2024 Annual Fire Safety and Security Report



MESSAGE FROM THE CAMPUS SAFETY DIRECTOR

Campus Safety is pleased to present the Annual Security Report in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This report is designed to disseminate vital crime statistics and campus safety information to the CalArts Community.

CalArts Campus Safety Department exists to serve the CalArts Community with respect, fairness and integrity. CalArts Students, Faculty, and Staff represent a diverse, and highly valuable group of people in terms of life experience as well as cultural and social knowledge.



Campus Safety continually strives to provide service that meets the needs of CalArtians while maintaining appropriate sensitivity to CalArts' vast array of personalities, cultures, and lifestyles.

Campus Safety is committed to the prevention of crime, protection of life and property, the preservation of peace, and safety of the Students, Faculty, Staff, and guests of the Institute. To accomplish these goals Campus Safety strives to provide and maintain an inclusive environment which respects the rights and dignity of individuals utilizing programs and the facilities of CalArts.

With community safety and customer service as a foundation, the CalArts Campus Safety Department is dedicated to enhancing the quality of life on campus.

To fulfill this mission, the CalArts Campus Safety Department supervision is dedicated to providing a quality work environment and the development of its officers through continuous training and supportive, engaged leadership. Achievement of this mission requires continuous education of the officers, frequent re-evaluation of performance, and patrol and enforcement techniques and strategies.

The Campus Safety Department welcomes and values your input.

Erik Klem, Director, Campus Safety, California Institute of the Arts

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Campus Safety

CalArts is committed to promoting a safe and secure environment for all members of the CalArts community and their visitors. CalArts has developed policies and procedures to ensure that every possible precaution is taken to protect persons on campus from harm or theft. CalArts is a community of over 1,800 students, faculty and staff, CalArts houses approximately 500 students in two on-campus residence halls. The cooperation and involvement of students and employees in a campus safety program are absolutely necessary.

Campus Safety Department

On the CalArts campus, the Campus Safety Office assists and educates community members on how to take measures to ensure their personal safety. In addition, the Institute employs a full-time Risk Management Administrator whose responsibility is to assist in the safety of the CalArts campus and its community.

Campus Safety provides a full range of services to the CalArts community 24 hours a day, seven days a week, year-round. The department is located in room E100 in the main academic building.

Campus Emergency Contact Information:

- Campus Safety Department (24 hours) (661) 222-2702 Ext. 2702
- Director, Campus Safety (661) 291-3074
- Vice President Facilities Development and Management (661) 255-6314
- Facilities Development and Management Office (661) 253-7807
- Executive Director, Facilities Services (661) 222-2756
- Residence Life Office (661) 253-7897

Note: Please add the Campus Safety phone number (661) 222-2702 to your cell. phone or address book. This number can be called 24/7 to reach campus safety.

The Clery Act

The Jeanne Clery Disclosure of Campus Security Policy, Campus Crime Statistics Act (Clery Act) and Campus SaVE Act requires colleges and universities to disclose crime statistics for the previous three calendar years as part of a campus security report to be published annually by each institution. These statistics are gathered from campus safety, local law enforcement, and other school officials (e.g. Vice President and Chief Financial Officer; Vice President, Facilities; V.P. of Student Experience; Executive Director of Health & Wellness; A.V.P of Student Experience; Director of Campus Safety and Risk Management, etc.) who have significant responsibility for campus activities.

The Annual Security Report required by the Clery Act is prepared by the aforementioned individuals. The occurrence of the following Uniform Crime Reports (UCR) crimes must be reported:

- Murder and Non-Negligent Manslaughter
- Negligent manslaughter
- Forcible sex offenses
- Non-forcible sex offenses
- Fondling
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson

UCR Hate Crimes:

- Larceny/Theft
- Simple Assault
- Intimidation
- Destruction damage or vandalism of property

Campus SaVE Act:

- Domestic violence
- Dating violence
- Stalking
- Sexual assault

In addition, CalArts has to report on liquor law violations, drug law violations, any type of fire and illegal weapons possession.

Campus crime statistics must be reported by location:

- On campus property
- On campus student housing facilities
- CalArts non-campus buildings or property
- Public property (Streets, sidewalks, lots adjacent to campus)

Crime Statistics For 2021, 2022 and 2023

are available online at: https://calarts.edu/life-at-calarts/campus-safety/annual-safety-report and on page 44 of this document.

A daily log, which records crime and fires in housing areas reported to the Campus Safety department is maintained and open to public inspection during normal business hours. Limited information may be withheld to protect victim confidentiality. CalArts is also required to provide timely warnings/notices of crimes that pose an on-going threat to students and employees.

The Annual Security Report is available online at https://calarts.edu/life-at-calarts/campus-safety/overview, printed copies may be obtained by contacting the CalArts Campus Safety Office in E-100.

The complete text of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act is available at: http://www.securityoncampus.org.

Programs to inform students and others about campus security procedures and practices are included in student orientation during and registration week each September. The Residence Life department includes campus security procedures in its mailing over the summer to students, and in the housing brochure and contacts. The Orientation of on-campus and off-campus residents includes security procedures. During the Academic Year additional security matters are brought to the attention of on- campus and off-campus residents through written communication from the Vice President of Student Experience.

Campus Safety Officer Authority

Campus Safety officers are unarmed and have no official or police powers. Their arrest powers are identical to those of a private person, as provided in the California Penal Code section 837. Campus Safety is not a police department, but is responsible for law enforcement, security, and emergency response at CalArts. Campus Safety works closely and cooperatively with the County of Los Angeles Sheriff's Department. In an effort to record criminal activity which takes place off-campus the Campus Safety Supervisor receives a weekly Crime Log from the Los Angeles County Sheriff's Department recapping crimes that occurred within the local community. In addition, the Campus Safety supervisor receives an annual letter from the Sheriff's Department listing all crimes that occurred within the geographical guidelines set forth in the Clery Act. The Campus Safety Department does not currently operate under agreements such as a written memorandum of understanding (MOU) with state and local police. In compliance with California Law AB 1433 CalArts will immediately or as soon as practicably possible disclose to the Los Angeles County Sheriff's Department any report of Part 1 violent crime, hate crime, or sexual assault whether committed on or off campus. As stipulated in AB 1433 a victim's identity may not be disclosed to law enforcement unless the victim consents to being identified after being informed of his or her right to have identifying information withheld.

Reporting Crimes

Community members are strongly encouraged to immediately report criminal and suspicious activity occurring on Institute property to the Campus Safety Department, Facilities Office, Residence Life department, and/or Student Experience.

To file an incident report, contact the Campus Safety Office which is located in room E-100 and can be reached 24-hours a day at (661) 222-2702. Students, Staff and Faculty are eligible to receive a copy of an incident report provided they are named as a victim in the report. To obtain a copy of a report contact the Director, Security/Risk Management at (661) 291-3074.

Voluntary Confidential Reporting

If you are the victim of a crime and do not wish to pursue any formal action with either the Institute or law enforcement, you may want to consider making a **confidential report**. If you wish, the Campus Safety Supervisor can file a report of the incident without revealing your identity. The purpose of the confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure your safety and the safety of others. Reports filed in this manner are counted and disclosed in the annual crime statistics for the Institute.

CARE: https://calarts-advocate.symplicity.com/care report/index.php/pid173388

Confidential Reporting Procedures

The 1998 amendments to 20 U.S.C. Section 1092 (f) defines those who are considered to be campus security authorities. Campus Professional Psychotherapists, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion in the annual disclosure of crime statistics. As a matter of policy, counselors are encouraged to inform victims of the procedures to report crimes on a voluntary basis, so that the crime can be included into the annual crime statistics.

Campus Security Authorities

Although the reporting of criminal activity directly to the CalArts Campus Safety Department is encouraged, crimes may also be reported to Campus Security Authorities (CSA). The Clery Act defines CSAs as:

- Campus safety department members
- Others who have responsibility for security (e.g. student SAFE Team and Resident Assistants)
- Individuals or offices that are designated to receive crime reports
- Officials with significant responsibilities for student and campus activities including housing, discipline and judicial proceedings

Campus Security authorities are responsible for forwarding non-identifying information to the CalArts Campus Safety Department for inclusion in the annual security report, regardless of whether or not the victim chooses to file a report with law enforcement or press charges. CSAs included college deans and assistant deans, resident deans and assistant resident deans, resident assistants, housing advisors and community assistants, faculty advisors to student groups, and campus staff involved in disciplinary and judicial proceedings.

Campus Community Notifications

Campus community notifications related to safety and/or security issues on campus will be issued when a Clery Crime has been committed that involves an immediate threat to the health or safety of students or employees occurring on the campus as soon as pertinent information is available. Confirmation that there is a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees will be based on information received by the Campus Safety Department, local authorities and/or calls coming in on the emergency extensions. These notifications to the community are communicated in two ways:

- For low level or informative notifications, CalArts uses the campus wide email sent to individuals assigned a CalArts.edu e-mail address. Staff, Faculty and Students will receive an email describing the incident and appropriate actions to take.
- In the case of an emergency; all Staff/Faculty/Students that have signed up for the **Livesafe** text alert system will be sent a text to their designated contact Number(s). The text will state the emergency and any actions to be taken.
- Livesafe may be downloaded at: https://calarts.edu/life-at-calarts/campus-safety/campus-community-notifications

Mass Emergency Notification/Timely Warnings

Campus Safety administers the Institute's mass emergency notification system. Students, faculty and staff can register to receive notifications of emergency events. These messages are only transmitted during emergencies and are an additional avenue of communication. If it is determined that a warning/notification is to be sent out, CalArts will send the notification to all segments of the Institute that have signed up for emergency notifications. The Associate Vice President of Operations and the Vice President of Student Experience, in cooperation with the Threat Assessment Team, will make the decision of whether to issue a timely campus safety/crime warning or emergency notification on a case-by-case basis considering the facts surrounding the incident, nature of the incident, continuing danger to the campus community, and the possible risk of compromising law enforcement efforts. These notifications will be sent out to the community without delay.

Timely Warnings

Events that may qualify for timely warnings include, but are not limited to, the following:

- Homicide
- Manslaughter
- Sex Offenses
- Robbery
- Aggravated Assault
- Burglary
- Motor Vehicle Theft
- Hate Crimes
- Any crime considered to represent a threat to the community or public

Mass Emergency Notifications

Events that may qualify for emergency notifications include, but are not limited to, the following:

- Earthquake
- Fire
- Bomb Threat

- Armed intruder
- Civil unrest
- Terrorist incident
- Nearby chemical or hazardous material spill
- Outbreak of meningitis, norovirus or other serious illness

Notifications will be sent in matters of criminal or emergency response, the Campus Safety department will generally make a confirmation of the event and inform the Threat Assessment Team of their findings. The Threat Assessment Team will then convene and decide on the appropriate response and notification. If it is an imminent threat, the notifications will be sent immediately after confirmation of the threat. The campus notification system is tested a minimum of twice a year.

Response to an Active Shooter

Below are two links that address how individuals and institutions can best respond in an active shooter situation:

http://www.dhs.gov/xlibrary/assets/active_shooter_pocket_card.pdf http://www.youtube.com/watch?v=5VcSwejU2D0

Emergency Response and Evacuation Procedures

CalArts is committed to supporting the welfare of its students, faculty, staff and visitors. Preparing a campus crisis/emergency response plan and allocating resources to respond to possible emergencies is one way in which the Institute offers this support.

The Emergency Response Plan is designed to maximize human survival and preservation of property, minimize danger, restore normal operations of the Institute, and assure responsive communications with the community, surrounding neighborhoods, and interested parties.

The plan is set in operation whenever a natural or induced emergency affecting the Institute reaches proportions that cannot be handled by established measures. A crisis may be sudden and unforeseen, or there may be varying periods of warning. This plan is intended to be sufficiently flexible to accommodate contingencies of all types, magnitudes, and duration.

The prime responsibility of the plan is to the Institute community (CalArts' main campus and satellite locations) for which it is designed. The intent is for the plan to be viewed as a tool to accomplish the above stated purpose with a minimum of confusion and wasted effort. The Emergency Response and Evacuation Procedures are tested twice a year in our bi-annual Fire Drills.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. CalArts evacuation drills are used as a way to educate and train occupants on issues specific to their building. During the drill, building occupants "practice" drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each residence hall about the evacuation procedures, the process also provides the institution an opportunity to test the operation of fire alarm system components. Evacuation drills are monitored to evaluate egress and behavioral patterns. Reports are prepared that identify deficient equipment so that repairs can be immediately made.

In the event of a major emergency affecting the campus, check CalArts status using one of the methods below:

- Call the Campus Safety Office at (661) 222-2702
- Check for updates on the CalArts website at www.CalArts.edu

Evacuation

In the event of a major emergency on campus, CalArts will warn staff, faculty and students using the following methods:

- The building fire alarms will be activated as a signal to evacuate the buildings and assemble on the soccer field.
- A Blackboard Connect text and/or voice message will go out to all registered staff, faculty
 and students with specific information on the emergency situation. Updates will be sent
 using our Blackboard Connect text/voice system as information becomes available.

A copy of the CalArts Emergency Management Plan can be found on the CalArts website at: http://calarts.edu/life-at-calarts/campus-safety/emergency-operations-plan

Emergency Call Boxes

CalArts has installed eleven Emergency Call Boxes throughout the campus grounds. These Call Boxes are in public areas that enable direct and immediate voice communication with the Campus Safety Office.

Building & Residence Hall Access

When classes are in session, all major entrances to the main building remain open. During holiday and vacation periods, the main building is accessible through the major entrances between 7 a.m. and 6 p.m. on normal business days. Access at other times is through the loading dock door near the Campus Safety office. During the academic year, access to certain rooms/spaces within the Institute may be restricted by the schools (e.g., costume shop, music practice rooms, and editing rooms) and special keys or passes may be required. See individual school's administrative assistants and the "Keys" section of this handbook for more information on restricted areas.

During the summer months, building and facilities access may be restricted. Permission to use practice rooms, studio spaces, equipment and other facilities is granted through specific approval by school offices and/or the administration. The facilities of the Institute are often committed to special events and groups during the summer months and students must not assume that they will have access to, and use of facilities.

Residence Halls are on a 24-hour lockdown requiring key access during the academic year and the summer months.

Security Considerations used in the Maintenance of the Campus Facilities and Grounds

The Facilities Management Department maintains the Institute buildings and grounds with a concern for safety and security. Facilities Management staff inspect the campus facilities regularly, promptly make repairs affecting safety and security, and respond to reports of potential safety hazards, such as light fixtures in need of repair or fresh bulbs, and broken windows and locks. Campus Safety staff assist Facilities Management by conducting an inspection of all campus exterior lighting on a weekly basis. Burned out light bulbs are replaced promptly. In addition, Campus Safety staff report potential

safety and security hazards. Campus Safety conducts a monthly test of the Emergency Call Boxes. Grounds staff trim shrubs from sidewalks, walkways and building entrances to provide a well-lighted route to buildings and increases security.

The Risk Management Administrator (RMA) is the point of contact for compliance issues and works with administration, faculty, staff, and students to develop and implement environmental health and safety programs. The RMA is responsible for the maintenance of fire/life safety systems. The RMA also manages hazardous materials, hazardous waste removal, asbestos and lead paint abatement. The RMA conducts annual inspections of the fire alarms and fire extinguishers

Illegal Drugs and Alcohol Policy

The Institute has standards that prohibit the unlawful possession, use or distribution of illicit drugs and alcohol by students, faculty and staff on Institute property, or as part of the Institute's activities. As noted in the Student, Faculty and Staff Handbooks, sanctions will be imposed on students and employees (consistent with federal and state law) for the use or distribution of illicit drugs or illicit use of alcohol up to and including expulsion from the Institute or termination of employment. The unlawful possession or distribution of illicit drugs and alcohol is a violation of state and federal law.

In the State of California anyone under the age of 21 cannot be served or be in possession of alcohol. Alcohol may not be sold anywhere on the CalArts campus. The Institute allows the proper serving of alcohol at authorized functions as described in the Student Handbook. In California anyone driving with a

.08 or greater blood alcohol content is considered "driving under the influence" and subject to loss of their driver's license and other penalties. These penalties can include incarceration.

The Institute recognizes the importance of assisting students, faculty and staff in dealing with substance or alcohol abuse problems, and to that end, offers educational and benefit programs dealing with such matters. Questions regarding this should be discussed with the Director of Community Rights and Responsibilities, Vice President of Student Experience, Provost, or the Associate Vice President, Chief Human Resources Officer.

Substance Abuse Education

The use of alcohol and drugs can adversely affect one's health and may negatively impede the learning process and creative art making. In accordance with the Drug-Free Schools and Communities Act Amendments of 1989, CalArts is informing you of the Institute's policies on drugs and alcohol and the health risks associated with use.

- Drug Known Possible Effects Alcohol Hangover, psychosis, ulcers, malnutrition, liver damage
- Amphetamines Nervousness, paranoia, hallucinations, dizziness, tremors, decreased mental ability, delusions, seizures, death
- Cannabis (Marijuana, Hashish) Increased heart rate, blood-shot eyes, dry mouth and throat, increased appetite, short term memory loss, and reduced coordination. Long term effects: chronic bronchitis, and lung cancer
- Cocaine/Crack Tremors, nasal bleeding and inflammation, toxic psychosis,
- convulsions, death
- Hallucinogens (Lysergic acid (LSD), mescaline, and psilocybin) Dilated pupils, increased heart rate and blood pressure, hallucinations. Violent PCP episodes may result in selfinflicted injuries, paranoid and violent behavior
- Heroin (opiate drug) Slowing of heart-rate so that coma or death may occur. Inhalants, Nitrates Headaches, dizziness, accelerated heart rate, hallucinations
- Narcotics Respiratory and circulatory depression, dizziness, vomiting, death

- Psychedelics Impaired driving ability, depression, paranoia, psychosis
 Tranquilizers Hangover, jaundice, coma, death

Referrals:

Student Experience (661) 253-7873 or (661)253-7871 CalArts.edu/student-services/health/counseling/

Student Experience employs three personal therapists who are licensed mental health professionals for current students to talk to in a confidential setting. Off-campus referral information about Alcoholics Anonymous can be obtained by visiting www.alcoholics-anonymous.org. Other treatment options (such as SMART Recovery) may also be available.

Additional off-campus referrals and resources can be obtained by contacting:

Santa Clarita Valley Central Office of Alcoholics Anonymous 24-Hour Phone (661) 250-9922 26951 Ruether Ave. Suite B-6 Santa Clarita, CA 91351 www.aascv.org

Narcotics Anonymous (NA) Newhall/Saugus Santa Clarita (661) 299-5599

CalArts Retention and Evaluation Team (CARE Team)

CalArts CARE Team was formed to assist students in distress. Its mission is to promote student success including academic, personal and professional development. It helps to accomplish this success by identifying persons of concern through information made available to the team by members of the CalArts Community and/or outside resources. The CARE Team is chaired by the Executive Director of Health and Wellness. It consists of:

- Troy Allen, Vice President, Facilities, Development and Management, Chief Operating Officer (VP/COO)
- Kiara Brown, Chief of Staff
- Tracie Costantino, Senior Vice President for Academic Affairs
- Anthony Garrison-Engbrecht, Vice President for Student Affairs
- Elizabeth Peisner, Associate Vice President for Student Affairs, Health and Wellness
- Pamela Prescod-Caesar, Interim Vice President for Human Resources and Chief Human Resources Officer
- Dionne Simmons, Director, Community Rights and Responsibilities, Title IX Coordinator
- Eva Graham, Institute Diversity Officer
- John Thomas, Director, Risk Management
- Erik Klem, Director, Campus Safety

Any member of the CalArts Community can bring concerns for a student or other member of the CalArts Community to any individual on the CARE team. Reporting will be handled confidentially and sensitively.

Weapons

It is illegal for any person to bring or possess weapons of any kind on the CalArts campus. The possession, use of, or threat to use any of the following on the CalArts premises or at a CalArts function is not permitted:

- Explosives
- Incendiary materials
- Dangerous or noxious chemicals
- Other dangerous materials or instruments
- Ammunition or weapons, real or facsimile, or toy weapons
- Functioning or non-functioning weapons
- Loaded or unloaded weapons
- Gas or spring-loaded guns
- Knives with blades exceeding two-inches long

Students who wish to use weapons or instruments described above in their performances, or as part of an art piece are directed to consult with the Risk Management Administrator in Facilities Management (Room D100) regarding Institute procedures for such uses. This consultation and approval must occur before any weapon or dangerous instrument is brought on campus.

Missing Persons

<u>Student living on campus</u> – A suspected missing student should be reported to the Campus Safety department immediately at (661) 222-2702. In compliance with federal laws, if after an investigation the student is determined to be missing, the appropriate law enforcement agencies and the student's emergency contact will be notified within 24 hours.

If a missing student is under the age of 18, CalArts is required to contact a parent or guardian. If a missing student is over the age of 18, CalArts is required to contact the emergency contact identified by the student to the Institute. **The emergency contact person information is registered and confidential.**

Prohibited Discrimination, Harassment, and Sexual Misconduct Policy

These policies apply to all forms of discrimination, harassment, sexual assault, domestic and dating violence, and stalking

California Institute of the Arts (CalArts) is committed to maintaining a living, learning, and working environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive – including prohibited discrimination, harassment, and sexual misconduct. The purpose of this policy is to: 1.) familiarize all CalArts community members with the definition of prohibited discrimination, harassment, and sexual misconduct and the various forms it can take; 2.) make explicit that prohibited discrimination, harassment, and sexual misconduct is strictly prohibited and will not be tolerated; 3.) identity the Institute's Title IX response team and outline how CalArts will respond to allegations of discrimination, harassment, and sexual misconduct, 4.) inform complainants of the available resources, remedies, and possible courses of action available to them when they report prohibited discrimination, harassment, and sexual misconduct; and 5.) clarify the rights and responsibilities of those accused of committing such acts.

I. Scope of Policy

This policy applies to all CalArts students, staff, administrators, faculty (including special and adjunct faculty), program participants, and visitors with respect to CalArts activities and programs occurring both on and off campus. Persons who are not CalArts employees, but perform work at CalArts for its benefits (such as trustees, visiting artists, volunteers, contractors, vendors, and temporary workers) or are applicants for admission or employment at CalArts, are also protected and required to abide by this policy. By extension, this policy also applies to all of CalArts affiliated off-campus sites, including, but not limited to, Roy and Edna Disney/CalArts Theater (REDCAT), Community Arts Partnership (CAP), and off campus study sites. CalArts also has jurisdiction over alleged harassment and misconduct occurring anywhere (e.g., on or off campus) and at any time (e.g., while classes are in or out of session, during breaks, between semesters) if the complainant(s) and respondent(s) are CalArts students and if the alleged misconduct is likely to have a substantial effect on campus or academic life and activities, or if the incident poses a threat of danger to any member of the CalArts community.

II. Prohibited Conduct and Definitions

CalArts prohibits all forms of prohibited discrimination, harassment, and sexual misconduct. These are umbrella terms which encompass a broad range of behavior. Within these broad categories, the CalArts specifically prohibits discrimination, harassment, sexual harassment, sexual assault, sexual exploitation, intimate partner violence (which includes domestic and dating violence), stalking, retaliation, retaliation and false accusations.

- A. **Prohibited Discrimination:** Prohibited discrimination is defined as any distinction, preference, advantage for, or detriment to an individual or class of individuals compared to others that is based on one's race, color, sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related thereto), gender, gender identity, gender expression, sexual orientation, religion and religious creed (including religious dress and grooming practices), disability (mental or physical) including HIV and AIDS, medical condition (cancer and genetic characteristics), marital status, age, military and veteran status, ancestry, ethnic or national origin (including language use restrictions), or other characteristics or classifications protected by federal, state, or local law that limits or adversely affects one's ability to participate in employment, admission, or access to CalArts' educational or co-curricular programs, activities, or facilities.
- B. Prohibited Harassment: Prohibited harassment is defined as any conduct, on or off campus, that is directed toward an individual based on one's race, color, sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related thereto), gender, gender identity, gender expression, sexual orientation, religion and religious creed (including religious dress and grooming practices), disability (mental or physical) including HIV and AIDS, medical condition (cancer and genetic characteristics), marital status, age, military and veteran status, ancestry, ethnic or national origin (including language use restrictions), or other characteristics or classifications protected by federal, state, or local law that is sufficiently severe or pervasive to alter or interfere with an individual's work or academic performance, or that creates an intimidating, hostile, or offensive living, learning, or working environment. Prohibited harassment can take many forms and will vary with the particular circumstances. Examples of harassment prohibited by this policy may include, but are not limited to:
 - Verbal conduct such as epithets, remarks about a person's body or clothing, and derogatory jokes, comments or slurs;
 - Unwanted advances and/or propositions of a sexual nature, including relationships that began as consensual but later ceased to be mutual wherein one party then harasses the other.
 - Visual displays such as derogatory and/or sexually-oriented posters, photography, cartoons or drawings not protected by the CalArts Exhibition and Performance Policy,

- Censorship Policy, and/or by policies based on academic freedom and freedom of expression;
- Suggesting or implying that submission to or rejection of sexual advances will affect decisions regarding such matters as an individual's work assignment or status, salary, academic standing, grades, receipt of financial aid, or letter of recommendation;
- Physical conduct including unnecessary and unwanted touching, intentionally blocking normal movement, or assault – including sexual assault and rape. Note: Sexual assault and rape are crimes of violence and are punishable as criminal offenses.
- C. **Sexual Harassment:** Sexual harassment is any unwelcome sexual advance, request for sexual favors, or other unwanted written, verbal, or physical conduct of a sexual nature when one of the following conditions is present:
 - Submission to or rejection of such conduct is an explicit or implicit condition of an individual's employment, evaluation of academic and artistic work, or participation in social, co- or extra-curricular activities; or
 - Submission to or rejection of such conduct is used as the basis for decisions affecting that individual; or
 - Such conduct has the purpose or effect of interfering with an individual's work or academic and/or artistic performance by creating an intimidating, hostile, humiliating, demeaning, or sexually offensive living, learning, or working environment. The purpose or effect will be evaluated based on the perspective of a reasonable person in the position of a complainant.

Sexual harassment also includes gender-based harassment, which may include acts of verbal, nonverbal, and/or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

A single, isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents that create a hostile environment, particularly if the harassment is physical.

Sexual harassment:

- May be blatant and intentional and involve an overt action, a threat or reprisal, or may be subtle and indirect, with a coercive aspect that is unstated.
- Does not have to include intent to harm, be directed at a specific target, or involve repeated incidents.
- May be committed by anyone, regardless of gender, age, position, or authority. While there
 is often a power differential between two persons, perhaps due to differences in age, social,
 educational, or employment relationships, harassment can occur in any context.
- May be committed by a stranger, an acquaintance, or someone with whom the complainant has an intimate or sexual relationship.
- May be committed by or against an individual or may be a result of the actions of a group.
- May occur by or against an individual of any sex, gender, gender identity, gender expression, or sexual orientation.
- May occur in the classroom, studio, gallery, theater, or any other setting including educational, artistic, and residential settings. Note: The application of this policy may be nuanced in these circumstances as CalArts is committed to protecting the academic and artistic freedom of its community members – including freedom of expression.

May be committed in the presence of others or when the parties are alone.
 May affect the complainant and third parties who witness or observe harassment and are affected by it.

The fact that someone did not intend to sexually harass an individual is no defense to a complaint of sexual harassment. Regardless of intent, it is the impact, or effect, and the characteristics of the behavior that determine whether the conduct constitutes sexual harassment. Conduct alleged to constitute sexual harassment will be evaluated according to the objective standard of a reasonable person of the same protected class. Thus, conduct that is offensive to some but that is not severe or pervasive enough – from the perspective of a reasonable person of the same protected class – to create an objectively intimidating, hostile, or offensive environment is beyond the purview of this policy.

- D. **Sexual Assault:** Having or attempting to have sexual intercourse or sexual contact with another individual without consent. This includes sexual intercourse or sexual contact achieved by the use or threat of force or coercion, where an individual does not consent to the sexual act, or where an individual is incapacitated. Sexual assault includes the following acts:
 - Related to Non-consensual Sexual Intercourse: Having or attempting to have sexual
 intercourse with another individual without consent. Sexual intercourse includes
 vaginal or anal penetration, however slight, with a body part or object, or oral
 copulation by
 mouth-to-genital contact.
 - Related to Non-consensual Sexual Contact: Having or attempting to have sexual contact
 with another individual without consent. Sexual contact includes kissing, touching the
 intimate parts of another, causing the other to touch one's intimate parts, or disrobing or
 exposure of another without permission. Intimate parts may include the breasts, genitals,
 buttocks, mouth or any other part of the body that is touched in a sexual manner.
- E. Sexual Exploitation: An act or acts committed through non-consensual abuse or exploitation of another person's sexuality for the purpose of sexual gratification, financial gain, personal benefit or advantage, or any other non-legitimate purpose. The act or acts of sexual exploitation are prohibited even though the behavior does not constitute one of the other sexual misconduct offenses. Examples include, but are not limited to:
 - Observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved;
 - Non-consensual streaming of images, photography, video or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all parties involved;
 - Prostituting another individual;
 - Exposing one's genitals in non-consensual circumstances;
 - Tampering with birth control or condoms;
 - Knowingly exposing another individual to a sexually transmitted infection or virus without his/her/zir knowledge; and inducing, or attempting to induce, incapacitation for the purpose of making another person vulnerable to non-consensual sexual activity.

Harm to Others: Physical, verbal, or psychological abuse, harassment, intimidation, or other harmful conduct that threatens, endangers, or has the potential to endanger the health, well-being, or safety of another individual. It can include but is not limited to threatening, intimidating, assaulting another person, and/or purposefully injuring another individual. This behavior is typically regarded as an alleged violation of CalArts policy. Acts which constitute harm

to others that are a form of intimate partner violence, or behavior based on sex or gender, will be resolved under the Prohibited Discrimination, Harassment, and Sexual Misconduct Policy.

- F. **Dating Violence:** Violence committed by a person who is or had been in a social relationship of a romantic or intimate nature with the victim.
- G. Domestic Violence: A felony or misdemeanor crime of 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 the jurisdiction in which the crime of violence occurred; or by 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 in which the crime of violence occurred.
- H. **Stalking:** A course (more than once) of unwelcome conduct directed toward another person that could be reasonably regarded as likely to alarm, harass, and/or cause reasonable fear of harm or injury to that person, or to a third party, such as a roommate or friend. The feared harm or injury may be physical, emotional, or psychological, to the personal safety, property, education, or
 - a. employment of that individual. Stalking includes the concept of cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used to pursue, harass, or to make unwelcome contact with another person in an unsolicited fashion. Examples include, but are not limited to:
 - Unwelcome and repeated visual or physical proximity to a person;
 - Repeated oral or written threats;
 - Extortion of money or valuables;
 - Implicitly threatening physical conduct or any combination of these behaviors directed toward an individual person.
 - Unwelcome/unsolicited emails, instant messages, and messages on on-line bulletin boards and social media (e.g., Snapchat, Instagram, Facebook, Twitter, Tumblr);
 - Unwelcome/unsolicited communications about a person, their family, friends, or coworkers; and/or
 - Sending or posting unwelcome/unsolicited messages from another person's username or account.
- I. Retaliation: Acts or attempts to retaliate or seek retribution against a complainant, respondent, or any individual or group of individuals involved in the investigation and/or resolution of an allegation of discrimination, harassment, or sexual misconduct. Retaliation can be committed by any individual or a group of individuals, not just by a respondent or complainant. Retaliation can take many forms, including, but not limited to, continued abuse or violence, other forms of harassment, and slander or libel. Retaliation may occur either directly or indirectly, by e-mail, telephone, or cell phone, text or chat messages, social (e.g., Snapchat, Instagram, Facebook, Twitter, Tumblr) or through any like media
- J. False Statements: Intentionally providing false reports of discrimination, harassment, and sexual misconduct, or maliciously making allegations without regard for truth. Reports made in good faith, even if the allegations are not substantiated through an investigation are not considered to be knowingly false accusations.

While many of these definitions are similar to those contained within California Penal Code, an act that might not violate or be prosecuted under such laws may still violate this policy.

III. Consent and Related Concepts: Coercion, Force, and Incapacitation

A. **Consent:** CalArts Policies addressing sexual harassment and sexual misconduct, are based on affirmative consent, an unambiguous standard where "yes means yes." Consent to engage in sexual activity must be given knowingly, voluntarily, and affirmatively, and it must exist from the beginning to end of each instance of sexual activity as well as for each form of sexual contact. Consent is demonstrated through mutually understandable words and/or clear, unambiguous actions that indicate a willingness to engage freely in sexual activity. Consent is active, not passive.

Each participant in a sexual encounter is expected to obtain and give consent to each act of sexual activity. This requires participants to continuously check in and communicate with each other or others to ensure that consent is given knowingly, voluntarily, and affirmatively. Consent to one form of sexual activity does not constitute consent to engage in all forms of sexual activity.

Consent consists of an outward demonstration indicating that an individual has freely chosen to engage in sexual activity. Relying on non-verbal communication can lead to misunderstandings. Consent may not be inferred from silence, passivity, lack of resistance, or lack of an active response alone. A person who does not physically resist or verbally refuse sexual activity is not necessarily giving consent.

If at any time it is reasonably apparent that any person(s) is hesitant, confused, or unsure, all parties should stop and obtain mutual verbal consent before continuing such activity.

Consent may be withdrawn by any person(s) at any time. Withdrawal of consent must also be outwardly demonstrated by mutually understandable words or clear, unambiguous actions that indicate a desire to end sexual activity. Once withdrawal of consent has been expressed, sexual activity must cease.

Individuals with a previous or current intimate relationship do not automatically give initial or continued consent to sexual activity. Even in the context of a relationship, there must be mutually understandable communication that clearly and unambiguously indicates a willingness to engage in sexual activity.

Consent is not affirmative if it results from the use or threat of physical force, intimidation, or coercion, or any other factor that would eliminate an individual's ability to exercise her/zir/his own free will to choose whether or not to have sexual contact.

An individual who is physically incapacitated from alcohol, drug, and/or medication consumption (voluntarily or involuntarily), or is unconscious, unaware, mentally or physically helpless, or is otherwise unable to understand the fact, nature, or extent of the sexual activity is considered unable to give consent. For example, one who is asleep or passed out cannot give consent.

In the state of California, consent can never be given by minors under the age of 18

CalArts takes very seriously the issue of affirmative consent for all parties. When investigating and evaluating complaints of sexual misconduct, the following shall be considered invalid excuses or justifications by the respondent when ze/he/she believed the complainant consented to sexual activity:

"I was drunk/high." Being intoxicated from alcohol, drugs, and medications, or engaging in other

reckless behavior, does not exonerate an individual from obtaining consent from the other person(s) for each act of sexual activity. The initiator of sexual behavior owes respect to his/her/zir potential sexual partner(s). The use of alcohol, drugs, and/or medications by any person(s), including the person(s) alleged to have committed sexual misconduct, does not diminish one's responsibility to obtain affirmative consent and will never excuse an alleged violation of this policy.

"I assumed everything was okay." Reasonable steps must be taken to ascertain whether the complainant knowingly, voluntarily, and affirmatively consented to each and every act of sexual activity. Simply assuming that everything was okay is not enough.

Not taking the time to check in and communicate with one's partner(s). Affirmative consent requires that any person who engages in sexual activities with others to check in with her/zir/his sexual partner(s) on a consistent basis to determine whether consent was affirmatively given. Communicating with your partner(s) shows that you respect them and their wishes.

- B. Coercion: A direct or implied threat of force, violence, danger, hardship, or retribution sufficient to persuade a reasonable person of ordinary susceptibility to perform an act which otherwise would not have been performed or acquiesce in an act to which one would not have submitted. Coercion can include unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another. A person's words or conduct cannot amount to coercion unless they wrongfully impair the other's freedom of will and ability to choose whether or not to engage in sexual activity. When someone makes it clear that ze/he/she does not want to engage in sexual activity, that he/she/ze wants to stop, or that she/ze/he does not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.
- C. **Force:** Force is the use or threat of physical violence or intimidation to overcome an individual's freedom to choose whether or not to participate in sexual activity.
- D. Incapacitation: An individual who is incapacitated cannot consent to sexual activity. Incapacitation is defined as the inability, temporarily or permanently, to give consent, because an individual is mentally or physically helpless, unconscious, and unaware that the sexual activity is occurring, or is otherwise unable to understand the fact, nature, or extent of the sexual activity.

One of the many reasons why engaging in sexual activity while under the influence of alcohol, drugs, and medications is considered to be risky behavior is because the ingestion of such substances can create confusion as to whether affirmative consent was obtained. Because incapacitation may be difficult to discern, those wishing to engage in sexual activity are strongly encouraged to err on the side of caution – that is, when in doubt assume that the other person is incapacitated and is therefore unable to give affirmative consent. Incapacitation may result from alcohol, drug, and medication consumption. Warning signs that a person may be approaching incapacitation may include slurred speech, vomiting, unsteady gait (i.e., a manner of walking, stepping, or running), odor of alcohol or other substance, combativeness, and/or emotional volatility. If there is any doubt as to the level or extent of the other person's intoxication or impairment, the prudent course of action is to forgo or cease any sexual contact or activity.

should know is incapable of making a rational, reasonable decision about whether to engage in sexual activity is in violation of this policy. This includes persons whose incapacity results from ingestion of a "date rape" or "predatory" drug. Possession, use, and/or distribution of any of these drugs is prohibited and administering one of these drugs to another person for the purpose of inducing incapacitation is prohibited under CalArts policy and state criminal statutes.

As stated earlier, being intoxicated or impaired by alcohol, drugs, and medications is never an excuse for committing sexual harassment and sexual misconduct, and does not diminish one's responsibility to obtain consent knowingly, willingly, and affirmatively. It is the burden of any person wishing to engage in sexual activity with others to determine the capacity of his/her/hir potential sexual partner's ability to provide affirmative consent.

IV. Resources

CalArts is committed to treating all members of the community with dignity, empathy, and respect. Any individual who is affected by discrimination, harassment, and sexual misconduct – whether as a complainant, a respondent, or a third party – will have equal access to support and counseling services through the Institute. CalArts recognizes that deciding whether or not to make a report and choosing how to proceed can be difficult decisions. The Institute encourages any individual who has questions or concerns to seek the support of campus and community resources. These resources can provide guidance in making decisions, information about available resources and procedural options, and assistance to either party in the event that a report and/or resolution under this policy is pursued.

Individuals are encouraged to use all available resources, regardless of when or where the incident occurred.

What to Do If You Experience a Sexual Assault or Sexual Exploitation

Anyone who experiences a sexual assault, domestic violence, dating violence, stalking or other sexual misconduct is strongly encouraged to seek immediate assistance. The first priority should be to seek safety and to obtain support from someone the harmed person trusts – such as a friend, family member, faculty or staff member. If there is an immediate danger or need for an emergency police or medical response on campus, call Campus Safety at (661) 222-2702 and/or the Los Angeles County Sheriff at 911. For persons off campus, dial 911. The confidential advocate can be reached at 661-713-5325.

Those who experience sexual assault (particularly non-consensual oral copulation, vaginal, or anal penetration) are urged to seek medical treatment as soon as possible by going to the nearest hospital emergency room, specialized sexual assault treatment and trauma center, or private physician. If transportation is needed, it will be arranged by the Title IX Response Team, Campus Safety, the Vice President of Student Experience, or the Executive Director of Health and Wellness. The emergency room nearest the CalArts campus is located at:

Henry Mayo Newhall Memorial Hospital 23845 McBean Parkway Valencia, CA 91355 (661) 253-8000

Please note that Henry Mayo does not currently offer on-call Sexual Assault Nurse Examiners (SANE Nurses). CalArts is partnering with the Rape Treatment Center (RTC) at Santa Monica – UCLA Medical Center to provide free, expert treatment and 24-hour emergency medical care (including evidence

collection, legal assistance, and professional counseling services). Free transportation will be provided to anyone in need of assistance. Contact Campus Safety (24/7) at (661) 222-2702 for more information.

Harmed persons who promptly seek medical attention benefit from being examined for physical injury, receiving preventative treatment for sexually transmitted infections, a toxicology examination for date rape drugs, and emergency contraception, as appropriate. In addition, prompt reporting allows for the preservation of evidence, which will only be used if the person who experiences sexual misconduct decides, either immediately or later, to press criminal charges or to file a civil lawsuit.

To preserve evidence, those who experience sexual violence should not bathe, douche, smoke, brush their teeth or change clothes (a change of clothes should be brought along). If clothes have been changed, the original clothes should be put in a paper bag (plastic bags damage evidence) and brought to the hospital. Do not disturb the scene of the assault. If it is not possible to leave the scene undisturbed, evidence (e.g., bedding, towels, loose fabrics, prophylactics, and clothing) should be placed in separate paper bags to be preserved.

Time is a critical factor in collecting and preserving evidence. The physical evidence of an assault is most effectively collected within the first 24-48 hours of the assault, but some evidence may be collected for up to 72-96 hours. If, however, a person who experiences sexual assault chooses to report the incident days, weeks, or even months after the assault, important support systems are still available and can be arranged, but the harmed persons should understand that a delay may make it more difficult to collect physical evidence of the sexual assault which could impact a criminal prosecution or civil lawsuit.

Hospitals and health practitioners that treat any physical injury sustained during a sexual assault are required to report it to law enforcement agencies. The harmed person(s) may choose whether or not to speak to police at the hospital. Also, it is important to understand that one who experiences sexual assault or other forms of sexual misconduct does not need to make an immediate decision to press criminal charges – that decision can be made at a later time.

Confidential Resources

CalArts encourages all community members to make a prompt report of any alleged incident of discrimination, harassment, and/or sexual misconduct. For individuals who are not prepared to make a report but are still seeking information and support, there are several statutorily-protected confidential resources available, as designated below. These confidential resources will not share information with the Institute without the individual's consent.

Those who experience of sexual harassment and sexual misconduct can experience emotional as well as physical consequences. Sexual assault, dating and domestic violence, and stalking are traumatic experiences that can have both immediate and long-term effects. Individuals who have been sexually assaulted and/or exploited are strongly encouraged to obtain help from a professional therapist as soon as they are ready after the incident occurs.

On-Campus Confidential Resources (for Students):

Student Advocate

F201H Elizabeth Peisner, Associate Vice President of Student Affairs, Health and Wellness epeisner@calarts.edu / 661-713-5325

Counseling Services

F201H 661-3885306

Melissa Shepherd, LMFT
Lily Rodriguez, LMFT
Susan Perry, LMFT
Sandra Pirio, LVN
RoomD208 Student Health Office Representative
(661) 253-7830

Off-Campus Confidential Resources (for Students, Faculty, and Staff):

• Employee Assistance Program (for staff and faculty)

Anthem Insurance Companies

(800) 999-7222 toll free number CalArts has an Employee Assistance Program (EAP) that provides professional counseling, information and referral services to eligible employees and their spouse, domestic partner, and/or dependent children. The program offers confidential consultation on a wide variety of personal, family, or work-related problems.

National Domestic Violence Hotline

(800) 799-SAFE (7233) http://www.thehotline.org

• Rape Treatment Center

Santa Monica – UCLA Medical Center 1250 Sixteenth Street Santa Monica, California 90404 (310) 319-4000 http://www.911rape.org

• RAINN-Rape, Abuse, Incest NationalNetwork

(800) 656-HOPE (4673) http://online.rainn.org

Strength United (formerly Valley Trauma Center)

25115 Ave. Stanford #B-122, Santa Clarita, CA 91355 (661) 702-0000 http://www.csun.edu/eisner-education/strength-united

Students, faculty, and staff wishing to seek additional confidential off-campus resources may visit with any medical and licensed mental health professional, or trained sexual violence advocates, as they have statutorily protected confidentiality and may only disclose information with your permission. The Vice President of Student Experience & Chief Human Resources Officer may provide additional assistance in finding additional resources.

Campus Resources

In addition to the confidential resources listed above, CalArts community members have access to a variety of resources provided by the Institute. All of the staff members listed below are trained to support individuals affected by alleged sexual harassment or sexual misconduct and to coordinate with the Title IX Coordinator consistent with the CalArts' commitment to a safe and healthy living, learning,

and working environment. While not bound by confidentiality, these resources will maintain the privacy of an individual's information within the limited circle of those involved in the Title IX resolution process.

<u>Title IX Response Team</u>

 Dionne Simmons, Title IX Coordinator Director, Community Rights and Responsibilities (661) 291-3019 dsimmons@calarts.edu

The Title IX Coordinators are available to receive reports of sex discrimination at CalArts (including sexual harassment, sexual assault, sexual exploitation, dating and domestic violence, and stalking), as well as to discuss questions or concerns relating to the investigation of complaints received, reporting and complaint procedures, and education and training opportunities across campus.

Campus Safety

For Assistance 24 hours per day/7 days per week: Campus Safety Department Room E100 (661) 222-2702

Community and National Resources

Students, faculty, and staff may also access resources located in the Santa Clarita Valley and Los Angeles County area. These organizations can provide crisis intervention services, counseling, medical attention, and assistance in interfacing with the criminal justice system. All individuals are encouraged to use the resources that are best suited to their needs.

CALCASA-California Coalition Against Sexual Assault

The California Coalition Against Sexual Assault (CALCASA) provides leadership, vision, and resources to rape crisis centers, individuals, and other entities committed to ending sexual violence.

- (916) 446-2520
- (916) 446-8802 (TTY/TDD)

Center for Assault Treatment Services (CATS)

CATS provide compassionate care to survivors of physical and sexual assault as well as on-site advocacy support, case management, counseling and referrals for victims and their family members.

CATS is located at the Northridge Hospital Medical Center 14531 Gault Street, Van Nuys, CA 91405 (818) 785-3489

Center for the Pacific Asian Family (CPAF)

CPAF is a non-profit agency specializing in assisting Asian and Pacific Islanders who are surviving sexual assault and/or domestic violence. Multilingual staff and volunteers are available to those who speak limited English. All services are free of charge.

- (800) 339-3940
- 24-Hour Confidential Crisis Hotline

Los Angeles County Domestic Violence Hotline

This toll-free 24-hour hotline routes Southern California victims of domestic violence directly to trained shelter personnel in Los Angeles County. Callers may receive help in 13 languages

(English, Spanish, Korean, Vietnamese, Mandarin, Cantonese, Tagalog, Khmer, Japanese, Thai, Armenian, Arabic and Farsi).

• (800) 978-3600

Los Angeles County Sheriff's Department – Santa Clarita Valley Station

Students, faculty, and staff who experience sexual harassment and misconduct – including sexual assault, dating and domestic violence, and stalking – may always contact local law enforcement officials to pursue criminal prosecution and/or civil lawsuits.

- 26201 Golden Valley Rd, Santa Clarita, CA 9135
- 0911 for emergencies
- (661) 260-4000 for all other calls

Los Angeles District Attorney's Office

Los Angeles County District Attorney's Office-Sex Crimes Division

The District Attorney's Office understands that sexual crimes and child sexual abuse are among the most devastating of crimes and, therefore, vigorously seeks justice for victims of these crimes. The Sex Crimes Division has experienced, specially-trained attorneys dedicated solely to the prosecution of sex crimes and child sexual abuse within the Central District.

• (213) 974-1611

The National Center for Victims of Crimes

Through collaboration with local, state, and federal partners, the National Center advocates for stronger rights, protections, and services for crime victims; provides education, training, and evaluation; and serves as a trusted source of current information on victims' issues.

- (800) FYI-CALL (394-2255)
- (800) 211-7996 (TTY Line)
- Hours: Monday-Friday, 8:30 a.m.-8:30 p.m. Eastern

National Domestic Violence Hotline

The hotline is the only center in the nation that has access to service providers and shelters across the U.S. Trained advocates staff this 24-hour crisis hotline and provide confidential assistance.

• (800) 799-SAFE (7233)

Not Alone: Together Against Sexual Assault

Information for students, schools, and anyone interested in finding resources on how to respond to and prevent sexual assault on college and university campuses and in our schools. This U.S. government website allows users to find a crisis service, learn more about their rights and how to file a complaint, and view a map of resolved school-level enforcement activities.

Peace Over Violence-Rape & Battery Hotline

Peace Over Violence (formerly LACAAW), established in 1971 by pioneering feminist activists, is a sexual and domestic violence, stalking, child abuse and youth violence prevention center headquartered in Los Angeles and dedicated to building healthy relationships, families, and communities free from sexual, domestic and interpersonal violence.

- (213) 626-3393
- (310) 392-8381
- (626) 793-3385

RAINN-Rape, Abuse, Incest National Network

RAINN is the nation's largest anti-sexual violence organization. RAINN created and operates the National Sexual Assault Hotline ((800) 656-HOPE and <u>online.rainn.org</u>) in partnership with more than 1,100 local rape crisis centers across the country. RAINN also carries out programs to prevent sexual

violence, help victims and ensure that rapists are brought to justice.

- (800) 656-HOPE (4673)
- or online at the National Online Hotline: http://online.rainn.org

Rape Treatment Center (RTC)

RTC offers comprehensive, free treatment for sexual assault victims and their families, including 24-hour emergency medical care, forensic examinations, crisis intervention, long-term professional counseling, advocacy, and accompaniment services.

Santa Monica – UCLA Medical Center 1250 Sixteenth Street Santa Monica, California 90404 (310) 319-4000

Strength United (formerly Valley Trauma Center)

Strength United provides a 24-Hour Sexual Assault Emergency Response Team, counseling, and prevention education to over 15,000 individuals annually. In addition, Strength United has expanded its case management and counseling services as a Los Angeles County Family Preservation Program lead agency. Counseling, crisis intervention services, and prevention education programs are available in Spanish and English; other languages are offered when available.

Santa Clarita Office: 25115 Ave. Stanford #B-122, Santa Clarita, CA 91355 (661) 702-0000

Northridge Office: 8700 Reseda Blvd., Northridge, CA 91324 (818) 772-9981

Reporting Discrimination, Harassment, Sexual Misconduct, and Retaliation

CalArts is committed to providing a variety of welcoming and accessible ways for community members to voice concerns about and report instances of alleged discrimination, harassment, sexual misconduct or retaliation. Reporting an issue is the best way for the community to help an individual receive the resources, support, and accommodations available at CalArts and in Valencia. Not only does reporting help the individual, communication about issues related to discrimination, harassment, sexual

misconduct, and retaliation can help prevent such acts. The information community members report can illuminate patterns of behavior, immediate threats to the safety of the community, and systemic issues.

At the time a report is made, a complainant does not have to decide whether or not to request student conduct or corrective action. Choosing to make a report, and deciding how to proceed after making the report, can be a process that unfolds over time. CalArts officials will do everything possible to respect an individual's autonomy in making these important decisions and to provide support that will assist each individual in making that determination. Unless there is an immediate threat to the community or a minor is involved, the person involved in a sexual misconduct incident will set the pace and make decisions about how best to proceed (including not naming the other party/ies at the time of the report).

All CalArts employees, including faculty, staff, and student employees and volunteers who have a responsibility for student welfare (e.g., Resident Assistants) are required to share with the Title IX Coordinator, Title IX team, and/or a senior official any report of alleged sexual harassment and sexual misconduct they receive. Employees who have statutory confidentiality (e.g., mental health counselors in Student Experience) do not and will not report incidents without the permission of the person who made

the report (unless the report involves a minor or imminent danger to the community). The confidential student advocate is an additional confidential resource as designated in this policy for internal purposes based on the scope of the position as well as the extensive training and experience. Please note, however, that the confidential student advocate does not have the same status as a therapist, doctor or clergy when it relates to statutory confidential communications. All CalArts community members, even those who are not obligated by this policy, are strongly encouraged to report information regarding any incident of sexual harassment and/or sexual misconduct to a member of the Title IX team.

Emergency/Immediate Reporting Options

CalArts encourages all individuals to seek assistance from a medical provider and/or law enforcement immediately after an incident of sexual misconduct. This is the best option to ensure preservation of evidence and to begin a timely investigative and remedial response. The Institute will assist any CalArts community member to get to a safe place and will provide transportation to the hospital, coordination with law enforcement, and information about the Institute's resources and complaint processes.

Assistance is available from the Institute 24 hours a day year-round by calling the Campus Safety at Campus Safety at (661) 222-2702 or visiting Room E100, and/or the Los Angeles County Sheriff's Department (911 for emergencies or 661-255-1121 for all other calls). Students may also access the confidential Student Advocate (24/7) by contacting 661-713-5325. There is no requirement that an individual file an incident report with the Campus Safety Department and/or the Los Angeles Sheriff's Department in order to speak with a member of the Title IX response team or with a mental health counselor in Student Experience.

An individual can also contact a Student Health Services nurse (during business hours) and/or the Henry Mayo Newhall Memorial Hospital (24 hours/day). A medical provider at Henry Mayo Newhall Memorial Hospital can provide emergency and/or follow-up medical services and provide a forum to discuss any health care concerns related to the incident in a confidential medical setting. The medical exam has two goals: 1.) to diagnose and treat the full extent of any injury or physical effect (sexually transmitted infections and/or pregnancy), and 2.) to properly collect and preserve evidence. Contact information for our local hospital is:

Henry Mayo Newhall Memorial Hospital

23845 McBean Parkway Valencia, CA 91355 (661) 253-8000

An individual may request a support person: a friend, the student advocate, a Student Experience staff member, a community advocate, to accompany the individual during the exam. There is a limited window of time (typically 72 to 96 hours) following an incident of sexual assault to preserve physical and other forms of evidence. Taking the step to gather evidence immediately does not commit an individual to any course of action. The decision to seek medical attention and gather any evidence will remain confidential and preserve the full range of options to seek resolution through the College's complaint processes

Campus Reporting Options

Students who experienced sexual harassment and/or sexual misconduct, domestic violence, dating violence, stalking regardless of where the offense occurred, is encouraged to report this incident to either: Title IX Coordinator at titleix@calarts.edu or (661) 291-3019; the Associate Vice President of Student Affairs, Health and Wellness(confidential student advocate) at (661) 713-5325, (avail. 24/7) Room F303G; Campus Safety at (661) 222-2702, Room E100; the Institute Diversity Officer at (661) 253-2785, Room F300; the V.P. of Student Experience at (661) 253-7891, Room F303G; the Chief Human Resources Officer at (661) 253-7837, Room A210; and/or Student Health Services at

(661) 253-7830, Room D208.

Similarly, any CalArts employee who does not have statutorily-protected confidentiality and who is made aware of any occurrence of sexual harassment and/or sexual misconduct are required to report such incidents to a member of the Title IX response team as soon as possible.

A report does not, by itself, constitute a complaint – nor does it automatically lead to the filing of a police report. A report simply notifies CalArts officials that an act of sexual misconduct has, or may have, occurred. A report allows CalArts officials to provide aid and assistance to the complainant (including supportive measures), to maintain statistical data regarding sexual misconduct, and to take action that stops the harassing behavior, prevents its recurrence, and addresses its effect. There may be times when a Campus Safety Alert may be issued as a result of a report.

A student wishing to have an incident investigated, mediated (except for issues involving alleged sexual violence), or adjudicated must make a complaint in accordance with the grievance procedures described in this policy. Making a complaint is different from reporting an incident in that a complaint involves a specific request to initiate student conduct proceedings.

Responding to a Report: The Title IX Response Team

The Title IX Coordinator, working with the Title IX team, will ensure that CalArts responds to all reports of sexual harassment and misconduct in a timely, effective, and consistent manner. The Title IX team consists of: the Title IX Coordinator and others as applicable. The Title IX team is charged with coordinating the review, investigation, and resolution of all reports to ensure consistent responsiveness and the integrated provision of supportive measures to support the individuals involved and to protect the CalArts community. The Institute is committed to using a consistent and informed response to create a culture of respect and accountability. The Title IX team is positioned to provide seamless support, assess individual and campus safety needs, and effectively respond to allegations of sexual harassment and sexual misconduct.

CalArts will promptly review and respond to all reports of sexual harassment and misconduct in an integrated, consistent manner that treats everyone with dignity and respect. The Institute will approach each report with an earnest intent to understand the perspective and experiences of each individual involved in order to ensure fair and impartial evaluation and resolution.

CalArts recognizes that the decision whether or not to report allegations of sexual harassment and sexual misconduct is personal, and that there are many barriers, both individual and societal, to reporting. Not every individual will be prepared to make a report to CalArts or to law enforcement, and individuals are not expected or required to pursue any specific course of action. As outlined in the *Resources* section of this policy, there are confidential resources at CalArts and in the community available to individuals not wishing to make a report to the Institute. Information shared with these confidential resources will not be reported to the Institute (unless a minor is involved).

Respect for the Rights of the Complainant and Respondent

CalArts recognizes the sensitive nature of discrimination, harassment, sexual and sexual misconduct complaints – both for the complainant and the respondent. All parties to the complaint should treat the matter under investigation with discretion and respect for the reputation of all parties involved.

Coordination with Law Enforcement

In addition to CalArts' internal complaint procedures, the complainant has the right to pursue criminal prosecution and/or civil litigation (including the ability to seek a temporary restraining order and injunction prohibiting harassment pursuant to California Civil Code Section 527.6). CalArts staff will provide full and prompt cooperation and assistance in notifying the proper law enforcement

personnel if the complainant chooses to do so.

AB 1443 requires Institute officials to contact local law enforcement agencies immediately upon, or as soon as reasonably possible, receiving a report of sexual violence. Should a student not wish to have their name reported, a report will be made using a pseudonym (J. Doe). If a complainant does not consent to being identified, the respondent's identity cannot be provided. A criminal investigation into an allegation of sexual misconduct does not relieve or substitute for CalArts' duty and authority to conduct its own prompt and equitable review of a complaint. Accordingly, CalArts will not wait for the

conclusion of a criminal investigation or proceeding to begin its own concurrent investigation and resolution of an alleged violation. The standards for criminal proceedings differ from those used in campus educational proceedings. As a result, conduct that may not be subject to criminal action may still be addressed through the student conduct program at CalArts. A finding of "not guilty" in a criminal matter does not necessarily preclude a finding of "responsibility" for violating CalArts' policy in a campus proceeding.

Since sexual harassment and sexual misconduct are violations of federal and state law, complainants have additional options for reporting.

Campus Crime Reporting

In accordance with the provisions of the Jeanne Cleary Act, the CalArts Annual Security Report (ASR) provides any interested party with various crime statistics for the previous three calendar year reporting periods concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned or controlled by CalArts, and on public property within, or immediately adjacent to and accessible from, the campus. The report, which is available on line at calarts.edu/campus/safety/annual report, also includes institutional policies concerning campus security issues, such as those concerning alcohol and

drug use, crime prevention, the reporting of crimes, sexual assaults, and other relevant matter. CalArts never includes personally identifiable information (e.g., the names and addresses of complainants and respondents) in such statistical repo

Amnesty for Alcohol, Drug, and Medication Use or Other Policy Violations

CalArts seeks to remove any barriers to reporting. The Institute will generally offer any student, whether the complainant or a third party, who reports allegations of discrimination, harassment, and/or sexual misconduct – or who serves as a witness in the investigation of such allegations – limited immunity from being charged for policy violations related to the personal ingestion of alcohol and/or other drugs (including medications), or other policy violations, provided that any such violation(s) were not egregious and did not, and do not, place the health and safety of any person at risk. The Institute may, however, choose to pursue educational interventions for those individuals, when deemed appropriate.

Supportive Measures, Remedies, and Accommodations

A. Overview

Upon receipt of a report, CalArts may impose reasonable and appropriate supportive measures designed to eliminate the hostile environment. The Institute will maintain consistent contact with the parties to ensure that all safety, emotional, and physical well-being concerns are being addressed. Supportive measures may be imposed regardless of whether formal conduct charges or corrective action is sought by the complainant or the Institute.

A complainant or respondent may request separation from each other or other protection, or CalArts may choose to impose supportive measures at its discretion to ensure the safety of all

parties, the broader CalArts community, and/or the integrity of the Title IX response process.

All individuals are encouraged to report concerns about failure of another individual to abide by any restrictions imposed by a supportive measure. CalArts will take immediate and responsive action to enforce a previously implemented measure.

B. Range of Measures

Supportive measures will be implemented at the discretion of the Institute. Potential remedies and accommodations that may be applied to the complainant and/or the respondent include, but are not limited to:

- Access to counseling services and assistance in setting up initial appointment, both on and off campus;
- Imposition of a non-retaliation order (CalArts' equivalent to no-contact order);
- Rescheduling of exams and assignments;
- Providing alternative course completion options;
- A change in class schedule, including the ability to drop a course without penalty;
- A change in work schedule or job assignment;
- A change in on campus residence hall assignments (either temporarily or permanently);
- Limiting an individual or student group's access to certain CalArts facilities or activities, pending resolution of the matter;
- A voluntary leave of absence; Providing an escort to ensure safe movement between classes, performances, and activities;
- Providing medical services as needed;
- Providing academic support services, such as tutoring;
- An emergency removal pending an investigation outcome;
- Relocation of one's work space;
- Additional training in harassment prevention;
- Any other remedy which can be tailored to the involved individuals to achieve the goals of this policy.

C. Emergency Removal or Administrative Leave

Where the report of alleged discrimination, harassment, and/or sexual misconduct poses an ongoing risk of harm to the safety or wellbeing of an individual or members of the CalArts community, the Institute may, after a risk assessment, to determine if an emergency removal is indicated for individual student or group pending the outcome of: an investigation and appeal process, criminal proceedings, medical evaluation, or a combination thereof. The emergency removal will be effective immediately and without prior notice whenever, in the judgment of the Vice President of Student Experience or designee, the continued presence of a CalArts student poses a substantial and immediate threat to others, or to the stability and continuance of normal CalArts functions. emergency removal may be limited to exclusion from CalArts residence halls, the CalArts premises, and/or other privileges and activities. When an emergency removal is indicated, the student, or student group, will promptly be given the opportunity to appear personally before the Vice President of Student Experience, or designee, in order to discuss only the following issues: a.) the reliability of the information concerning the student's alleged misconduct, and b.) the need to restrict a student's access to campus or participation in activities when that student poses a substantial and immediate threat to others or to the stability and continuance of CalArts functions. During emergency removal, a student or group typically may not continue zir/his/her coursework, performances, or activities unless otherwise noted in the emergency removal letter.

Similarly, CalArts may impose an administrative leave for an employee. Such leaves will be structured (paid vs. unpaid) at the Institute's discretion. Whenever an emergency removal or leave is imposed, CalArts will make reasonable efforts to complete the investigation within an expedited

time frame.

Note: The timeframe to appeal finding(s) and outcome(s) will not be expedited – thereby allowing interested parties sufficient time to prepare their appeal.

Grievance Procedures for Resolving Complaints of Prohibited Discrimination, Harassment, and Sexual Misconduct

A. Informal Resolution Procedures

1. Individuals who believe they have been subjected to prohibited discrimination, harassment, and/or sexual misconduct (hereinafter referred to as the "complainant") may choose to avail themselves of informal resolution procedures. Note: some informal resolution procedures, such as mediation, may not be used in incidents that involve alleged sexual violence. Use of these informal procedures is not a prerequisite to the filing of a complaint under the formal procedures described below. However, a limited informal investigation may still be conducted to insure there is not a risk to the larger CalArts community. Informal resolution procedures are remedy-based, usually taking the form of correcting the behavior, rather than formal educational outcomes (sanctions), which can only be granted under formal resolution procedures. The person to whom the request is brought may be asked to act to see whether an informal resolution can be reached. If this process reaches resolution, no further actions will be taken and the matter will be considered closed. If the matter cannot be resolved informally,

the person to whom the request was brought may assist the complainant in filing a formal complaint.

- 2. Requests for assistance under these informal procedures may be oral or written. Complaints should be made as soon as possible after the most recent alleged act of prohibited discrimination, harassment, and/or sexual misconduct. Such requests should be directed to any of the following Institute officers: The Title IX Coordinator; and/or the Chief Human Resources Officer (or designee).
- 3. Requests for assistance under these informal procedures will be dealt with, to the greatest extent practical and possible, on a confidential basis and disclosure of their existence will be limited to those who, in the interests of fundamental fairness and problem resolution, have an immediate need to know, or as otherwise required by law. A person seeking assistance under these informal procedures who requests that his/her/zir name be withheld from the person against whom the complaint is made must understand that it is not always possible to do so (and is not an option under formal resolution procedures). Such requests will be evaluated in the context of CalArts' obligation to provide a safe and harassment-free living, learning, and working environment. Among the factors that CalArts will consider is the seriousness of the alleged harassment or misconduct and whether there have been other complaints concerning the person against whom the complaint is made.
- 4. Upon receipt of a request for assistance under these informal procedures, the individual requesting assistance will be advised of options for resolving the problem and about sources of further assistance. Even under informal procedures, documentation of the complaint will be maintained in the files of the appropriate Institute officer.
- 5. If a request for assistance is made to a person other than one of the Institute officers listed above, a person receiving the request (other than an licensed mental health counselor in Student Experience should report the request to the Title IX Coordinator (or designee) or Chief Human Resources Officer (or designee), as appropriate.

B. Formal Resolution Procedures

- Individuals who believe they have been the subject of prohibited discrimination, harassment, sexual misconduct and/or retaliation may file a formal complaint. Such a complaint will result in an investigation, the purpose of which shall be to determine whether a violation of this policy may have occurred. An investigation may also be initiated without a formal complaint from any individual upon the request of the Title IX Coordinator or Chief Human Resources Officer (or designee), as appropriate.
- 2. Formal complaints under this procedure should be in writing (although verbal complaints will be accepted) and be submitted to one of the following Institute officers: The Title IX Coordinator or Chief Human Resources Officer (or designee), as appropriate.
- 3. Although the failure to initiate a complaint in accordance with the terms of this policy shall constitute a waiver of the complainant's right to utilize the Institute complaint procedures described herein, CalArts nevertheless reserves the right to pursue an investigation as it deems appropriate whenever and however it receives allegations of or information related to prohibited discrimination, harassment, and/or sexual misconduct.
- 4. Upon receipt of any complaint under these procedures, the person(s) receiving the complaint shall immediately notify the Title IX Coordinator (or designee) who, in turn, shall: a.) coordinate the investigation of the complaint with the parties involved. In the event of a conflict of interest, notification shall be made to the Designee to act in place of the Title IX Coordinator
- 5. Investigations of complaints under these procedures are often conducted by trained external investigators who are specially trained to investigate allegations of sexual harassment and misconduct. On occasion, investigations may also be conducted by trained campus administrators. Investigating officers may work as a team with other Institute officers, as appropriate. In the event of a conflict of interest, or time limitations, the Title IX Coordinator (or designee) may designate other investigative officers.
- 6. Before any investigation of the complaint is undertaken, the person(s) against whom the complaint has been made shall be informed of the complaint, the identity of the complainant, and shall be provided with a copy or written summary of the complaint. During the investigation, the person(s) against whom the complaint is made shall be accorded a full opportunity to respond to the complaint, either orally or in writing. The investigator will provide the complainant and the respondent an opportunity to review, respond and comment on the investigation report.
- 7. The complainant and respondent may be accompanied by a "support person/advisor" during all phases of the complaint process. The "support person/advisor" must be a current member of the CalArts community, not otherwise involved in the incident or investigation, a family member, or, in connection with a complaint of sexual misconduct, an attorney. The role of the "support person/advisor" at any investigative meeting is that of an observer and/or advisor. In a Title IX matter, the role of the Advisor has a specific role in the hearing process.
- 8. A finding that a violation of this policy has occurred shall be based on a preponderance of evidence. Preponderance of evidence means that the information and facts establish that a violation of this policy "more likely than not" occurred. A finding only takes place after the procedures outlined in the applicable policy have occurred.
- 9. The results of the investigation shall be set forth in a written report consisting of findings, conclusions and rationales. The report shall be submitted to the Title IX Coordinator,

together with any written materials, and/or other items that make up the investigative file. The complainant(s) and the respondent(s) shall be promptly and simultaneously notified in writing of the outcome of the investigation, any appeal, and/or any educational outcomes (sanctions) that relate directly to them.

C. Corrective Action and Educational Outcomes (Sanctions)

Persons who are found responsible for violating this policy will be subject to corrective action or educational outcomes (sanctions). The type of corrective action or outcomes will depend on the nature of the offense. Educational outcomes may include, but are not limited to: verbal warnings, written warnings, loss of annual and/or merit salary increase, probation, residence hall suspension, residence hall dismissal, suspension, and dismissal from the Institute or termination of employment. Institute policies and/or procedures concerning the imposition of corrective action and educational outcomes (including formal appeal/grievance procedures), shall not be applicable to student conduct or corrective action as imposed under this policy. All such policies and/or procedures are superseded by this policy.

D. Appeals

Either party may appeal the determination of responsibility and/or educational outcome(s) in writing to the Title IX Coordinator, (the "Appeals Officer") or designee. The appeal must be filed within ten (10) calendar days of receiving the outcome letter.

The complainant and/or respondent may appeal only the parts of the determination of responsibility and/or educational outcome(s), if applicable, directly relating to him/her/zir. The party who submits the written appeal will be the "Appellant," and the responding party will be the "Appellee." Not liking the outcome(s) related to an investigation is not sufficient grounds for an appeal. The limited grounds for appeal are as follows:

- New Information: New information that was not available or known to the Appellant during the investigation and that could significantly impact the findings. Information that was known to the Appellant during the investigation but which she/he/zi chose not to present is not new information. A summary of this new evidence and its potential impact on the investigation findings must be included in the written appeal;
- Significant Procedural Error(s): Procedural error(s) that had a material impact on the fundamental fairness of the investigation as it applies to the Appellant (e.g., substantiated bias, material deviation from established procedures, etc.). A description of the error and its impact on the outcome of the case must be included in the written appeal; and/or
- 3. An educational outcome (sanction) or remedial measure that was excessively severe or insufficient.

The appeal shall consist of a plain, concise, and complete written statement expounding on the grounds for the appeal. When an appeal has been submitted, the Appeals Officer will notify the complainant(s) and respondent(s). Each party will be given the opportunity to respond in writing to the other party's appeal. Any response by the opposing party(ies) must be submitted within five (5) calendar days from receipt of the appeal.

In any request for an appeal, the burden of proof lies with the party requesting the appeal, as the original determination and educational outcomes are presumed to have been decided reasonably and appropriately. The appeal is not a de novo (i.e., "from the beginning, anew") review. The Appeals Officer shall consider the merits of an appeal only on the basis of the three grounds for appeal and the supporting information provided in the written request for appeal. The Appeals Officer can affirm the original findings, alter the findings, and/or alter the educational outcomes,

depending on the basis of the requested appeal. If the Appeals Officer deems that procedures were not followed in a material manner, the Appeals Officer can ask that a new investigation occur. In the case of new and relevant information, the Appeals Officer can recommend that the case be returned to the original investigator(s) to assess the weight and effect of the new information and to render a determination after considering the new facts.

The Appeals Officer will generally communicate the result of the appeal to the complainant(s) and respondent(s) within ten (10) calendar days from the date of the submission of all appeal documents by both parties, or as soon thereafter as is practical under the circumstances. The decisions of the Appeal Officer are final

E. Records

The Title IX Coordinator will retain records of all reports, allegations, and complaints, regardless of whether the matter is resolved by means of Title IX assessment, informal resolution, or formal resolution. Complaints resolved by means of Title IX assessments or informal resolutions are not part of a student's conduct file and/or academic record, or an individual's personnel file.

In the event that the investigation does not result in a finding of violation of this policy, no record of the complaint or investigation will become a part of a student's conduct file and/or academic record, or an individual's personnel file. Should a violation of this policy be found, a record of the complaint

and disciplinary action taken shall be made part of the permanent file of the person(s) found to have violated the policy. Records of all complaints, investigations and their resolution shall be maintained with the Title IX Coordinator for the period of time mandated by the CalArts Record Retention Policy (refer to the Administrative Manual) and applicable law.

Student conduct records may be released to Institute officials on a "need-to-know" basis. Records may be released to persons and agencies external to the College with the student's permission, or in compliance with federal law (FERPA). Records that are lawfully subpoenaed or ordered by a judge may be released without the student's permission. A student's conduct record may also be released if it is in connection with a health and/or safety emergency. Further questions about student conduct record retention should be directed to the Vice President of Student Experience.

Prohibited Relationships by Persons in Authority

A. Faculty, Staff, Administrator Relationships with Students

CalArts prohibits all faculty, staff, and administrators, including graduate teaching assistants, from engaging in or pursuing amorous relationships with students whom they currently, or may in the future instruct, mentor, evaluate, supervise, advise, or exercise other forms of professional

responsibilities such as allocating resources, selecting students for scholarships and awards, and providing recommendations and references.

The purpose of this policy is to create and maintain a professional educational and work environment. The Institute considers the existence or pursuit of amorous relationships under the circumstances described above to be a breach of professional ethics. The term "amorous relationship" is intended to encompass dating and consensual sexual relationships.

The Institute recognizes and wishes to make the community aware that amorous relationships between employees and students can commonly result in claims of sexual harassment. Furthermore, the Institute questions the degree to which consensual intimacy on the part of the student can be voluntary due to the inherent power differential between such individuals. In the event of a claim of discrimination, harassment, and/or sexual misconduct following what one or

both parties may have initially viewed as a consensual relationship, the consent will be evaluated in light of this power differential.

Such relationships also affect other students and colleagues, as they have the potential to place involved employees in a position to favor or advance one student's interests to the potential detriment of others, leading to charges of favoritism or bias. Consensual amorous relationships may also have deleterious effects on the educational and/or work environment of fellow students and employees from which third party grievances may arise.

The Institute recognizes that, in certain circumstances, a student and employee may have entered into an amorous relationship which predates enrollment or employment. In such circumstances, the relationship would not be in violation of this policy, but must be promptly reported to the employee's supervisor so that an actual, potential and/or the appearance of a conflict of interest may be managed.

B. Supervisor and Subordinate Relationships:

CalArts also discourages faculty, staff, and administrators

from engaging in romantic relationships with persons who work under their supervision and who are potentially subject to their judgment concerning personnel actions. Although such relationships may be a matter of mutual consent, the power differentials inherent in such relationships can undermine the integrity of the work environment. Moreover, if a charge of sexual harassment is subsequently lodged, it may be difficult to establish mutual consent.

Shared Responsibility: Policy Adherence, Prevention and Education, and Bystander Intervention

A. Policy Adherence

All students, faculty, staff, administrators and other members of the CalArts community are responsible for ensuring that their conduct does not violate this policy. If CalArts employees know of, receive a complaint about, or obtain information that indicates possible discrimination, harassment, and sexual misconduct, they must take immediate steps to ensure that the matter is addressed.

Administrators, managers, and supervisors have the further responsibility of stopping the harassing behavior, preventing its recurrence, and addressing its effects within the area(s) they supervise.

Questions regarding this policy may be directed to one of the Title IX coordinators, as appropriate - the Vice President of Student Experience for concerns about students, the Chief Human Resources Officer about staff, and the Associate for concerns about faculty.

B. Prevention and Education

CalArts provides resources for education about and prevention of discrimination, harassment, and sexual misconduct – including sexual assault, dating and domestic violence, and stalking. Students, faculty, and staff are urged to take advantage of on-going prevention and awareness campaigns and are encouraged to participate actively in prevention and risk-reduction efforts to recognize warning signs of abusive behavior, unhealthy relationships, and how to avoid personal attacks. Consistent with federal requirements, CalArts will, on an annual basis, train individuals who are responsible for investigating and adjudicating reports of discrimination, harassment, and sexual misconduct on issues on issues related to sexual assault, dating and domestic violence, and stalking, as well as how to conduct a hearing process that protects the safety of the complainant(s) and promotes accountability.

In addition to free and confidential counseling offered to students by the licensed mental health counselors in Student Experience.

C. Bystander Intervention

CalArts considers the welfare of students, faculty, staff, administrators and its guests to be of paramount importance. The Institute recognizes that at times students, who reside on or off campus, may need assistance. CalArts urges all community members to offer help and assistance to others in need and to take reasonable and prudent actions to prevent or stop an act of sexual harassment or sexual misconduct. Taking direct or indirect action, when safe to do so, when witnessing potential sexual assault, dating and domestic violence, or stalking may help prevent or stop a harmful act. Safe and positive ways to intervene might include: enlisting the assistance of friends, and/or seeking assistance from a person in authority, such as staff, faculty, mentors, deans, Campus Safety officers, or law enforcement officers from the LA Sheriff's Department.

Nondiscrimination Policy

California Institute of the Arts (CalArts) is committed to the principle of equal opportunity. CalArts does not discriminate against individuals on the basis of race, color, sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related thereto), gender, gender identity, gender expression, sexual orientation, religion and religious creed (including religious dress and grooming practices), disability (mental or physical) including HIV and AIDS, medical condition (cancer and genetic characteristics), marital status, age, military and veteran status, ancestry, ethnic or national origin (including language use restrictions), or other characteristics or classifications protected by the law in the administration of its educational, employment, or admissions policies; scholarships and loan programs; and other Institute administered programs and activities, but may favor U.S. citizens or residents in admission and financial aid.

This policy strictly prohibits discrimination against, or the harassment of, any individual at CalArts or at Institute activities occurring away from campus, including but not limited to all individuals regularly or temporarily employed, studying, or with an official capacity at CalArts (such as Trustees, visiting artists, volunteers, and contractors). Persons violating this policy will be subject to corrective action up to and including discharge from employment or dismissal from CalArts.

It is the responsibility of all CalArts community members to ensure compliance with this policy. Accordingly, anyone who believes they are being harassed or discriminated against, have observed harassment of, or discrimination against, another person at the Institute in violation of this policy, or believe such conduct has occurred, should immediately report the incident to one of the individuals listed below.

Because harassment and discrimination can also constitute violations of federal and state law (e.g., Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Americans with Disabilities Act of 1990, as amended, and/or the California Fair Employment and Housing Act), individuals who feel that they have been subjected to harassment or discrimination may, in addition to notifying CalArts, file a complaint with the appropriate state or federal agencies, including, in the case of employees, the United States Equal Employment Opportunity Commission and/or California Department of Fair Employment and Housing. In addition, students and/or employees may file a complaint with the Office for Civil Rights, United States Department of Education.

Inquiries or complaints concerning the application of Title VII, Title IX, Section 504, ADA, or other non- discrimination policies may be referred to the following individuals or offices:

• Title IX Coordinator

Dionne Simmons
Director, Community Rights and Responsibilities
Chouinard 113
(661) 253-3019

dsimmons@calarts.edu

Director, Campus Safety
 Erik Klem, Director, Campus Safety
 (661) 222-2702
 eklem@calarts.edu

V. Additional Recourse

Prohibited discrimination, harassment, and sexual misconduct are often violations of federal and state law. This policy is intended to supplement and not to replace such laws. Whether or not the internal complaint procedures described in this policy are utilized, a CalArts employee who believes that she/he/ze experienced discrimination, harassment, and/or sexual misconduct may file a complaint with various governmental agencies, including but not limited to:

California Department of Fair Employment and Housing 611 W. 6th Street, Suite 1500 Los Angeles, CA 90017 (213) 439-6799

United States Equal Employment Opportunity Commission 255 East Temple Street, 4th Floor Los Angeles, CA 90012 (213) 894-1000

San Francisco
Office Office for
Civil Rights
U.S. Department of
Education 50 Beale Street,
Suite 7200 San Francisco,
CA 94105-1813
(415) 486-5555

Individuals who believe they experienced prohibited discrimination, harassment, sexual and/or sexual misconduct should be aware that both state and federal law impose time deadlines for the filing of complaints and that the use of the internal complaint procedures described in this policy will not change such filing deadlines.

CalArts Statements Related to this Policy

A. Statement Regarding Academic and Artistic Freedom (as it Applies to Prohibited Discrimination, Harassment, and Sexual Misconduct)

CalArts adheres to principles of academic and artistic freedom. Nothing in this policy shall be construed to limit the legitimate exercise of academic and artistic freedom, including but not limited to written, graphic, or verbal expression or performance that can reasonably be demonstrated to serve legitimate educational, pedagogical, or artistic purpose. Thus, this policy shall be applied in a manner that protects academic and artistic freedom and freedom of expression including, but not limited to, the expression of ideas, however controversial, in the classroom, studio, gallery, theater, and other educational and artistic settings recognized by the Institute.

B. Statement Regarding Confidentiality and Discrimination, Harassment, and Sexual Misconduct

CalArts recognizes that those who experience discrimination, harassment, and sexual misconduct may wish to talk with others about this incident in confidence, or said another way, for those persons to simply listen without acting. While

CalArts is committed to respecting the privacy of all parties who are involved in a report of discrimination, harassment, and sexual harassment, the Institute has a legal obligation to investigate, attempt to resolve or adjudicate, and/or issue warnings to the community when reports of discrimination, harassment, and/or sexual misconduct to its attention. In any report, investigation, or resolution of a report under this policy, every effort will be made to protect the privacy interests of all individuals involved in a manner consistent with the need for a thorough review of the allegation(s).

Institute policy requires that a report of sexual harassment or misconduct to any CalArts employee, who is not a designated confidential resource, be shared with a member of the CalArts Title IX response team. Community members wishing to seek completely confidential assistance may do so by speaking with professionals who have statutorily-protected or designated confidentiality, such as the mental health counselors in Student Affairs (for students) or community based licensed counselors (e.g., psychiatrist, psychologist, licensed clinical social worker, marriage family therapist). It is recommended that CalArts employees inform those who seek support of this fact and encourage individuals seeking confidentiality to visit professionals who have designated confidentiality, and also to remind them that reporting an incident may have the positive and noble benefit of preventing future occurrences of discrimination, harassment, and sexual misconduct.

C. Statement Regarding Retaliation

Retaliation against any individual for seeking assistance or bringing a discrimination, harassment, and/or sexual misconduct complaint through the processes described in this policy is strictly prohibited. Similarly, any person who participates or cooperates in any manner in an investigation or any other aspect of the process described herein shall not be retaliated against. The Institute recognizes that retaliation can take many forms (e.g., continued abuse or violence, other forms of harassment, and slander or libel), may be committed by or against an individual or a group, and that the respondent or a third party may also be the subject of retaliation by other individuals, including the complainant. Retaliation may occur either directly or indirectly, by e-mail, telephone, or cell phone, text or chat messages, social media (e.g., Snapchat, Instagram, Facebook, Twitter, Tumblr) or through any like service. Retaliation is itself a violation of this policy and is a serious separate offense that is subject to student conduct/corrective action.

D. Statement Regarding False Accusations

Accusations of prohibited discrimination, harassment, and/or sexual misconduct typically have injurious and far-reaching effects on the careers and lives of accused individuals. Allegations of prohibited discrimination, harassment, and/or sexual misconduct must be made in good faith and not out of malice. While studies show that false reports of sexual misconduct are rare, they do exist. Knowingly making false allegations of prohibited discrimination, and/or sexual misconduct, whether under the informal or formal procedures of this policy, is itself a violation of this policy and is a serious separate offense that is subject to student conduct/corrective action. *Note: Failure to prove a claim of prohibited discrimination, harassment, and/or sexual misconduct is not the equivalent of making a knowingly false accusation.*

Annual Review and Dissemination of Policy

This Policy will be reviewed on an annual basis, typically during the summer recess, in order to capture evolving legal requirements and to improve the delivery of service based on a review of experiences each academic year.

The Title IX Coordinator, Vice President of Student Experience, and the Chief Human Resources Officer are charged with the responsibility for distributing copies of this policy to the students, staff, and faculty, respectively. A copy of this policy shall be included in all employee and student handbooks. In addition, copies of this policy shall be made continuously available at appropriate campus locations. The titles/contact information of Institute officers who are designated to receive complaints under this policy shall also be posted in one or more prominent and accessible location(s). Such persons shall also receive training concerning this policy and procedures for handling complaints under this policy. The Institute's officers shall also take such other steps as are appropriate to develop educational and training programs designed to promote a living, learning, and working environment that is free of prohibited discrimination, harassment, and sexual misconduct.

Sources of Policy

California Education Code Section 200 et seq. and Section 67386 (including S.B. 967); California Education Code Section 67380 (including A.B. 1433); The California Sex Equity in Education Act, California Education Code Section 66250 et seq.; The California Fair Employment and Housing Act; California Government Code Section 12900 et seq.; The Age Discrimination in Employment Act of 1967, 29 United States Code, Section 621; Title VI of the Civil Rights Act of 1964, Title 42, United States Code, 2000d; Title VII of the Civil Rights Act of 1964, Title 42, United States Code, Section 2000e, et seq.; Section 504 of the Rehabilitation Act of 1973, 29 United States Code, Section 794; The Americans with Disabilities Act of 1990, Title 42, United States Code, Section 12101 et seq.; and Title IX of the Education Amendments of 1972, Title 20, United States Code, Section 1681 et sq.'s Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act or Clery Act, Title 20 of the United States Code, sections 1092(f), et seq.; and Violence Against Women Reauthorization Act of 2013 (VAWA) (Pub. Law 113-4).

CalArts Prevention and Awareness Campaigns

Community Gathering: It's on us/creating a culture of sexual respect (Required for all new students)

Join other community members, including returning students, as we highlight the work done recently at CalArts to create and sustain a culture of sexual respect. Members of the Task Force on Sexual Respect and other community activists will be present to discuss their work to date and, more importantly, to engage in dialogue on how we can all make a safer CalArts.

Bystander Intervention Training

As a follow-up to the "It's on Us" session, bystander intervention training is provided in a smaller group setting. Bystander intervention is a promising component of sexual violence prevention.

Participants will be provided with active learning experiences to build skills and confidence when responding to potential concerns in an effort to ensure the safety and well-being of themselves and others.

Services and Support for Students with Disabilities

Students with disabilities (mental health, attentional, learning, vision, hearing, physical,

systemic) are invited to attend this general information session with Student Experience staff who will provide helpful information regarding accommodations and navigating CalArts. For specific accommodation requests, you may schedule a meeting with the Disability Services Office in F201H, and by email at dso@calarts.edu.

Policy for Megan's Law and Sex Offender Registration

In accordance with the Jeanne Clery Act, the Campus Safety Department is providing a link to the State of California Megan's Law. This site provides the public with access to information on persons required to register in California as sex offenders. The Clery Act requires institutions of higher learning receiving Title IV funds to issue a statement advising the campus community where to obtain law enforcement information provided by a state concerning registered sex offenders. It also requires sex offenders already required to register in a state to provide notice to each institution of higher education in the state in which the person is employed, carries a vocation, or is a student.

Disclaimer: Unlawful use of information for purposes of intimidating or harassing another is prohibited and is punishable in a court of law, State of California Megan's Law link: http://www.meganslaw.ca.gov/

Crime Prevention Programs

During orientation, students are informed of services offered by Campus Safety along with a variety of crime prevention tips on various crimes. A common theme of all awareness and crime prevention is to encourage students and employees to be aware of their responsibility for their own safety and the security of their belongings. Members of our community are reminded not

to prop open doors or leave doors unlocked. Report any suspicious activity to Campus Safety at once. Specific information on crime prevention is available upon request at the Campus Safety Office.

The Campus Safety Department offers an Escort Program seven days a week, anytime, day or night. To request an escort, contact the Campus Safety Office at (661) 222-2702 or at extension 2222.

Campus Safety staff members are encouraged to attend a community-based Community Emergency Response Training (C.E.R.T). and are provided with ongoing training, focusing on crime prevention and general safety procedures. All members of the CalArts community are encouraged to participate in the seven-week C.E.R.T. course.

Security Awareness Programs

Each year at the beginning of the fall semester students are encouraged to attend a presentation hosted by Student Experience, in conjunction with Campus Safety and Facilities Management. During this presentation students are informed about crime on campus and in the surrounding neighborhoods. In addition, students receive specific safety tips pertaining to campus and residential life safety, and are advised of the escort service provided by Campus Safety and the location of the Emergency Blue Light Call Boxes. Students are encouraged to take responsibility for their own security as well as the security of others.

Similar information is presented periodically during the academic year with on-going safety updates through announcements via campus-wide emails. Students and employees may consult with Calarts Campus Safety Department for more information.

Safety Tips General Safety

- Be aware of your surroundings and any signs that something appears to be wrong or out of place. Stay in well-lighted areas and walk mid-point between curbs and buildings and away from alleys and bushes when possible.
- Don't carry extra credit cards or large sums of money.
- Lock your valuables securely, even in your room.
- Walk with someone whenever possible. Request an escort when traveling alone at night.
- Do not risk personal injury if someone forcibly attempts to take your wallet, purse or property.
- Do carry a whistle or personal alarm and use it if and when you feel threatened.
 - Keep an inventory of personal property and mark items with your driver's license number and the state from which it was issued.
- Acquaintance rape happens. Learn the danger signs. Victims suffer significant life disruption.
- Distance yourself from the misuse of alcohol or drugs; they can cause far worse than a bad headache the next morning.
- Do not attach your ID to your keychain or mark your keys with your name and address.
 Get to know your neighbors and share information about suspicious activities.

Office Safety

- When working late, be sure to lock doors. Let someone know of your location and expected departure time.
- NEVER prop doors open, even for a short time. Your action could contribute to harm to yourself or others.
- Do not loan your office keys or allow them to be copied.
- Do not hold a door open for a stranger.
- Keep your purse, wallet, or other valuables in a locked cabinet or drawer. Office thieves know where to look.

Car Safety

- Auto theft is a problem nationally as well as on college campuses. Act to safeguard your vehicle.
- Lock all doors after parking.
- Help secure your car against grand theft/burglary with an electronic alarm and/or kill switch.
- Keep a copy of your registration, title, and vehicle ID number in a safe place, separate from your vehicle.
- Store your valuables out of sight.
- If you park your car but don't use it regularly, check on it daily.
- Immediately report thefts, as well as suspicious activity in parking lots or near parked cars, to Campus Safety.

Conclusion

All members of the CalArts community must cooperate and work together to report and resolve criminal matters in a timely fashion. By working together, the community can create a safe and secure environment for everyone. Students, Faculty and Staff who wish to have a safety plan for emergencies may do so by registering with the Office of Student Experience or Human Resources/Facilities. This process is on a voluntary, self-identifying basis. Services are available only after presenting certificates, current documentation of the disability from an appropriate medical or educational specialist, and this documentation has been reviewed and accepted as complete.

Students please note: Safety Plans must be requested in addition and not in place of academic and residence life accommodations. For more questions regarding Safety Plans for students, please contact Disability Services staff at dso@calarts.edu.

Annual Fire Safety Report

A description of each on-campus student housing facility fire safety system:

- Chouinard Hall has on-campus central monitoring of the smoke detectors that are located
 in front of each pantry cooking station. Local battery-operated smoke alarms are located
 inside each sleeping room. Fire extinguishers are located inside laundries, and are located
 in all hallways.
- Ahmanson Hall has on-campus central monitoring of the smoke detectors that are
 located in each hallway. Monitored heat detectors are located in each kitchen/dining
 area and bedroom. In addition, each bedroom has a local battery-operated smoke alarm
 and each hallway has an ABC fire extinguisher.

Residence Hall Fire Safety Systems

	On-site	Sprinklers	Extinguishers	Evac Plans	Drills	Smoke Detectors
Ahmanson Hall	Yes	No	Yes	Yes	2	Yes
Chouinard Hall	Yes	No	Yes	Yes	2	Yes

The number of fire drills held during the previous calendar year:

Two; one in October and one in July.

Policies on portable electrical appliances, smoking and open flames:

• No appliances with open or visible heating coils are allowed. No smoking is permitted. No open flames are allowed without a permit from the L. A. County Fire Dept.

Student housing evacuation

- Evacuation routes are posted in each residence room.
- Evacuation routes from buildings to the safe assembly area are included in registration information.
- Residence Hall employees are trained and equipped to assist in case of evacuation.

Fire Safety education and training

- Residence Assistants attend an annual fire extinguisher safety training in which they learn about:
 - Fire triangle
 - Types of fires
 - Types of fire extinguishers
 - Safety considerations when fighting fires
 - Notification procedures
 - o Proper technique for using fire extinguishers
- Procedures
 - Notify first (pull fire alarm, call Campus Safety)

- o Evacuate people
- o Evaluate the fire
- o Fight the fire if it is small
- Otherwise, leave the building
- Fires are to be reported to the Campus Safety Office, Housing Office, Associate V.P. Operations, Associate Dean, Student Affairs/Residential Life.
- Future improvements None
- Fire Statistics 0 Fires

2021-2023 Clery Act Statistics California Institute of the Arts									
Offense	Year	On- Campus Property	On- Campus Student Housing Facilities	Non- Campus Property	Public Property				
	2021	0	0	0	C				
MURDER/NON-NEGLIGENT	2022	0		0	C				
MANSLAUGHTER	2023			0	C				
	2021	0		0	C				
	2022			0	C				
MANSLAUGHTER BY NEGLIGENCE	2023	0		0	C				
	2021	0	0	0	C				
	2022	0	0	0					
DOMESTIC VIOLENCE (VAWA)	2023	0	0	0					
	2021	1	1	0					
	2022	1	1	0	C				
DATING VIOLENCE (VAWA)	2023		0	0	C				
	2021	1	1	0	C				
	2022	0	0	0	C				
STALKING (VAWA)	2023	2	0	0	C				
	2021	0		0	C				
	2022	0	0	0	C				
RAPE	2023	0	0	0	C				
	2021	0	0	0	C				
	2022	0	0	0	C				
FONDLING	2023	0	0	0	C				
	2021	0	0	0	C				
	2022	0	0	0	(
INCEST	2023	0	0	0	(
	2021	0	0	0	(
	2022	0	0	0	(
STATUTORY RAPE	2023	0	0	0	C				
	2021	0	0	0	C				
	2022	0	0	0	(
ROBBERY	2023	О	0	0	C				
	2021	О	О	0	(
	2022	О	0	0	(
AGGRAVATED ASSAULT	2023	0	0	0	11				
	2021	О	0	0	0				
	2022	0	0	0	(
BURGLARY	2023	0	0	0	(
	2021	О	0	0					
	2022	О	0	0	(
MOTOR VEHICLE THEFT	2023	О	0	0	(
	2021	0	0	0	(
	2022	0	0	0	(
ARSON	2023		0	0	(
	2021	0	0	0	(
ARRESTS: WEAPONS: CARRYING,	2022			0					
POSSESSION, ETC.	2023			0					
DISCIPLINARY REFERRALS:	2021			0	(
VEAPONS: CARRYING, POSSESSION,				0					
ETC.	2023			0	(
	2021			0					
	2022			0					
ARRESTS: DRUG ABUSE VIOLATIONS	2023			o					
	2023			0					
DISCIPLINARY REFERRALS: DRUG	2021			0					
ABUSE VIOLATIONS	2022			0					
	2023			0					
	2021			0					
ARRESTS: LIQUOR LAW VIOLATIONS	2022			0					
AMEDIO. LIQUOR LAW VIOLATIONS				0					
DISCIBLINIA BY BEEEBBALE, LIQUOS	2021			0					
DISCIPLINARY REFERRALS: LIQUOR	2022								
LAW VIOLATIONS	2023			0					
	2021			0	(
	2022		1 0						

Clery Act Map: Reportable Areas

Area Map of California Institute of the Arts Facilities and Off Campus Housing

