

TITLE IX COMPLAINT FORM

This Complaint form should be used only to report alleged violations of Southwestern Community College District's [Board Policy](#) and Administrative Procedure 3433 - Prohibition of Sexual Harassment under Title IX.

If you are in immediate danger or require medical attention, please contact College Police at x6691 from a campus phone or call (619) 216-6691 for emergency or call 911.

Definitions

Sexual Harassment under Title IX is conduct that satisfies one or more of the following:

1. A College District employee conditions the provision of an aid, benefit, or service of the College District on an individual's participation in unwelcome sexual conduct (*quid pro quo* harassment).
2. Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College District's education program or activity.
3. Sexual assault, including any of the following:
 - **Sex Offenses.** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
 - **Rape** (except Statutory Rape). The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of /their temporary or permanent mental or physical incapacity. There is carnal knowledge if there is the slightest penetration of the genital or anal opening of the body of another person.
 - **Sexual Assault with an Object.** To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything the offender uses other than the offender's genitalia, e.g., a finger, bottle, handgun, stick.
 - **Fondling.** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including

instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.

Sex Offenses, Non-Forcible Unlawful, Non-Forcible Sexual Intercourse.

- **Incest.** Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape – Non-Forcible.** Sexual intercourse with a person who is under the statutory age of consent. There is no force or coercion used in Statutory Rape; the act is not an attack.

4. Dating Violence. Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a relationship will 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.

5. Domestic Violence. Violence committed:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of California; or
- By any other person against an adult or youth victim protected from that person's acts under the domestic or family violence laws of California.

6. Stalking. Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety, or the safety of others, or suffer substantial emotional distress.

INSTRUCTIONS: Please fill in all of the information requested below as thoroughly as possible, attach additional pages or documents to this form, if necessary. Sign and date your complaint and return to SWCERTIX@swccd.edu.

The Report

I. Date(s) Conduct occurred

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II. Location(s) where conduct occurred:

III. Type of conduct that occurred

Select the box(es) which reflect the conduct or act(s) you want to report:

☐

Quid Pro Quo Sexual Harassment

☐

Unwelcome, unconsented to conduct

☐

Is this conduct or act directed at another person?

☐

The conduct or act(s) were directed at me.

☐

Rape

☐

Sexual Assault with an object

☐

Fondling

☐

Incest

☐

Statutory Rape

☐

Domestic Violence

☐

Dating Violence

☐

Stalking

IV. Describe conduct and/or incident:

V. Describe the specific harm you have experienced resulting from the incident(s).

VI. Describe the outcome(s) you seek from filing your complaint. Please be as specific as possible.

VII. REPORTING PARTY

The Reporting party is the person entering this report and is not necessarily the person that experienced the conduct. Check the applicable box.

Reporting Party is the complainant ☐

Reporting Party is not the complainant ☐

First Name _____

Last Name _____

Phone Number _____

SWCCD email _____

Personal email _____

Affiliation with SWCCD: _____

Relationship to Complainant: _____

VIII. COMPLAINANT INFORMATION

Complainant is the person who experienced the alleged conduct.

First Name _____

Last Name _____

Phone Number _____

SWCCD email _____

Personal email _____

Affiliation with SWCCD: _____

IX. RESPONDENT INFORMATION

Respondent is the person who is alleged to have engaged in the prohibited conduct.

You may identify multiple Respondents.

Respondent #1:

First Name _____

Last Name _____

Phone Number _____

SWCCD email _____

Personal email _____

Affiliation with SWCCD _____

Relationship/Association to (Complainant) _____

Respondent #2

First Name _____

Last Name _____

Phone Number _____

SWCCD email _____

Personal email _____

Affiliation with SWCCD _____

Relationship/Association to (Complainant) _____

Respondent #3

First Name _____

Last Name _____

Phone Number _____

SWCCD email _____

Personal email _____

Affiliation with SWCCD _____

Relationship/Association to (Complainant) _____

X. Supporting Documentation:

Do you have any documents, physical evidence (e.g., photographs or videos), or electronic communications (e.g., text messages, direct messages, social media content) that support your complaint?

No ☐

Yes ☐

(If yes, please provide below an explanation of the supporting documentation submitted and how it supports your complaint.

XI. Witnesses:

Identify individuals who may have observed or witnessed the incident(s). (Attach additional pages to this form, if necessary)

Witness 1

First name: _____

Last name: _____

SWC email: _____

Personal email: _____

Describe their knowledge concerning your report, including date, time, location and subject matter: _____

Witness 2

First name: _____

Last name: _____

Telephone: _____

SWC email: _____

Personal email: _____

Describe their knowledge concerning your report, including date, time, location and subject matter: _____

Witness 3

First name: _____

Last name: _____

Telephone: _____

SWC email: _____

Personal email: _____

Describe their knowledge concerning your report, including date, time, location and subject matter: _____

XII. NOTICE OF RIGHT TO AN ADVISOR

You may elect to have an Advisor present at meeting(s), interview(s), or hearing(s). If you indicate you will have an Advisor, you are authorizing that individual to accompany you to any meeting(s), interview(s), or hearing(s) regarding this complaint. This

authorization may be withdrawn at any time. If an Advisor will accompany you, please provide the following information:

Advisor first name _____

Last name: _____

Email: _____

XIII. NOTIFICATION OF RIGHTS AND REPORTING OPTIONS AND RESOURCES

I acknowledge that I have received and read a copy of Southwestern College's:

1. Rights and Reporting Option's document.
2. Southwestern's Resources document: and
3. Notice of Nondiscrimination.

XIV. CERTIFICATION

A Complainant shall proceed with a complaint in good faith. A Complainant who knowingly and intentionally files a false Complaint, or any individual who is determined to have provided false statements or information during the investigation process shall be subject to college student or employee discipline. Such disciplinary action shall not be deemed to be Retaliation.

I certify that the information given in this complaint is true and correct to the best of my knowledge or belief.

Your first and last name: _____

Date: _____

Your signature: _____

Date complaint received: _____