are currently no crime prevention programs or sexual assault prevention programs offered at Golden State College.

When students come to an orientation at Golden State College of Court Reporting & Captioning, they are made aware of the availability of the campus security report and policy statement. They may ask for a paper copy or they will be directed to the Web site where it is posted. They are informed that campus security is provided by the Pleasanton Police Department and that the school does not have its own security department or personnel.

Similar information is presented to new employees.

A common theme of all awareness and crime prevention efforts is, of course, to encourage students and employees to be aware of their responsibility for their own security and the security of others.

In an effort to remind students and employees of this responsibility, information is disseminated to students and employees through crime prevention awareness articles that are dictated in the speed

building classes at Golden State College of Court Reporting & Captioning. These are read to the students on a monthly basis.

When time is of the essence, information is released to the college community by word-of-mouth, in connection with posted flyers, if the situation calls for it. Because of the size of the Golden State College campus, all students can be contacted within a couple of minutes by direct verbal contact.

CRIME PREVENTION PROGRAMS

- ✓ **There are currently no crime prevention programs offered at Golden State College.**
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6. Policy concerning the monitoring and recording, through local police agencies, of criminal activity in which students engaged at off-campus locations of student organizations officially recognized by the institution, including student organizations with off-campus housing facilities.

- ✓ **Golden State College does not have any off-campus locations.**
 - ✓ **Golden State College does not have any off-campus student organizations.**
 - ✓ **Golden State College does not have any off-campus housing facilities.**
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7. Policy regarding the possession, use and sale of alcoholic beverages and enforcement of state underage drinking laws.



POLICY ON ALCOHOLIC BEVERAGES

The possession, sale or the furnishing of alcohol on the Golden State College campus is governed by the College's alcohol policy stated in its catalog which is aligned with California state law. Laws regarding the possession, sale, consumption or furnishing of alcohol is controlled by the California Department of Alcohol and Beverage Control (ABC). However, the enforcement of alcohol laws on campus is the primary responsibility of the School Director, with the support and assistance of school staff.

The Golden State College campus has been designated "Drug Free." The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the Pleasanton Police Department. Violators are subject to college disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of the Golden State College alcohol policy for anyone to consume or possess alcohol in any public or private area of campus.

8. Policy regarding the possession, use and sale of illegal drugs and enforcement of federal and state drug laws.



POLICY on ILLEGAL DRUGS

The Golden State College campus has been designated "Drug Free." The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly supported by the Golden State staff with the enforcement by the Pleasanton Police Department. Violators are subject to college disciplinary action, criminal prosecution, fine and imprisonment.

9. **Description of any drug or alcohol abuse education programs as required under Section 120 (a) through (d) of the HEA. For the purpose of meeting this requirement, an institution may cross-reference the materials it uses to comply with section 120 (a) through (d) of the HEA.**



ALCOHOL AND SUBSTANCE ABUSE INFORMATION AND EDUCATION

Consistent with its mission of enabling students to reach their educational goals, Golden State College of Court Reporting & Captioning is committed to creating a campus environment that is free from both the illegal and the harmful use of alcohol and drugs. Such an environment supports the welfare of the entire campus community and creates a positive context for both learning and work.

The use of alcohol or other legal drugs in a manner that undermines a campus climate of civility, collegiality, and adherence to the policies contained herein is not consistent with the values of Golden State College, and will not be tolerated.

Golden State College of Court Reporting & Captioning has adopted and has implemented a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees.

The program provides services related to drug use and abuse including dissemination of informational materials, educational programs, counseling services, referrals and college disciplinary actions.

The purpose of this policy is to clearly state the policy of Golden State College concerning alcohol and drugs, provide procedural guidelines, communicate the consequences of failing to adhere to established policies, and provide guidance as to available resources.

Standards of Conduct-

The Golden State College campus has been designated "Drug Free." The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the Pleasanton Police Department. Violators are subject to college disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of the Golden State College alcohol policy for anyone to consume or possess alcohol in any public or private area of campus.

Local, State & Federal Legal Sanctions-

Violation of College policies concerning illicit drugs shall result in appropriate disciplinary action up to and including suspension or expulsion for the College. The following is a brief summary of the state and federal criminal sanctions that may be imposed upon someone who violates the illicit drug policy at Golden State College or elsewhere in the State of California.

1. A violation of California law for the possession, use, and/or sale of narcotics, marijuana, and/or other illicit drugs includes imprisonment in the county jail or state prison for one to nine years plus fines up to \$100,000 for each count.
2. A violation of federal law for the possession, use, and/or sale of narcotics, marijuana, and/or other illicit drugs may include imprisonment in a federal penitentiary for one to fifteen years plus substantial financial penalties.
3. A violation of the law involving an individual being under the influence of a combination of alcohol and drugs (itself potentially fatal), may result in an increase in criminal sanctions and penalties.

In addition to legal sanctions, students who violate college policies on alcohol and drugs are in violation of the Student Conduct Code and may be subject to discipline. While a minor first infraction may result in a warning, subsequent infractions will result in substantial sanctions up to and including expulsion.

While students possessing legally prescribed marijuana may be free from criminal prosecution under California law, they are, nonetheless, required to adhere to the Student Conduct Code. Students who are in possession of legally prescribed cannabis are not exempt from the College's prohibition against the manufacture, possession, or use of marijuana on campus.

Alcohol & Other Drugs - Risks and Resources-

There are many documented risks associated with alcohol and other drug abuse, affecting not only individuals, but also their families and friends. Alcohol and other drug abuse can lead to serious health and social problems, including short and long-term effects on the body and mind. Additionally, alcohol and other drug abuse can affect academic, athletic, work performance, and can lead to violent or destructive behaviors. There is also a strong relationship between alcohol and other drug abuse and risk of inappropriate sexual behaviors or depression.

For more information and a complete list of the negative effects of alcohol and other drugs, visit the following Web site: www.drugfree.org/portal/drug_guide/alcohol.

Where to Get Help-

Golden State College is too small to offer on-campus health services or drug and alcohol counseling services. However, living in the San Francisco Bay Area, we are fortunate to have a myriad of options available for seeking help with overcoming alcohol and drug addiction.

Help is as close as a click or call away. There are 12-Step meetings every day. There are professional psychologists too numerous to mention. Here are a couple of sites to visit: www.drugalcoholhelp.com and www.addict-help.com.

Counseling In the Pleasanton/Dublin/Danville/San Ramon (Tri-Valley) Area:

Discovery Center, 155A Town and Country Dr., Suite A, Danville, 94526 (925) 837-0505.

Assessment, both individual and group counseling, workshops support groups, sliding scale and private insurance accepted, but no one is turned away for inability to pay.

For other counseling centers around the Greater Bay Area, contact the School Director for assistance.

Policy Violations & Sanctions-

EMPLOYEE POLICY:

It is the policy of Golden State College to provide a safe, healthy and productive workplace for all employees. The unlawful possession, use or distribution of alcohol and illicit drugs by employees on college property or as part of any of its activities is prohibited. College activities shall include attendance at professional meetings. The College also does not condone abusive or inappropriate use of alcohol. Abusive or inappropriate use of alcohol shall be determined on a case-by-case basis, but may include any individual incidence of drunkenness, any level of intoxication or habitual intoxication during normal business hours.

Any faculty, staff, administrator or other employee who violates the policy on alcohol and other drugs shall be subject to corrective or disciplinary action up to and including reassignment, suspension and dismissal, in accordance with, and only as permitted by college policy, state and federal law.

In addition to the foregoing, the following sanctions may be imposed for violation of the alcohol and drug policy by employees:

- Restitution for any damages that result from the conduct of the violator.
- Requirement to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.

Further, if employees are found to be in violation of our Standards of Conduct mentioned above, they will be subject to referral for prosecution.

OTHER WORKERS POLICY:

Persons who are not employees of Golden State College but who perform work for its benefit (such as independent contractors, temporary employees provided by agencies, visitors engaged in joint projects, etc.) are required to comply with this policy. Violation by such persons is likely to result in their being barred from the workplace, even for a first offense.

STUDENT POLICY:

Any student who violates the policy on alcohol and other drugs shall be subject to corrective action, such as referral to a substance abuse program or other counseling, or disciplinary action up to and including the possibility of dismissal from the institution.

In addition to the foregoing, the following sanction may be imposed for violation of the alcohol and drug policy by students : -Restitution for any damages that result from the conduct of the violator.

Further, if students are found to be in violation of our Standards of Conduct mentioned above, they will be subject to referral for prosecution.

Implementation-

The School Director is responsible for the implementation and administration of this policy and College compliance with the *Drug-Free Workplace and Drug-Free Schools and Campuses Act*.

As required in these acts, all members of the campus community will be informed of the contents of this policy on an annual basis.

- New and continuing students and their parents will be made aware of this policy at least once every year, by the School Director through new student orientations and the student catalog.
- New and continuing employees will be made aware of this policy through the Employee Handbook.
- Information about this policy will be distributed through the college Web site.
- Students will be made aware of the risks associated with illegal and irresponsible use of alcohol and other drugs through a broad array of educational programs, services and resources that focus on promotion of the legal, responsible use of alcohol and prevention of alcohol and other drug abuse.

In concert with the Board of Directors, the School Director oversees the enforcement of this policy and resolution of violations. In addition, the Institutional Effectiveness Committee will convene annually to develop and review campus alcohol and other drug abuse prevention programs and goals, assess the effectiveness of these programs, and make recommendations for change and/or improvement.

Biennial Review-

A report addressing the effectiveness of these programs will be provided to the Chief Executive Officer of Golden State College of Court Reporting & Captioning every two years.



POLICIES AND PROCEDURES FOR ADDRESSING SEXUAL OFFENSES

Golden State College recognizes the seriousness of sexual offenses and commits itself to preventing such offenses. The College is committed to a safe environment in which acts of violence are not tolerated. Students who report the occurrence of a sexual offense are treated with dignity.

- **CAMPUS EDUCATION PROGRAM**

During each fall term, Golden State College educates the staff and student community about sexual assaults, date rape, acquaintance rape and other forcible and non-forcible sex offenses through training provided by experts in the area of sex offense education. Through attendance at mandatory assemblies, staff and students will be able to hear from rape crisis intervention specialists, local law enforcement officials and social services personnel.

- **COMMUNITY AWARENESS**

Sex Offender Registration

The *Campus Sex Crimes Prevention Act (CSCPA)* of 2000 is a federal law that requires convicted sex offenders to register for the purpose of community notification. Upon release from prison, individuals convicted of sex crimes are required to register with law enforcement agencies (under laws referred to as "*Megan's Laws*"). These laws provide for the tracking of convicted sex offenders enrolled at or employed by institutions of higher education. The CSCPA is an amendment to the *Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act*.

If registered sex offenders are enrolled at, or employed at a postsecondary institution, the offenders must provide this information to the state. The state must then provide this information to law enforcement agencies with jurisdiction where the institution of higher education is located. Institutions of higher education are then required to issue a statement advising the campus community where law enforcement agency information, provided by the state concerning registered sex offenders, may be obtained.

Persons seeking to obtain sex offender registration information relevant to the Golden State College campus community may contact the Pleasanton Police Department at 925-931-5100, or go to their Web site at www.cityofpleasantonca.gov/services/police/.

Does FERPA Apply?

Nothing in the *Family Educational Rights and Privacy Act of 1974 (FERPA)* prohibits Golden State College from disclosing information about registered sex offenders. This includes the disclosure of personally identifiable, non-directory information without prior written consent or other consent from the individual. Institutions also have authority to disclose information about registered sex offenders that may otherwise become available to educational institutions through the operation of state sex offender registration and community notification programs.

● PREVENTING SEXUAL ASSAULT

Understanding Sexual Offenses

The FBI's National Incident-Based Reporting System (NIBRS) edition of the *UCR* defines a sex offense in general as ***"any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent."***

Rape is a crime of power and control. It is NOT the result of "uncontrolled passion." It reflects a total disregard for the rights and feelings of others. No one should be forced or intimidated to have sex under any circumstances.

Rape, sexual harassment and other sexual violations can happen to anyone. Children, grandmothers, students, working women, wives, mothers, and men are the victims of rape.

Rape, sexual harassment and other sexual violations can occur anywhere, at anytime. Rape can occur in public or in your own home, day or night. Rapists are not necessarily strangers. In fact, in over one third of reported cases, the rapist is an acquaintance, neighbor, friend, or relative of the victim.

Be Aware

Outside...

Become aware of locations and situations where rape might occur, and avoid them.

Consider your alternatives if confronted by a rapist.

Practice possible responses so that you can recall them even under the stress of a real encounter.

Be alert to your surroundings and the people around you - especially if you are alone or it is dark.

When possible, travel with a friend. Stay in well-lit areas as much as possible.

Walk confidently, directly, at a steady pace. A rapist looks for someone who appears vulnerable.

Walk on the side of the street facing traffic.

Walk close to the curb. Avoid doorways, bushes, and alleys where rapist can hide.



BE AWARE

If you think you are being followed, walk quickly to areas where there are lights and people. If a car appears to be following you, turn and walk in the opposite direction, or walk on the other side of the street.

If in danger - SCREAM and run, or yell "FIRE!" or break a window to attract attention.

At Home...

Many rapes occur in or near the victim's home. One of the best ways to prevent sexual assault is to practice good home security.

Install effective locks on all doors and windows - and use them.

Install a peephole viewer in your door.

NEVER open your door without knowing who is on the other side.



Require salespersons or repairmen to show identification.
If strangers telephone or come to your door, don't admit that you are alone.
If you live in an apartment, avoid being in the laundry room or garage by yourself, especially at night.
If you come home and find a door or window open or signs of forced entry, don't go in. Go to the nearest phone and call the police.

Car Safety...

Always lock car doors after entering or leaving your car.
Park in well-lit areas.
Have your keys in your hand so that you don't have to linger before entering your car. Keys can also serve as a possible weapon against an attacker.
Check the back seat before entering your car.
If you think you are being followed, drive to a public place or a police station.
If your car breaks down, open the hood and attach a white cloth to the car antenna.
If someone stops to help, stay in your locked car and ask them to call the police or a garage.



If Attacked...

Remember your main concern must always be your safety. No one can tell you whether you should fight back, submit, or resist. **IT DEPENDS ON YOU AND THE SITUATION.** However, your best defense is to be prepared - know your options ahead of time.

Your safety may depend upon your ability to stay cool and calm.

- **REPORTING A SEXUAL OFFENSE**

If You Are A Victim

1. Get help quickly. Call the police, a rape crisis center, doctor, friend, or relative. **9-1-1**

All assaults (on-campus or off) should be reported to the Pleasanton Police Department **(925) 931-5100**

Filing a police report will ensure that you receive the necessary medical treatment and tests, at no expense to you. Filing a police report will provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later.

Although victims of sexual assault are not always sure about what has happened to them or what steps they can take, **students may ALWAYS request the assistance of campus personnel, and the campus personnel will ALWAYS assist the student in notifying the appropriate authorities.**

2. Do NOT wash, douche, change clothes or clean up in any way until after talking to the police and going to the hospital. Avoid the risk of destroying evidence.

It is important for a student who has been sexually assaulted to receive medical care to ensure physical well-being and to maintain the collection and preservation of evidence should the student choose to take legal action at any time in the future.



Medical care may include emergency contraception, antibiotic treatment to address any sexually transmitted infections and specialized, physical examinations.

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

the option available and can greatly enhance the chances of a successful prosecution should the student make the decision to press charges at a later date.

3. Remember you are the victim. You have nothing to feel guilty or ashamed about.

Survivors of sexual offenses can experience high levels of physical and psychological distress. Negative consequences of sexual assault are wide ranging and may include

- Sexually transmitted infections
- Unwanted pregnancy
- Adoption of negative health practices (such as the misuse of alcohol or drugs, eating disorders, or smoking)
- Difficulty sleeping
- Symptoms of depression and anxiety
- Post-traumatic stress disorder, or other psychological disorders
- Difficulty concentrating on academic work ***



Academic Issues

Sexual assaults can also affect a victim's academic performance. Golden State College will allow the student victim the option to change their academic situation after an alleged sexual assault, if requested by the victim and if such changes are reasonably available.

4. Seek Counsel.

In addition, there may be disruption of employment and expenditure of massive financial resources and time as a result of pursuing medical, social, psychological or legal services.

Especially in cases of non-stranger rape, survivors may blame themselves. Many sexual offenses go unreported, which can result in survivors failing to obtain necessary medical, social, psychological, and legal assistance.

Counseling can be an integral part of recovery from a sexual assault.

Golden State College does not provide on-campus counseling services for sexual-assault victims.

The referral sources listed below include Sexual Assault Survivors Support groups available to lend emotional support, information/referrals, plus medical and legal information.

- Bay Area Turning Point, www.bayareaturningpoint.org, 24-Hour Hotline: (281) 286-2525
All services are without cost and are accessible 24 hours a day.
- Tri-Valley Haven for Women, www.trivalleyhaven.org, Livermore, Hotline: (925) 449-5842
- National Sexual Assault Hotline, www.rainn.org, 1-800-656-HOPE (4673)
Nation's largest anti-sexual assault organization to search for your local crisis center.

- **PROCEDURES FOR ON-CAMPUS STUDENT CONDUCT PROCEEDINGS INVOLVING REPORTED SEXUAL MISCONDUCT**

If both the victim and the suspect are enrolled students, Golden State College disciplinary action may also be sought. In this event, the accuser and the accused are entitled to the same opportunities to have others present during campus disciplinary proceedings and both shall be informed of the outcome of the proceeding. If found to be in violation of GSC Student Conduct regulations, the offender may be placed on probation, suspended, expelled, and/or excluded from the campus. If reasonable, the victim may also request changes in academic arrangements.

A. **Student Rights**

The following procedures and rights are applicable to the complainant in cases involving reported sexual misconduct by a student whether on or off campus.

1. The complainant may submit a written complaint of the alleged offense to the School Director, 7901 Stoneridge Drive, Suite 105, Pleasanton, CA 94588.
2. The complainant will be provided with an interview conducted by the School Owners in the Office of the School Director. Due process and hearing procedures for the alleged violator and the rights of the complainant will be described. Rights of the complainant include the following:
 - a. To receive written notification of the time and place of the hearing;
 - b. To have an advisor present during a campus student conduct proceeding;
 - c. To receive explanation of the degree of the burden of proof, which is "more likely than not" in campus student conduct proceedings, in contrast to "beyond a reasonable doubt" in off-campus criminal proceedings;
 - d. To remain present during the entire proceeding;
 - e. To present information and witnesses in his/her own behalf;
 - f. To hear and respond to information and testimony presented at the hearing;
 - g. To make a "victim impact statement";
 - h. Not to have irrelevant sexual questions or history considered during a hearing.
3. Both the complainant and the respondent shall be informed of the outcome of any campus student conduct proceeding brought forward alleging sexual misconduct.
This does not constitute a violation of the Family Educational Rights and Privacy Act (FERPA).

B. **Sanctions Following an On-Campus Student Conduct Hearing**

Following an on-campus student conduct hearing conducted by the College, a finding of responsibility against the respondent for sexual misconduct may result in a maximum sanction of expulsion.

C. **Unconditional Disclosure**

Disclosure concerning the outcome of proceedings must be unconditional. A victim shall not be required to sign a nondisclosure agreement or to otherwise agree to a prohibition from discussing the case.

2013 -- VAWA: *Violence Against Women Reauthorization Act*

Under VAWA, effective March 7, 2014, colleges and universities are required to:

- Report domestic violence, dating violence, and stalking, beyond crime categories the Clery Act already mandates;
- Adopt certain student discipline procedures, such as for notifying purported victims of their rights; and
- Adopt certain institutional policies to address and prevent campus sexual violence, such as to train in particular respects pertinent institutional personnel.

I. New Reporting Requirements

VAWA's SaVE Act provision imposes new reporting requirements:

A. The Clery Act requires annual reporting of statistics for various criminal offenses, including forcible and non-forcible sex offenses and aggravated assault. VAWA's SaVE Act provision adds domestic violence, dating violence, and stalking to the categories that, if the incident was reported to a campus security authority or local police agency, must be reported under Clery. Parsed for clarity, these offenses are defined:

1. "Domestic violence" includes asserted violent misdemeanor and felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.
2. "Dating violence" means violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.
3. "Stalking" means a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress.

C. The provision requires, with respect to the "timely reports" the Clery Act mandates for crimes considered a threat to other students and employees, that victims' names be withheld.

D. The effective date of these requirements is one year after enactment of VAWA; that is, March 7, 2014.

II. New Student Discipline Requirements

A. Current requirements in the Clery Act are that institutions inform students of procedures victims should follow, such as preservation of evidence and to whom offenses should be reported. VAWA adds that institutional policy must also include information on:

1. Victims' option to, or not to, notify and seek assistance from law enforcement and campus authorities.
2. Victims' rights and institutional responsibilities regarding judicial no-contact, restraining, and protective orders.

B. VAWA prescribes standards for investigation and conduct of student discipline proceedings in domestic violence, dating violence, sexual assault, and stalking cases.

1. Institutional policy must include a “statement of the standard of evidence” used. Unlike some earlier drafts of the legislation, VAWA does not prescribe the evidentiary standard. The OCR Guidance Letter, at page 11, directs a standard of “preponderance of the evidence.” That letter, although not positive law, authoritatively represents OCR enforcement policy. Whether OCR’s position would withstand judicial review is an open question.

2. Institutional officials who conduct the proceeding must be trained on how to investigate and conduct hearings in a manner that “protects the safety of victims” and “promotes accountability.”

3. Institutional policy must identify “sanctions or protective measures” the institution may impose following a final determination of rape, acquaintance rape, domestic violence, dating violence, sexual assault or stalking.

4. “[T]he accuser and the accused are entitled to the same opportunities to have others present during an institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by an advisor of their choice....”

5. Accuser and accused must be notified “simultaneously” and “in writing” of: the outcome of the proceeding; appeal procedures; any change to the result before it becomes final; and when the result becomes final. The OCR Guidance Letter, at page 13, merely “recommends” that the parties be provided the determination “concurrently.”

6. Institutional policy must address how victims' confidentiality will be protected, including record-keeping that excludes personally-identifiable information on victims. OCR's Guidance Letter, at page 5, encourages institutions to be cognizant of victims' confidentiality, but does not mandate that institutional policy address it.

III. New Requirements to Educate Students and Employees on Sexual Violence

Under VAWA, new students and new employees must be offered “primary prevention and awareness programs” that promote awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking. The OCR Guidance Letter, at pages 15-16, “recommends” that institutions implement preventive education programs; VAWA is more prescriptive in its requirements.

The training programs must include:

- A. A statement that the institution prohibits those offenses.
- B. The definition of those offenses in the applicable jurisdiction.
- C. The definition of consent, with reference to sexual offenses, in the applicable jurisdiction.
- D. “Safe and positive” options for bystander intervention an individual may take to “prevent harm or intervene” in risky situations.
- E. Recognition of signs of abusive behavior and how to avoid potential attacks.
- F. Ongoing prevention and awareness campaigns for students and faculty on all of the above.