

MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT (MCCCD)

SEXUAL ASSAULT/SEXUAL VIOLENCE

VICTIM NOTICE

Title IX of the Education Amendment of 1972 (Title IX) prohibits discrimination based on gender in educational programs and activities, which receive federal assistance. Such programs include recruitment, admissions, financial aid and scholarships, athletics, course offerings and access, hiring and retention, and benefits and leave. Title IX also protects students and employees from unlawful sexual harassment (including sexual violence) in MCCCD programs and activities. In compliance with Title IX, MCCCD prohibits discrimination and harassment based on sex in employment as well as in all programs and activities.

1. Sexual violence is a form of sexual harassment prohibited by Title IX of the Education Amendments of 1972. Sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol or due to an intellectual or other disability. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery and sexual coercion. Students should be aware that the MCCCD's primary concern is student safety, that other Student Code of Conduct violations such as use of alcohol or drugs will be addressed separately from sexual violence allegations, and that use of alcohol or drugs never makes a victim at fault for sexual violence.

2. MCCCD encourages you to report this offense both to campus safety and to the local police and will assist you in doing so. If you do not wish to report this offense, please complete the following by initialing below:

_____ I do not wish to report this offense to campus safety.

Initials

_____ I do not wish assistance in reporting this matter to the local police.

Initials

3. MCCCD does not have on-campus licensed counselors. The counseling faculty at your College and the Title IX Coordinator will provide you information about counseling and other victim support services available on and off campus.

4. It is extremely important that you seek immediate medical attention for sexual assaults, both to promote your well-being and to preserve evidence. You should not shower or change clothing.

5. In cases where the alleged perpetrator is a faculty member, non-faculty member employee, or third party you have the right to pursue the remedies and complaint procedures set forth in the Administrative Regulations. In cases where the alleged perpetrator is a student and the victim is a faculty member, a non-faculty member employee, or a third party, you have the right to pursue the remedies and complaint procedures set forth in the Common Pages and Administrative Regulations. These Codes contain both formal and informal resolution

procedures. MCCCCD does not utilize mediation in cases of sexual assault/violence. Both the alleged victim and the alleged perpetrator will be treated with the same respect and dignity. Copies of the relevant documents will be provided to you, and assistance offered, upon request.

6. If you initially did not wish to report the matter to campus safety or the local police, or if you initially refused to consent to notice to your parents/guardians, you may change your mind at any time. If you do decide to change your mind and require MCCCCD or your College's assistance, please contact your College's Title IX Coordinator.

7. All sexual assault/sexual violence incidents are required by law to be investigated by MCCCCD, pursuant to Title IX, regardless of whether you wish to cooperate with the investigation, file a complaint or contact authorities.

8. Upon receipt of notice of possible sexual harassment or sexual violence, MCCCCD will take immediate and appropriate steps to investigate what occurred and take prompt and effective action to end the harassment or violence, remedy its effects, and prevent it from occurring again.

9. Pending the completion of its investigation and/or the conclusion of proceedings under the relevant MCCCCD codes and procedures, the college may also take interim measures to end the harassment or violence, remedy its effects and prevent it from occurring again. These measures may include, without limitation, issuance of no-contact orders, rescheduling of classes or other alternative academic arrangements, providing alternative housing, and disciplinary measures against the alleged perpetrator.

10. All investigations are kept as confidential as possible and information will be disclosed only on a "need-to-know" basis. However, requests to maintain confidentiality or anonymity cannot be guaranteed. You should be aware that if you request confidentiality or anonymity, or refuse to cooperate, MCCCCD's ability to investigate and take action may be limited.

11. MCCCCD will endeavor to complete its investigation within sixty days; however, depending on the circumstances of any particular case, additional time may be needed.

13. **NO RETALIATION** – FILING AN INFORMAL OR FORMAL COMPLAINT OF SEXUAL DISCRIMINATION, SEXUAL HARASSMENT OR SEXUAL ASSAULT IS A PROTECTED ACTIVITY UNDER THE LAW. MCCCCD PROHIBITS RETALIATION AGAINST ANY INDIVIDUAL WHO FILES A COMPLAINT IN GOOD FAITH OR WHO PARTICIPATES IN A DISCRIMINATION OR HARASSMENT INQUIRY. ANY RETALIATORY ACTION MAY BE THE BASIS FOR ANOTHER COMPLAINT UNDER THE APPLICABLE POLICIES, WHICH COMPLAINT MAY BE BROUGHT BY EITHER THE INDIVIDUAL AGAINST WHOM THE RETALIATION HAS BEEN COMMITTED OR BY MCCCCD. ACTIONABLE RETALIATION MAY OCCUR REGARDLESS OF WHETHER THE ACCUSED INDIVIDUAL IS DETERMINED TO HAVE VIOLATED THE APPLICABLE POLICY. INDIVIDUALS FOUND TO HAVE PARTICIPATED IN RETALIATORY ACTION SHALL BE SUBJECT TO DISCIPLINARY ACTION, UP TO

AND INCLUDING TERMINATION OF EMPLOYMENT AND/OR EXPULSION FROM MCCCD.

DESIRED COURSE OF ACTION: IN THE SPACE PROVIDED FOR BELOW, PLEASE INDICATE THE COURSE OF ACTION YOU WISH TO TAKE.

PLEASE BE REMINDED THAT IF YOU CHANGE YOUR MIND AND REQUIRE MCCCD'S ASSISTANCE, YOU MAY CONTACT YOUR COLLEGE'S TITLE IX COORDINATOR. CONTACT INFORMATION IS PROVIDED HERE:

Title IX Coordinator Name: _____

Telephone Number: _____ Email Address: _____

Office Location: _____

MCCCD Representative

Student Name

(Print Name): _____

(Print): _____

Signature: _____

Signature: _____

Title: _____

Date: _____

Date: _____