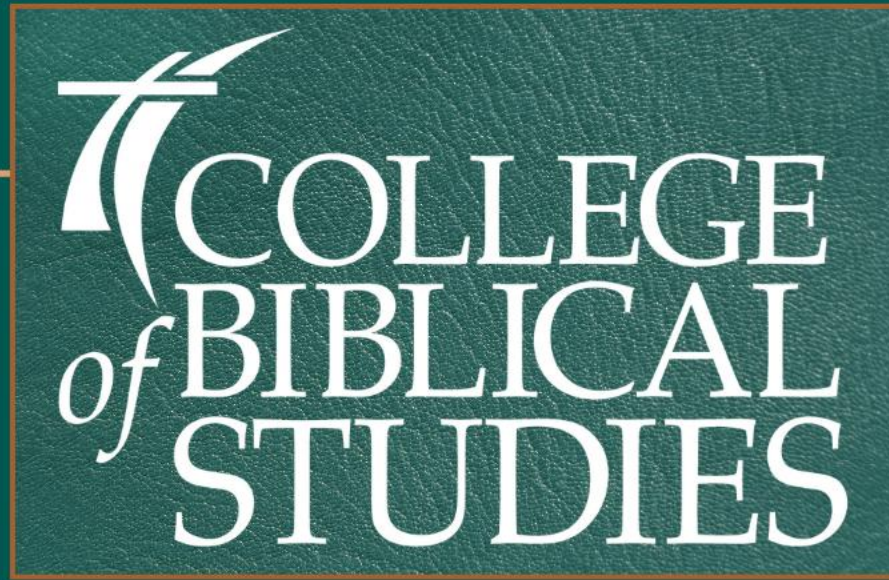




Sexual Violence Awareness and Prevention

Table of Contents

- Reporting Incidents of Sexual Violence
- Confidentiality of Reporting
- Investigation and Disciplinary Procedures

Reporting Incidents of Sexual Violence



1. Reporting Incidents of Sexual Violence

a. Prompt reporting encouraged.

i. Complainants of sexual violence may report incidents at any time but are strongly encouraged to make reports promptly in order to best preserve evidence for a potential legal or disciplinary proceeding.

ii. Complainants are strongly encouraged to report incidents of sexual violence to law enforcement where the incident occurred.

Complainants are also encouraged to contact victim/survivor offices, counseling and health care providers, and college security authorities for appropriate action.

Reporting Incidents of Sexual Violence



Reporting Incidents of Sexual Violence con't

b. Assistance in reporting.

- i. Students and employees who become aware of an alleged incident of sexual violence are urged to encourage and assist complainants, as needed, to report the incident to local law enforcement, victim/survivor offices, counseling and health care providers, and college security authorities.
- ii. College security authorities, when informed of an alleged incident of sexual violence, shall promptly assist the complainant, as requested, including providing guidance in filing complaints with outside agencies including law enforcement obtaining appropriate assistance from victim/survivor services or medical treatment professionals, and filing a complaint with college officials responsible for enforcing student and employee conduct code/standards.

Reporting Incidents of Sexual Violence



Reporting Incidents of Sexual Violence con't.

iii. When appropriate, CBS may pursue legal action against a respondent, including, but not limited to, trespass or restraining orders, in addition to disciplinary action under applicable student and employee conduct policies

Confidentiality of Reporting



2. Confidentiality of Reporting

a. Confidential Reports. The college cannot guarantee confidentiality to those reporting incidents of sexual violence except where those reports are privileged communication with licensed health care professionals or other reports that are privileged by law.

b. Reports to college security authorities.

i. Complainants of sexual violence may contact any college security authority for appropriate assistance or to report incidents.

ii. Confidentiality of reports cannot be guaranteed. College security authorities shall not disclose personally identifiable information about a complainant of sexual violence without the complainants' consent except as may be required or permitted by law.

Confidentiality of Reporting



Confidentiality of Reporting con't.

- iii. The college may determine it necessary to take action regardless of whether the parties have reached a personal resolution or if the complainant request that no action be taken. In such instances, the college will investigate and take appropriate action, taking care to protect the identity of the complainant and any other reporter in accordance with this procedure.

C. Required Reports.

- i. Any college security authority, employee with supervisory or student-advising responsibility who has been informed of an alleged incident of sexual violence must follow college procedures for making a report, including a report for the annual crime statistics report.

Confidentiality of Reporting



ii. College security authorities shall report to other school officials, as appropriate, such as the Office of the Dean of Students which is responsible for administering the student code of conduct, Human Resources which is responsible for the administration of employee disciplinary policies, and the designated Title IX compliance coordinator, in order to initiate any applicable investigative or other resolution procedures.

iii. College security authorities may be obligated to report to law enforcement the occurrence of a sexual assault, but the name or other personally identifiable information of the complainant will be provide only with the consent of the complainant, except as may be required by law.

Confidentiality of Reporting



3. Policy Notices

a. Distribution of policy to students.

- i. The college will distribute the sexual violence policy and procedure by posting on the CBS website and directly providing students of how to access the policy by an exact address.
- ii. The college will distribute the sexual violence policy and procedure by including in the Student Handbook available to students on the CBS website. Students may request a paper copy of the sexual violence policy through the Office of the Dean of Students.
- iii. Students may request a paper copy of the sexual violence policy through the Office of the Dean of Students.

Confidentiality of Reporting



3. Policy Notices con't

b. Distribution of policy to employees.

- i. The college will distribute the sexual violence policy and procedure by posting in the CBS policy manual and Employee Handbook.
- ii. Employees may request a paper copy of the sexual violence policy through the Office of Human Resources.

c. Required Notice.

- i. Notice of complainant options. Following a report of sexual violence the complainant shall be promptly notified of:
 - 1. Where and how to obtain immediate medical assistance; complainants should be informed that timely reporting and a medical examination within 72 hours are critical in preserving evidence of sexual assault and proving a criminal or civil case against a perpetrator. Complainants should be told, however, that they may report incidents of sexual violence at any time.

Confidentiality of Reporting



c. Required Notice con't.

2. Where and how to report incidents of sexual violence to local law enforcement officials, and/or appropriate college contacts for employees, students and others. Such contacts should be identified by name, location and phone number for 24-hour availability, as applicable.

3. Resources for where and how complainants may obtain on- or off-campus counseling, mental health or other support services.

Confidentiality of Reporting



- i. Notice of complainant rights. Complainants shall be notified of the following:
 - 1. Their right to file criminal charges with local law enforcement officials in sexual assault cases;
 - 2. Availability of prompt assistance from campus officials, upon request, in notifying the appropriate campus investigating authorities and law enforcement officials, and, at the direction of law enforcement authorities, assistance in obtaining, securing and maintaining evidence in connection with a sexual violence incident;
 - 3. Assistance available from campus authorities in preserving for a sexual violence complainant materials relating to a campus disciplinary proceeding;

Confidentiality of Reporting



4. That complaints of incidents of sexual violence made to campus security authorities shall be promptly and appropriately investigated and resolved;

5. That, at a sexual assault complainant's request, the college may take action to prevent unwanted contact with the alleged assailant, including, but not limited to, transfer of the complainant and/or the respondent to alternative classes, or a work site, if such alternatives are available and feasible.

Confidentiality of Reporting



4. Investigation and disciplinary procedures.

a. Immediate action.

The college may, at any time during the report/complaint process, reassign or place on administrative leave an employee alleged to have violated this policy.

The college may summarily suspend or take other temporary measures against a student alleged to have committed a violation of this policy in accordance with Administration of the Code of Student Conduct.

b. General principles.

- i. The college shall use the procedure for Report/Complaint of Discrimination/Harassment Investigations and Resolution when investigating complaints of sexual violence. Procedures used in response to a complaint of sexual violence should avoid requiring complainants to follow any plan of action, to prevent the possibility of re-victimization.

Confidentiality of Reporting



ii. The college investigation and disciplinary procedures concerning allegations of sexual violence against employees or students shall:

1. Be respectful of the needs and rights of individuals involved;
2. Proceed as promptly as possible;
3. Permit a student complainant and a student respondent to have the same opportunity to have an appropriate support person or advisor present at any interview or hearing, in a manner consistent with the governing procedures and applicable data practices law;
4. Employees shall have the right to representation consistent with Employee Handbook;

Confidentiality of Reporting



5. Be conducted in accordance with applicable due process standards and privacy laws.
6. Simultaneously inform both the complainant and respondent of the outcome in a timely manner, as permitted by applicable privacy law.
7. Be based on a preponderance of evidence standard, meaning that it is more likely than not that the policy or code has been violated.
8. The past sexual history of the complainant and respondent shall be deemed irrelevant except as that history may directly relate to the incident being considered.
9. A respondent's use of any drug, including alcohol, judged to be related to an offense may be considered to be an exacerbating rather than mitigating circumstance.

Confidentiality of Reporting



- c. Relationship to parallel proceedings.
 - i. The college investigation and disciplinary procedures for allegations of sexual violence will proceed independently of any action taken in criminal or civil courts.
 - ii. The college will not delay its proceedings while a parallel legal action is on-going.
 - iii. If the college is aware of a criminal proceeding involving the alleged incident, it may contact the prosecuting authority to coordinate when feasible.
 - iv. Criminal or civil court proceedings are not a substitute for the CBS procedures.

Confidentiality of Reporting



- d. False statements prohibited.
 - i. The college takes allegations of sexual violence very seriously and recognizes the consequences such allegations may have on a respondent as well as the complainant.
 - ii. Any individual who knowingly provides false information regarding the filing of a complaint or report of sexual violence or during the investigation of such a complaint or report may be subject to discipline or under certain circumstances, legal action. Complaints of conduct that are found not to violate policy are not assumed to be false.
- e. Withdrawn complaint. If a complainant no longer desires to pursue a complaint through the college's proceeding, the college reserves the right to investigate and resolve the complaint as it deems appropriate.

Confidentiality of Reporting



f. Discretion to pursue certain allegations. The college reserves discretion whether to pursue alleged violations of policy under appropriate circumstances, including, but not limited to, a determination that an effective investigation is not feasible because of the passage of time, or because the respondent is no longer a student or employee of the college.

g. Discretion to deal with policy violations disclosed in investigation.

i. The college reserves the right to determine whether to pursue violations of policy by students or employees other than the respondent, including a complainant or witness that comes to light during the investigation of an incident of sexual violence.

ii. In order to encourage reporting of sexual violence, under appropriate circumstances college administrators may choose to deal with violations of college policy in a manner other than disciplinary action.

Confidentiality of Reporting



h. Sanctions.

- i. Sanctions that may be imposed if a finding is made that sexual violence has occurred include, but are not limited to, suspension, expulsion of students or termination from employment.
 - ii. The appropriate sanction will be determined on a case-by-case basis taking into account the severity of the conduct, the student's or employee's previous disciplinary history, and other factors as appropriate.
- i. Retaliation prohibited. Actions by a student or employee intended as retaliation, reprisal or intimidation against an individual for making a complaint or participating in any way in a report or investigation under this policy are prohibited and are subject to appropriate disciplinary action.