

SEXUAL ASSAULT, SEXUAL HARASSMENT, STALKING, DOMESTIC VIOLENCE, DATING VIOLENCE

All persons associated with the District, including, but not limited to, the Board, the administration, the staff and the students, are expected to conduct themselves at all times so as to provide an atmosphere free from incidents of sexual assault, sexual harassment, stalking, domestic violence and dating violence. Any incident, whether verbal or nonverbal, occurring inside or outside of District buildings, on other District-owned property or at school-sponsored social functions/activities, is illegal and unacceptable and will not be tolerated. Any person who engages in an incident while acting as a member of the school community is in violation of this policy.

The Board has developed complaint procedures which are available to every member of the school community. The Board has also identified disciplinary penalties which could be imposed on the offenders.

If you are a victim of a sexual assault, sexual harassment, stalking, domestic violence or dating violence at this institution, your first priority should be to get to a place of safety. You should obtain the necessary medical treatment even if you do not intend to report the assault. Prior to medical treatment/exam it is important not to bathe, shower, change one's clothes or disturb anything at the crime scene. CCCTC Adult Education strongly advocates that a victim or witness of any incident report the incident in a timely manner. Time is a critical factor for evidence collection and preservation. An incident that took place on campus should be reported directly to security personnel or the Administrator on duty in the Adult Office, who will assist the victim in reporting the incident. All reporting is on a voluntary and confidential basis. Filing a report will not obligate the victim to notify law enforcement authorities, prosecute, nor will it subject the victim to scrutiny or judgmental opinions from the school. When a report is filed CCCTC will provide the victim with a written explanation of his/her rights, resources and options. The school will assist a victim/survivor in notifying the proper law enforcement authorities if requested. Filing a police report will:

- a) Ensure that a victim receives the necessary medical treatment and tests.
- b) Provide the opportunity for preservation and collection of evidence helpful in prosecution, which cannot be obtained later.
- c) Assure the victim has access to confidential counseling from counselors specifically trained in the area of crisis intervention.

Victims or witnesses of sexual assault, domestic violence or dating violence should take steps to preserve evidence that may aid in obtaining a protective order or any administrative action and/or criminal prosecution that may result. Items that may serve as evidence include, but are not limited to: voice mails, emails, text messages, social media messaging, notes, or other correspondence that may be relevant. Depending on the situation, clothing worn by the victim and/or the accused may also be needed as evidence and should be preserved in its original state. Do not disturb the scene of the incident as police may want to photograph the scene.

If you are not sure what to do, you are encouraged to reach out to the Career Transitions and Curriculum Supervisor or any of the resources identified in the "Resources for Victims of Sex Offenses" section later in this handbook.

All matters in regard to an incident, including the identity of both the charging party and the accused, are kept confidential to the extent possible.

Assistance will be made available in changing academic or externship situations after an alleged incident, if requested by the victim and if these changes are reasonably available regardless of whether or not the victim chooses to report the crime to local law enforcement. Students wishing to exercise this option should contact their Program Development Administrator.

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed by institutions of higher education. Federal law requires state law enforcement agencies to provide institutions of higher education with a list of registered sex offenders who

indicate that they are enrolled at or employed by those institutions. This is available from the CCCTC Director. In addition, information on registered sex offenders is available at www.columbianasheriff.com.

The CSCPA further amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders. This statement is provided in compliance with the Campus Sex Crimes Prevention Act of 2000.

Definitions

Consent to Sexual Activity: Means actual agreement rather than merely submitting as the result of force or the threat of force.

Sexual Assault: Means an offense classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation. A sexual assault is any form of non-consensual sexual activity. Sexual assault includes all unwanted sexual acts from intimidation to touching to various forms of penetration and rape.

Rape: Penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Sexual Harassment: Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other physical or verbal conduct of a sexual nature when it meets any of the following: submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic status; submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive environment for working or learning.

Stalking: Means engaging in a course of conduct directed at a specific person that would cause a reasonable person to: fear for his or her safety or the safety of others; or suffer substantial emotional distress. In Ohio, stalking is defined as a pattern of conduct (two or more incidents in a short period of time), that is unwanted and causes mental distress. A broader definition of stalking: stalking is willful, malicious and repeated harassing or threatening of another person through activities such as following the individual, showing up at her/his home or workplace, sending unwanted messages (including e-mail or text messages) or objects, vandalizing property or making harassing phone calls. Telecommunications harassment (sometimes called "cyber stalking") is a crime under Ohio law. It is the use of e-mail, internet, instant messaging, social media, or other electronic devices to harass or abuse another person.

Domestic violence: Means a felony or misdemeanor crime of violence committed by: a current or former spouse or intimate partner of the victim; a person with whom the victim shares a child in common; a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies; or any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

Dating violence: Means violence committed by a person: who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.