

# SEXUAL ASSAULT OR HARASSMENT AND TITLE IX

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Title IX is a federal statute that protects people from discrimination based on sex and prohibits sexual misconduct which affects the student's ability to participate in educational programs and/or activities. All violations of Title IX regulations are taken seriously and investigated thoroughly. The following information explains Title IX as it relates to sexual assault and harassment; also known as sexual misconduct.

## DEFINITIONS

### Sexual Misconduct

"Sexual Misconduct," as defined by the Office of Civil Rights, includes the following acts/behaviors:

- "Sufficiently serious" sexual harassment
- Sexual violence
- Physical acts against a person's will
- Rape
- Assault
- Sexual battery
- Sexual coercion
- Repeated, unwanted acts

Furthermore, College Administrative Procedure 3540 defines sexual assault as "actual or attempted sexual contact with another person..." Administrative Procedure 3430 defines sexual harassment as, "Any hostile or offensive conduct based on gender..."

Title IX protects individuals from sexual misconduct by acts committed by other students, District/College employees and third parties.

### Educational Program or Activity

An educational program or activity includes academic, extra-curricular, athletic activities, College sponsored trips and other sponsored events.

Sexual misconduct is also a violation of College of the Siskiyou Board Policies, specifically Board Policies 3430, 3540 and Administrative Procedures 3430 and 3540.

<http://www.siskiyous.edu/bpap/policies/general/bp3430.pdf>

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## REPORTING OPTIONS

College of the Siskiyous encourages individuals affected by sexual misconduct to report incidents in order to help us ensure a safe environment. Individuals may choose to pursue the following options to report the alleged incident(s):

- Notify law enforcement authorities. College staff can assist, if the individual chooses.
- Notify the College Title IX Coordinator, who is located in the Human Resources Office.
- If the alleged respondent is a student, Student Conduct/Discipline charges may be filed with the Vice President of Student Services office.  
<http://www.siskiyous.edu/bpap/procedures/services/ap5520.pdf>
- Students may also file a grievance through the appropriate Department Administrator.  
<http://www.siskiyous.edu/bpap/procedures/services/ap5530.pdf>

Students also have the right to request “reasonable accommodations,” such as no-contact directive or change in schedule, through the Vice President of Student Services Office during the investigation and/or as a remedy.

## CONFIDENTIALITY AND PROTECTION AGAINST RETALIATION

College of the Siskiyous staff honors student confidentiality to the extent possible. Reports and investigative information is kept secure and released only on a “need to know” basis. If it is necessary to disclose information, individuals will be notified. Please note, that if the individual does not want his/her name disclosed to the respondent, it will limit the College’s ability to pursue disciplinary action.

Title IX protects any individual who reports sex discrimination, sexual harassment, or sexual violence from retaliation. This means, individuals who report misconduct are protected from any adverse consequence, harassment, intimidation, or discrimination as a result of the report.

## EFFECTS OF TRAUMA

Individuals, who experienced sexual assault or other threatening events, can feel overwhelmed and respond with fear, anxiety, detachment, and/or helplessness. Extreme stress overwhelms one’s ability to cope which can result in physical symptoms.

Some possible effects of trauma can include:

- Physical disorders such as headaches or stomach aches.
- Feeling anxious, such as a feeling flushed or faint
- Difficulty sleeping or wanting to sleep a lot.
- Frequent colds and illnesses.
- Increase in alcohol and/or drug use
- Over eating, binge eating, or loss of appetite
- Feeling depressed
- Easily angered, lashing out at others, or over reacting to minor setbacks.
- Mood swings
- Nightmares and/or flashbacks

- Avoiding friends, groups, classes or work
- Feeling emotionally “numb”
- Feeling guilty or ashamed
- Loss of interest in everyday activities
- Feeling alone
- Difficulty concentrating

Trauma and its effects are different for everyone. Any change in behavior, mood, or interests may be a result of a traumatic experience.

Should the individual experience any of these symptoms, we encourage individuals to seek assistance from the following resources:

- The College personal counselor, <http://www.siskiyous.edu/counseling/personalcounseling.htm>
- The Siskiyou Domestic Violence & Crisis Center, <http://www.sdvcc.org/>
- Mental Health Resources, <http://www.co.siskiyou.ca.us/content/crisis-services>

### **THE ROLE OF ALCOHOL AND DRUGS**

Being under the influence of alcohol or other drugs can have unintended consequences, such as lowered inhibitions and confusion over whether consent was given. It can affect one’s decision-making capacity, awareness of consequences, and ability to give informed consent.

In the state of California, consent to sexual acts is defined as, ““affirmative, conscious and voluntary agreement to engage in sexual activity”. Additionally, “lack of protest or resistance does not mean consent, nor does silence mean consent”. In summary, silence or lack of resistance and/or being under the influence of a substance does not demonstrate mutual consent.

The College recognizes that individuals may be reluctant to report sexual misconduct due to the use of substances. Please remember that the safety and well-being of our students and campus community members are of our utmost priority and reporting sexual misconduct is strongly encouraged. In the case of use of alcohol and/or drugs on campus, violations of the Student Conduct Code will be addressed respectfully and with sensitivity.

### **ADDITIONAL TITLE IX INFORMATION**

For additional information regarding Title IX, see [http://www2.ed.gov/about/offices/list/ocr/docs/tix\\_dis.html](http://www2.ed.gov/about/offices/list/ocr/docs/tix_dis.html)

#### **Campus Contact Information:**

Report concerns regarding violations of Title IX to the Title IX Coordinator, (530) 938-5317

To file Student Conduct/Discipline and/or assistance with Student Services, (530) 938-5374