



## **504 POLICY - Sexual Assault**

### **504.1 Statement of Policy**

Redlands Community College will not tolerate nor condone sexual assault and will pursue disciplinary action in instances where there is reason to believe that a sexual assault has occurred. Student disciplinary actions may include warnings, probation, restrictions, suspension or expulsion. Employee disciplinary action may include warnings, probation, restrictions, suspension, demotion, or termination. A sexual assault victim may elect to pursue the matter through the state criminal justice system as well as through College disciplinary proceedings. The College may pursue the matter through disciplinary proceedings even if criminal justice authorities do not prosecute the matter.

### **504.2 Related Procedure**

The Procedures section of the Policies and Procedures Manual contains a procedure with definitions, reporting procedures, disciplinary proceedings, and victim services information, and educational materials that are related to this Sexual Assault Policy. The definitions in the related procedure are incorporated by reference into this policy.

Adopted June 1996  
Revised February 2001



## **504 PROCEDURE - Sexual Assault**

### **504.2:1 Definitions**

For purposes of this procedure, the term "sexual assault" means sexual contact or sexual intercourse with another person without the consent of that person.

The term "consent" means positive cooperation pursuant to an exercise of free will. Persons consenting must act freely, voluntarily, and with knowledge of the nature of the act or transaction involved. Consent will not be implied from silence, passivity, or from a state of intoxication or unconsciousness.

"Lack of consent" means that the victim has not given consent or is incapable of giving consent because of mental, developmental, physical, or legal disability; that the force of violence is used or threatened and is accompanied by apparent power of execution; that the victim is incapable of resisting or giving consent due to intoxication or the influence of drugs; or that the victim did not understand the nature of the act at the time.

### **504.2:2 Reporting Sexual Assault**

Any victim of a sexual assault is encouraged to promptly report the assault to the appropriate law enforcement agency. If the sexual assault occurred on campus, the victim is encouraged to report the assault to campus security personnel. The information provided by the victim will be treated with the confidentiality afforded to any victim of a crime. Students may request that campus personnel assist them with reporting the assault.

Prosecution of the perpetrator through the criminal justice system is a matter to be considered by the victim apart from reporting the crime. Any victim of a sexual assault is encouraged to promptly seek medical treatment and to refrain from bathing, showering, or changing clothes until after the medical assessment. Certain evidence which may be critical to prosecution is available only immediately after the assault. That evidence should be gathered and preserved so that it will be available if the victim decides to pursue prosecution through the criminal justice system.

### **504.2:3 Student Disciplinary Proceedings**

If the alleged perpetrator of a sexual assault is a student of the College, disciplinary proceedings against the student may be pursued even if criminal justice authorities decline to prosecute. Student disciplinary procedures are set forth in the College Student Handbook and include investigation of the matter by the administrator in



charge of student services, imposition of appropriate disciplinary action, and review of the action by the Committee on Student Conduct, if requested by the student.

In student disciplinary proceedings arising from alleged sexual assault, the accuser and the accused are entitled to the same opportunities to have others present during the proceedings, and both the accuser and the accused will be informed of the outcome of the proceeding.

#### **504.2:4 Employee Disciplinary Proceedings**

If the alleged perpetrator of a sexual assault is an employee of the College, disciplinary proceedings may be pursued even if criminal justice authorities decline to prosecute. If termination, suspension, or demotion of the employee may be involved, the disciplinary proceedings will be conducted in accordance with the College policies on Employee Termination, Suspension, and Demotion, Employee Due Process, and Evidentiary Hearings. Employee disciplinary action other than termination, suspension, or demotion may be imposed by the staff person who reports to the President with supervisory authority over the employee or by the College President, after investigation of the alleged incident.

In employee disciplinary proceedings arising from alleged sexual assault, the accuser and the accused are entitled to the same opportunities to have others present during the proceedings, and both the accuser and the accused will be informed of the outcome of the proceeding.

#### **504.2:5 Victim Services**

Medical treatment for victims of sexual assault is available through local physicians, at Mercy Hospital in El Reno, or at any other hospital in the surrounding metropolitan area. Medical treatment may include the collection of evidence to preserve the option of prosecution if the victim so chooses.

Initial counseling and referral services are available in the Office of the Dean of Student Services. Reasonable accommodations will be made, when possible, to adjust academic schedules or employment assignments, if requested by a sexual assault victim. Requests for room assignment changes made by sexual assault victims who reside in any College housing will also be accommodated if possible.

#### **504.2:6 Education**

Educational materials related to sexual assault are available in the Office of the Dean of Student Services. Such educational materials may also be disseminated through College



publications and public information displays. Programs designed to promote the awareness of rape, acquaintance rape, and other sex offenses may also be presented on campus.

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