



## TITLE IX/SEXUAL ASSAULT OR MISCONDUCT

### The Process, Your Rights & Resources

#### [About SCCCD - Diversity, Equal Employment Opportunity & Non-Discrimination](#)

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

Title IX of the Education Amendments of 1972 (“Title IX”), 20 U.S.C. §1681 *et seq.*, is a Federal civil rights law that prohibits discrimination on the basis of sex in education programs and activities. All public and private elementary and secondary schools, school districts, colleges, and universities receiving any Federal funds must comply with Title IX. Under Title IX, discrimination on the basis of sex can include sexual harassment, rape, domestic violence, dating violence, sexual assault, and stalking.

An incident may fall under Title IX jurisdiction if it occurred at a location, event, or under circumstances under substantial control of State Center Community College District. Off-campus incidents do not fall under Title IX jurisdiction unless the discrimination occurred in a location owned or controlled by an officially recognized student organization. Additionally, an incident must have occurred against a person in the United States (study abroad programs and school sponsored international trips do not fall under Title IX jurisdiction). The complainant (reporting party) must also be participating or attempting to participate in an educational program or activity of the institution when a formal complaint is filed.

If allegations of sexual harassment do not fall under the definition or jurisdiction of Title IX as described above, the District may still address the allegations in any manner the District deems appropriate under the District’s own standard of conduct and policies and procedures.

#### [Policies and Procedures](#)

In addition to Title IX, State Center Community College District’s Student Code of Conduct along with its Nondiscrimination and Anti-Harassment Policy prohibit sex discrimination, sexual harassment, and sexual violence of any kind. Retaliation against anyone who makes a complaint, who participates in any complaint-related process, or is perceived to have participated in any complaint related process, is not tolerated.

#### [Student Code of Conduct](#)

Administrative Regulation 5500 - [Standards of Conduct](#)

Administrative Regulation 5520 - [Student Discipline Procedures](#)



## Nondiscrimination, Anti-Harassment, and Sexual Assault Policies/Procedures

Administrative Regulation 3410 - [Nondiscrimination](#)

Administrative Regulation 3430 - [Prohibition of Harassment](#)

Administrative Regulation 3433 - [Prohibition of Sexual Harassment Under Title IX](#)

Administrative Regulation 3434 - [Responding to Harassment Based on Sex Under Title IX](#)

Administrative Regulation 3435 - [Discrimination and Harassment Complaints](#)

Administrative Regulation 3540 - [Sexual and Other Assaults](#)

## The Process

State Center Community College District has equitable procedures in place to promptly, thoroughly and fairly address concerns and complaints of sexual misconduct, harassment or discrimination, while being mindful of the rights of all parties. Both parties have an opportunity to meet (separately) with the Title IX Investigator to present their perspectives, provide witnesses or other information, to bring a representative to their meetings, to ask questions, and to seek clarification.

Prior to the completion of the investigation report, all evidence directly related to the allegations will be provided to both parties. Parties will have 10 days to review and submit written responses prior to finalizing the investigation report.

After a review of the information and facts of the complaint, the Title IX investigator will submit an investigation report with findings to both parties for review. Both parties will be given the opportunity to submit written responses 10 days prior to a hearing. The Title IX investigator will submit their findings, based on the preponderance of evidence standard (more likely than not) to the appropriate College or District Hearing Officer.

All parties must attend a hearing and submit to live, advisor-led indirect questioning. Parties may be in separate rooms but must be able to clearly see and hear each other through video conferencing. Indirect questioning will be conducted by each party's advisor and must be verbal, direct, and in real time. Each party will have an equal opportunity to present witnesses, present evidence, and inspect evidence, including evidence not used to support determination.

After the live hearing is complete, the College or District Hearing Administrator will make an Administrative Determination that includes all of the procedural steps that were taken. A party may appeal the decision of a Hearing Officer to the appropriate College President or the Vice Chancellor of Human Resources.

Interim/Supportive actions may be taken before any decisions on the alleged conduct are made. These are short-term, remedial measures and/or accommodations to ensure the safety of all individuals involved and the fairness of the complaint process. These can include, but are not limited to no-contact orders, changes to on-campus housing, changes to class schedules or class activity, testing schedule changes, and suspension. Complainants also have the option of requesting a restraining order from law enforcement and pursuing criminal (seeking punishment for criminal actions or behavior) or civil



(seeking relief or compensation for damages, or asking the court to stop conduct that is causing harm) prosecution at any time during or following a District investigation.

Preserving evidence, as well as the identification of any alleged perpetrator(s) and witnesses is extremely important for an effective investigation and reporting parties are encouraged to seek medical attention immediately following any incident of sexual assault.

A complainant or witness who participates in a Title IX investigation will not be subjected to disciplinary sanctions for a violation of the District's student conduct policy at or near the time of the incident, unless the District determines that the violation was egregious, including but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic honesty.

### Your Rights

- You have the right to be treated fairly and respectfully.
- You have the right to have an adequate, reliable, and impartial investigation conducted by the institution.
- You have the right not to report to law enforcement.
- You have the right to be informed of and have access to District resources for medical, health, counseling, and advisory services.
- You have the right to present witnesses and evidence.
- You have the right to have a representative with you during any meetings.
- To review evidence directly related to the allegations and provide written responses prior to an investigator finalizing a report.
- To have a live hearing before an Administrative Determination is made.
- To review the final investigator's report prior to the live hearing.
- To engage in indirect questioning of parties and witnesses through an advisor.
- You have the right to be informed in advance, when possible, of any public release of information regarding the report.
- You have the right to be free from retaliation.
- You have the right to be notified in writing of the general outcome of the complaint, any appeal rights, and any sanctions that directly relate to you.
- You have the right to have any proceedings documented, which may include written findings of fact, transcripts, or audio recordings.
- You have the right not to "work it out" with the other party in mediation.
- You have the right to appeal the District's final determination.
- You have the right to request an order of protection, no contact order, or similar lawful order issued by a court.

### Your Rights under Title IX regarding Pregnancy and Childbirth

Title IX of the Education Amendments of 1972 ("Title IX") protects you from discrimination based on pregnancy, childbirth, and birth-related conditions, including recovery from childbirth. Your College has an obligation under Title IX to make accommodations such as excusing absences because of pregnancy and childbirth, and allowing students to make up assignments, exams, and classroom exercises missed due to pregnancy or birth-related conditions.



If you need such an accommodation because of your pregnancy or birth-related condition, discuss it as soon as possible with your instructor. Your instructor should contact the College's Title IX coordinator to consult on the appropriate accommodation. You can also directly contact the College's Title IX Coordinator.

For additional information, see the Department of Education Office for Civil Rights resource:

[Your Rights: Pregnant or Parenting? Title IX Protects You From Discrimination At School](#)

### Confidentiality

The District shall maintain the privacy of the complainant, responding party, or witnesses, by maintaining confidentiality to the fullest extent possible to conduct a thorough investigation and take appropriate remedial and preventative measures. All inquiries from reporters or other media representatives about alleged sexual assaults on District property shall be referred to the District's Executive Director, Public & Legislative Relations, which shall work with College and District Administration, and District or College Title IX Coordinators to assure that all privacy rights are maintained.

### Reporting Options

#### Criminal Complaints and Reports

##### **SCCCD Police Department**

1940 N. Calaveras  
Fresno, CA 93704  
SCCCD Police Website  
9-1-1 (Emergency on/off campus)  
559-244-5911 (Non-Emergency)  
Ext. 5911 from any campus phone

##### **Reedley City Police Department**

843 "G" Street  
Reedley, CA 93654  
Reedley City Police Department Website  
9-1-1 (Emergency on/off campus)  
559-637-4250 (Non-Emergency)

##### **City of Fresno Police Department**

2323 Mariposa Street  
Fresno, CA 93721  
9-1-1 (Emergency on/off campus)  
559-621-7000 (Non-Emergency)

##### **Madera County Sheriff's Office**

2725 Falcon Drive  
Madera, CA 93637  
9-1-1 (Emergency on/off campus)  
559-675-7770 (Non-Emergency)

##### **Clovis Police Department**

1233 5th Street  
Clovis, CA 93612  
9-1-1 (Emergency on/off campus)  
559-324-2459 (Non-Emergency)

##### **City of Madera Police Department**

330 South "C" Street  
Madera, CA 93638  
9-1-1 (Emergency on/off campus)  
559-675-4200 (Non-Emergency)



**Fresno County Sheriff's Department**

2200 Fresno Street  
Fresno, CA 93724  
9-1-1 (Emergency on/off campus)  
559-600-3100 (Non-Emergency)

**City of Tulare Police Department**

260 "M" Street  
Tulare, CA 93274  
9-1-1 (Emergency on/off campus)  
559-684-4290 (Non-Emergency)

**Tulare County Sheriff's Department**

833 S. Akers Street  
Visalia, CA 93277  
9-1-1 (Emergency on/off campus)  
559-733-6218 (Non-Emergency)

**District/College Complaints and Reports**

[District Title IX Incident Reporting Form](#)

\*Completing the complaint form linked above is not required. You may also file a report by contacting any of the following:

**Title IX Coordinators**

**District Office**

Christine Phillips, District Director of EEO/Diversity & Professional Development  
[christine.phillips@sccd.edu](mailto:christine.phillips@sccd.edu) or 559-243-7171

**Fresno City College**

Gladley Donsanouphit, Deputy Title IX Coordinator  
[gladley.donsanouphit@fresnocitycollege.edu](mailto:gladley.donsanouphit@fresnocitycollege.edu) or 559-244-2641

**Clovis Community College**

Renee Garcia, Deputy Title IX Coordinator  
[renee.garcia@sccd.edu](mailto:renee.garcia@sccd.edu) or 559-325-5420

**Reedley College**

Todd Davis, Dean of Instruction  
[todd.davis@reedleycollege.edu](mailto:todd.davis@reedleycollege.edu) or 559-638-0300 ext. 3359

**Madera Community College / Oakhurst Center**

Julie Preston-Smith, Dean of Students  
[julie.preston-smith@maderacollege.edu](mailto:julie.preston-smith@maderacollege.edu) or 559-675-4822



## Confidential Complaints and Reports

This is the contact information for CONFIDENTIAL reporting. These are the only 2 options available to complainants that want to discuss the allegations, but want the information to remain completely confidential.

### Student Reports:

#### **District Psychological Service Center Coordinator**

Dr. Samuel Montano

559-442-8284

[samuel.montano@fresnocitycollege.edu](mailto:samuel.montano@fresnocitycollege.edu)

#### **OR A licensed medical provider at College Health Services:**

- Fresno City College: (559) 442-8268, Location: ST-112
- Reedley College: (559) 638-0328, Location: Student Services Building #30
- Clovis Community College: (559) 325-5318, Location: AC2-274 West
- Madera Center: (559) 675-4800 ext. 4759
- Oakhurst Center: (559) 683-3940

### Employee Reports:

Employees on the District's Health Insurance Plan:

#### **Halcyon Employee Assistance Program (EAP)**

*24 hour service*

559-751-0015 or 888-425-4800

<http://www.halcyoneap.com/>

User Name: edcare

Employees not on the District's Health Insurance Plan, please see contacts in "Additional Resources and Information" section on next page.

You may also report complaints of Sexual Misconduct, Discrimination, and Harassment to:

#### **California Community College Chancellor's Office (CCCCO)**

1102 Q Street

Sacramento, CA 95811

1-916-445-8752

<https://www.cccco.edu/Complaint-Process-Notice>

#### **California Department of Fair Employment and Housing (DFEH)**

1277 E. Alluvial Avenue, Suite 101

Fresno, CA 93720

1-559-244-4760

<https://www.dfeh.ca.gov/complaint-process/file-a-complaint/>



**Office of Civil Rights (OCR), U.S. Department of Education**

Lyndon Baines Johnson Department of Education Building

400 Maryland Avenue, SW

Washington, DC 20202-1100

1-800-421-3481

1-800-877-8339 (TTD)

<https://www2.ed.gov/about/offices/list/ocr/complaintintro.html>

**U.S. Equal Employment Opportunity Commission (EEOC)**

Robert E. Coyle Federal Courthouse

2500 Tulare Street, Suite 2601

Fresno, CA 93721

1-800-669-4000

1-800-669-6820 (TTY)

<https://www.eeoc.gov/field/fresno/charge.cfm>

## The College's Responsibilities

**1. Respond promptly and effectively.**

If the College or District Title IX Coordinator receives a report of sexual discrimination, harassment or sexual violence that creates a hostile environment, the school must take immediate action to eliminate the sexual harassment or sexual violence, prevent its recurrence, and address its effects. A criminal investigation into allegations of sexual harassment or sexual violence does not relieve the school of its duty under Title IX to resolve complaints promptly and equitably.

**2. Have and distribute a policy against Sex Discrimination.**

**3. Have a Title IX Coordinator.**

The coordinator's responsibilities include overseeing all complaints of sex discrimination and identifying and addressing any patterns or systemic problems that arise during the review of such complaints. The coordinator or Title IX representative may call for medical or police services when requested, request academic assistance when necessary, and provide additional information regarding counseling services. The coordinator or Title IX representative will provide ongoing updates during the course of an investigation.

## ADDITIONAL RESOURCES AND INFORMATION

**RAINN (National Sexual Assault Hotline)**

800-656-4673 (HOPE)

<https://www.rainn.org>



**National Domestic Violence Hotline**

800-799-7233

<https://www.thehotline.org/>

**Hope for the Heart Crisis Text Line**

800-488-4673 Text "CONNECT" to 741741

**Rape Counseling Service of Fresno, Inc.**

*Provides 24-hour crisis line, therapeutic counseling, and court advocacy, information and referrals for children and adults.*

259 N. Blackstone, Fresno, CA 93701

24-Hour Hotline: (559) 222-RAPE (7273)

Office: 497-2900

Office Hours: Mon.-Fri. 8AM-5PM

**Marjaree Mason Center**

*Provides 24-hour crisis line, emergency shelter, court advocacy, counseling for adults and children and support groups.*

1600 "M" Street, Fresno, CA 93721

24-Hour Hotline: (559) 233-HELP (4357)

Office: (559) 237-4706

Office Hours: Mon.-Thru. 8AM-7PM, Fri. 8AM-5PM

**Carmen Meza Center**

*Provides 24-hour crisis line, therapeutic counseling, and court advocacy, information and referrals for children and adults.*

838 "O" Street, Firebaugh, CA 93622

24-Hour Hotline: (559) 222-RAPE (7273)

Office: (559) 659-0232

Office Hours: Mon.-Fri. 8AM-5PM

**Northwest Family Center**

*Provides individual and family counseling services.*

Office: (559) 225-3222

Office Hours: Mon.-Fri. 8AM-7PM

**Family Healing Center**

*Provides victims of crime emergency services, therapy and advocacy.*

7025 N. Chestnut Ave., #102, Fresno, CA 93720

24-Hour Hotline: (559) 840-1012

Office: (559) 840-1012

Office Hours: Mon.-Fri. 8AM-5PM

**W. Gary Cannon Psychological Service Center**

*Low-Cost Mental Health Services*





[About SCCC - Diversity, Equal Employment Opportunity & Non-Discrimination](#)

5130 E. Clinton Way, Fresno, CA 93727  
Office: (559) 253-2277  
Office Hours: Mon.-Thur. 9AM-8PM, Fri. 9AM-4PM

**Fresno EOC Central Valley Against Human Trafficking (CVAHT)**

*Provides services to victims of human trafficking regardless of age, gender or immigration status.*  
1900 Mariposa Mall, Suite 100, Fresno, CA 93721  
Office: (559) 263-1379

**Victim/Witness Assistance Center**

*Provides court advocacy, counseling referrals, emergency aide, and applications for Victims of Crime compensation funds.*  
2233 Kern Street, Fresno, CA 93721  
Office: (559) 488-3425  
Office Hours: Mon.-Fri. 8AM-12PM and 1PM-5PM

**Attorney Referral & Information Services of the Fresno County Bar Association**

<https://www.fresnocountybar.org/services/attorney-referral>