

BP 3540 Sexual Assaults on Campus

Reference:

Education Code Sections 67382 and 67385;
20 U.S.C. Section 1092(f);
34 C.F.R. Section 668.46 (b) (11)

- 1.0 Any sexual assault, including but not limited to, rape, as defined by California law, whether committed by an employee, student, or member of the public, occurring on District property, or on an off-campus site or facility maintained by the District, or on grounds or facilities maintained by a student organization, is a violation of Board policies and regulations, and is subject to all applicable punishment, including criminal procedures and disciplinary procedures of the District applicable to employees and students.
- 2.0 “Sexual assault” includes, but is not limited to, rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, or threat of sexual assault. All students, faculty members or staff members who allege they are the victims of a sexual assault on District property shall be provided with information regarding options and assistance available to them.
- 3.0 Except as may otherwise be required by law, the District shall maintain in confidence the identity of an alleged victim of sexual assault on District property, unless the alleged victim specifically waives that right to confidentiality.
- 4.0 Except as may otherwise be required by law, the District shall maintain in confidence the identity of a witness to sexual assault on District property, unless the witness specifically waives the right to confidentiality.
- 5.0 The Chancellor shall establish administrative procedures to ensure that students, faculty and staff who are victims of sexual assault on District Property receive appropriate information and treatment, and that educational information about preventing sexual violence is provided and publicized as required by law. The procedures with respect to sexual assaults shall conform with the provisions of Education Code 67385 and 34 C.F.R. Section 668.46.

See Administrative Procedure 3540.

Date of Adoption: March 23, 2004

Date of Last Revision: July 25, 2006
April 12, 2005