



KECK GRADUATE INSTITUTE

2021 Annual Security Report and Annual Fire Safety Report

January 1, 2020-December 31, 2020

PUBLISHED OCTOBER 1, 2021



From the President

To the KGI Community:



We must each do our part in creating and maintaining a secure, supportive way of life here at KGI. This type of environment is essential to the development of students and their ability to learn, work, and enhance their lives. The keys to achieving this goal are mutual levels of respect and responsibility. These principles are vital to any community; likewise, they form the basis of the success, productivity, and happiness of everyone on campus—students, faculty, and staff alike.

Campus safety is of utmost importance, and the only way to achieve this goal is for everyone to cooperate, to look out for one another, and to report any suspicious or unsafe activity. This publication presents crime and safety data related to the KGI community, its inhabitants, and its visitors. It outlines the safety measures we have put in place, as well as our efforts on campus to prevent and address alcohol and drug abuse. Please be part of our collective effort—take time to read through this report and help us ensure that our community remains a great place to live, work, and learn.

Thank you,

A handwritten signature in black ink, reading "Sheldon Schuster".

Sheldon Schuster | KGI President

From the Assistant Vice President of Campus Safety

To the KGI Community:


On behalf of the members of the Campus Safety Department, I want to personally thank you for your interest in our Annual Fire Safety and Security Report. The men and women of The Claremont Colleges Services (TCCS) Campus Safety Department are dedicated security professionals who are committed to making KGI and all of The Claremont Colleges safe places in which to live, work, and study.

KGI and TCCS Campus Safety Department publish this report because it contains valuable information for our campus community. This report also complies with important provisions of the Jeanne Clery Act. Campus safety and security, and compliance with the Clery Act continues to be a part of everyone's responsibility at The Claremont Colleges. We encourage you to review the information made available to you in this report, where you will find information about our organization including descriptions of services that we provide.

As you read this report, you will also become more familiar with our strong commitment to victims of crimes and the specific extensive services we make available to crime victims. Lastly, very important information about security policies and procedures on our campus, crime data, and crime prevention information is included.

As a significant part of our campus-oriented public safety programming, we join KGI in the commitment to foster a secure and supportive environment at The Claremont Colleges. Campus safety and security indeed requires a collaborative effort at The Claremont Colleges, and so we proudly partner with the many Departments at KGI that have a critical role in fostering campus safety, including the Dean of Students office, the Senior Administrators, Campus and Residential Life, Facilities Management, and other departments.

It will always remain our goal to provide the highest quality of public safety services to The Claremont Colleges community and we are honored to collaborate with each of our campuses.

A handwritten signature in black ink, reading "Stan Skipworth".

Stan Skipworth

Assistant Vice President | TCCS Campus Safety

Annual Security Report Introduction

KGI places a high priority on keeping its campus safe for its students, employees, and visitors. The following information on campus security policies and campus crime statistics is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, [20 U.S.C. 1092 (f)] for the purpose of

- (a) informing the campus community about campus security policies and procedures;
- (b) encouraging students and employees to take responsible actions to lessen the chances of crime occurring on campus; and,
- (c) keeping KGI a safe and secure place to learn and work. This report provides statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned, leased, or controlled by KGI and select public property adjacent to the campus. This report also includes institutional policies concerning campus security, such as policies regarding sexual assault, alcohol, drugs, and weapons.

Policies for Preparing the Annual Security Report

Location and Dissemination of the Report

KGI's Assistant Vice President of Human Resources and Employee Engagement, Cheryl Merritt is responsible for distributing the notice of availability of the Annual Security and Annual Fire Safety Report by October 1 of each year to every member of the KGI Community. This notice is sent in writing via email to our student, staff, and faculty email listserv. Anyone, including prospective students and employees, or community members may obtain a paper copy of this report by contacting Cheryl Merritt at 909.607.7853 or may download a copy by visiting KGI's website at kgi.edu/policies/title-ix-and-clery or on The Campus Safety Website at services.claremont.edu/campus-safety

Preparation of the Report

This report is prepared by KGI's Assistant Vice President of Human Resources and Employee Engagement in cooperation with TCCS Campus Safety, KGI Student Affairs, Oasis Residential Life, KGI Human Resources, and KGI Facilities. Crime statistics are gathered from Campus Safety, KGI's Title IX Office, Claremont Police Department, Student Affairs, Human Resources, and Police Departments whose jurisdiction falls within non-campus property controlled by the Institute. It is the responsibility of KGI's Assistant Vice President of Human Resources and Employee Engagement to gather these statistics from the above entities through requests in writing. Campus crime statistics are reported by location and include: On campus (owned, contiguous, educational, or student-used), Student Residences (within the on-campus area), Non-Campus Buildings or Property (non-contiguous owned and student-used), and Public Property (streets, sidewalks, lots adjacent to campus).

Reporting of Criminal Offenses

Accurate and Prompt Reporting

Accurate and prompt reporting of crimes to campus safety and appropriate police agencies is encouraged at KGI when the victim of a crime elects or is unable to make such a report. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire KGI community that you immediately report any crimes to the individuals outlined below.

Crimes and Emergencies

We encourage all members of the College community to report all crimes and other emergencies to Campus Safety in a timely manner. Campus Safety has a dispatch center that is available by phone at 909.607.7233 or 909.607.2000 or in person 24 hours a day at the Pendleton Business Building, 150 East Eighth Street, Claremont, CA 91711. Though there are many resources available, Campus Safety should be notified of any crime, whether or not an investigation continues, to assure the College can assess any and all security concerns and inform the community if there is a significant threat to the College community.

Callers who wish to remain confidential should share with the Dispatcher who answered the call that they wish to keep their name private. Campus Safety Dispatch will honor that request and not press the caller for their information. However, please note that the Cisco IP Phones often times still records a phone number that Dispatch may call back if additional information is necessary. Should a Campus Safety Incident Report result from the phone call, the caller information will be written as "Jane Doe" or "John Doe."

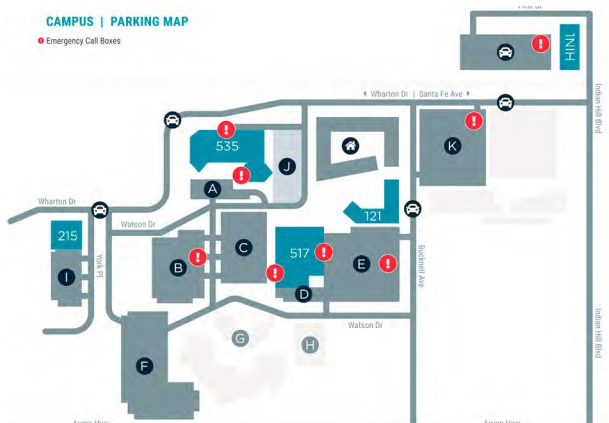
The Claremont Colleges Services Campus Safety Office has primary responsibility for the security of KGI's campus and works closely with the City of Claremont as well as the Claremont Police and Los Angeles County Fire Departments in order to provide a proactive approach to safety, in which they emphasize information, preparation, and collaboration to design effective crime prevention strategies.

Emergency Phones

TCCS has installed more than 200 emergency phones throughout the 7Cs. At KGI, phones are at the following locations and may be utilized for reporting crimes and/or emergencies:

- Parking Lot B
- 517 East Entrance
- 535 Watson Entrance
- 535 Watson North
- 517 Southwest Entrance
- Parking Lot E
- Parking Lot K
- 1NIH Parking Garage

The map below outlines these locations on KGI's campus.



At the other campuses, phones are located in public areas of buildings including parking garages, elevators, residence hall complexes, administration buildings, and numerous outdoor locations. These phones have (2) buttons, the first one is a RED button if pushed it directly goes to Campus Safety Dispatch, and the second one is BLACK, this button will allow the caller to make a call using extension numbers only.

LiveSafe App

KGI community members have access to the free LiveSafe mobile app. Smartphone users who download the app (through their app store or google play) can report tips to Campus Safety, make emergency calls, and perform other functions that help enhance their personal safety and security, including requesting a safety escort through campus safety. The app allows users to communicate anonymously with Campus Safety in real-time via chat, pictures, audio, and video. During times of distress, a LiveSafe user can send a link with an accurate GPS location to alert the LiveSafe user's personal emergency contacts. Friends and family also can virtually walk an app user home. The app's SafeWalk feature uses GPS-tagged monitoring to track an app user's progress on a Web-based map. The feature can be deactivated once the user has reached his or her destination safely. Users have total control to over whom they invite to use this feature, and they may also disable that person's access at any time. The LiveSafe app is an additional step KGI takes to improve the safety of the living, working, and studying environment that the community enjoys. While phone calls and written reports still will be accepted and acted upon by Campus Safety, LiveSafe users can report tips in new ways and with more accurate location information via the app.

Campus Security Authorities

While KGI prefers that community members promptly report all crimes and other emergencies directly to TCCS Campus Safety at 909.607.2000 or 911, we also recognize that some may prefer to report to other KGI Officials. The Clery Act recognizes certain KGI officials and offices as "Campus Security Authorities (CSA)." The Act defines these individuals as an "official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution."

KGI officially designates the following offices as places where campus community members should report crimes:

Official	Campus Address	Phone Number
TCCS Campus Safety	150 East Eighth StreetClaremont, CA 91711	909.607.2000 (emergencies) or 909.607.7233
Cheryl Merritt, Assistant Vice President of Human Resources and Employee Engagement	Building 535 West, Room 150D	909.607.7853
Cynthia Martinez, Dean of Students and Title IX Coordinator	Building 517, Room 120	909.607.7150
Anna Hickerson, Assistant Professor; Program Director, Master of Science in Medical Device Engineering; and Deputy Title IX Coordinator	Building 215, Room 105	909.607.9541
Veronica Clairmont, Assistant Director of Student Affairs and Deputy Title IX Coordinator	Building 517, Room 116	909.607.0101

Voluntary Confidential Reporting

If crimes are never reported, little can be done to help other members of the community from also being victims. We encourage KGI community members to report crimes promptly to Campus Safety and to participate in and support crime prevention efforts.

The KGI community will be much safer when all community members participate in safety and security initiatives.

If you are the victim of a crime or a witness to a crime and want to report a crime you are aware of, but do not want to pursue action within KGI or the criminal justice system, we ask that you consider filing a voluntary, confidential report. Depending upon the circumstances of the crime you are reporting, you may be able to file a report while

maintaining your confidentiality. The purpose of a confidential report is to comply with your wish to keep your personally identifying information confidential, while taking steps to ensure your safety and the safety of others. Confidential reports allow KGI to compile accurate records on the number and types of incidents occurring on campus. Reports filed in this manner are counted and disclosed in the Annual Security Report. In limited circumstances, the Department may not be able to assure confidentiality and will inform you in those cases. Monsour Counseling Center and McAlister Center are exempt from sharing the crime and geography the crime took place in with Campus Safety. However, they provide information on how to confidentially report so that the information is included in crime statistics and evaluated for a timely warning notification.

Voluntary, confidential reporting is available at the EmPOWER Center and Student Health Services.

Students who wish to speak to an internal confidential resource may contact the following:

Monsour Counseling and Psychological Services staff
Tranquada Student Services Center, 1st floor

757 College Way
Claremont, CA 91711
909.621.8202
909.607.2000 (after-hours emergency)
services.claremont.edu

Members of the clergy including the McAlister Center chaplains

McAlister Center for Religious Activities
919 North Columbia Avenue
Claremont, CA 91711
909.621.8685
services.claremonth.edu/chaplains

Students who wish to speak to an internal confidential resource that are included in Clery statistics and evaluated for timely warnings may contact the following:

Rima Shah (Director) - EmPOWER Center
909.607.0690
1030 Dartmouth Ave.
Claremont, CA 91711
7csupportandprevention.com
Please note that only the Director of the EmPOWER Center has been designated as a confidential resource.

Student Health Services staff
Tranquada Student Services Center, 1st floor
757 College Way
Claremont, CA 91711
909.621.8222
909.607.2000 (after-hours emergency)
services.claremont.edu/student-health-services

Employees who wish to speak to a confidential resource may contact the following:

Employee Assistance Plan (EAP)
1.800.234.5465 (Pacific Care Behavioral Health)

Eligible employees through their benefits program may contact **Pacific Care Behavioral Health** to get in contact with a clinical coordinator. A KGI Human Resources Representative can also assist you with this option.

Students, employees, or community members may also choose to contact one of the external confidential resources below:

Project Sister
909.626.HELP (4357) (24/7 Crisis Hotline)
projectsister.org
Project sister provides crisis services to women and men who have been sexually assaulted or abused. Volunteer Advocates are also available to provide support and follow-up services to sexual assault or abused survivors.

WINGS
626.960.2995
ywcasgv.xyz
WINGS provides safe emergency shelter, support groups, and assistance to victims (and their families) affected by domestic violence.

House of Ruth
877.988.5559 (toll-free hotline)
houseofruthinc.org
House of Ruth provides advocacy and assistance to women and children affected by domestic violence by providing culturally competent shelter, programs, opportunities, and education.

RAINN
800.656.HOPE (4673) (24/7 hotline)
rainn.org
RAINN (Rape, Abuse & Incest National Network) is the nation's largest anti-sexual violence organization focusing on prevention programs and helping survivors.

Confidentiality Limitations

Monsour Counseling and Psychological Center (MCAPS) adheres to the American Psychological Association (APA) Ethics Code, all relevant California state laws, and the Family Educational Rights and Privacy Act (FERPA). Whenever there is any discrepancy between these guidelines, they follow the highest or most stringent ethical standard, as advised by the APA Ethics Code. Specifically, this means that no information will be revealed to anyone outside of MCAPS without written permission from the client, except where disclosure is required by law (i.e., where the client is likely to harm himself/herself; where the client presents a serious danger of violence to another; where there is reasonable suspicion of abuse of children, dependent or elderly persons; or when records are subpoenaed through a valid court order).

Anonymous Reports

Any individual may make an anonymous criminal report without disclosing the name of the respondent or requesting any action. However, KGI's ability to respond to such a report is limited by lack of information about the incident(s) or the individuals involved. The Title IX Coordinator, Dean of Students, and/or Assistant Vice President of Human Resources and Employee Engagement will determine any appropriate steps to take in response to an anonymous report, including community-wide remedies as appropriate. We highly recommend this method for the accurate and prompt reporting of crimes to campus police and appropriate police agencies when the victim of a crime elects to or is unable to make such a report.

Individuals may make anonymous reports by utilizing MySafeCampus found at mysafecampus.com and search "Keck Graduate Institute." MySafeCampus is a website that transmits data to the appropriate individuals within our organization while protecting the identity of the user if the user chooses to remain anonymous. If a crime is transmitted through the MySafeCampus app, it is immediately reviewed by campus administrators and evaluated for imminent or continuing threat to the KGI community. If either of these is determined, KGI will work in tandem with Campus Safety to send out the appropriate notification, either an Emergency Notification or Timely Warning Notification.

If you are interested in reporting a crime anonymously, you can utilize the Campus Safety's Silent Witness program that can be accessed through the Department's website: cuc.formstack.com/forms/silent_witness_incident_report. By policy, we do not attempt to trace the origin of the person who submits this form, unless such is deemed necessary for public safety.

Anyone may share information anonymously through Campus Safety's Silent Witness Form available on the Campus Safety website at cuc.formstack.com/forms/silent_witness_incident_report.

The form provides a user the opportunity to communicate directly with the Assistant Vice President of Campus Safety. It is not intended for reporting emergencies or crimes-in-progress. The user will submit a description of the event, date, time, and location of the event. Contact information is optional. Once all pertinent information has been disclosed, the user will click the 'submit' button which in turn sends it directly to the Assistant Vice President of Campus Safety.

Students, faculty, and staff can download the LiveSafe app from their mobile device for free.

The app is available in the Apple app store at itunes.apple.com/us/app/livesafe/id653666211 and in Google Play at play.google.com/store/apps/details?id=com.livesafe.activities. Once downloaded, the user will find their institution by clicking on 'Manage Organizations' in Settings. LiveSafe provides users the opportunity to do something when they see something. Users can send an email, make a phone call, and send pictures to Campus Safety in real time from the convenience of their mobile device. It also provides the user with updated information regarding Emergency Procedures, Sexual Assault Assistance, Health and Wellness Assistance, Student Life Resources, and Local Resources. All messages sent to Campus Safety through the LiveSafe app give the user the option to send the transmission anonymously by simply clicking the box that asks the user if they wish to remain anonymous.

Daily Crime Log

Campus Safety maintains a Daily Crime Log of all crime reported to the Department. The log includes criminal incidents reported to Campus Safety during the last 60 days and is available on the Campus Safety website at services.claremont.edu/campus-safety. Any member of the Claremont Colleges and members of the public may also view the Clery Daily Crime Log at Campus Safety during normal business hours at 150 E. 8th Street, Claremont, CA 91711. This log identifies the type, location, date, time and disposition of each criminal incident reported to Campus Safety. Any portion of the log that is older than 60 days will be made available within two business days from the date requested for public inspection.

Disclosure to Victims of Crimes of Violence

The Institute will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim. Proceeding means all activities related to a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations, formal or informal meetings, and hearings. Proceeding does not include communications and meetings between officials and victims concerning accommodations or protective measures to be provided to a victim. 23 Result means any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institute.

Security of and Access to Campus Facilities

Due to COVID-19, all exterior doors for KGI buildings are locked 24/7. Key card access is available on the following schedule:

- 1NIH: 24/7 access for faculty and staff, no access for students.
- 215 York: 24/7 access for faculty and staff, 8:00 a.m. – 5:00 p.m. access for students.
- 517 Watson: 24/7 access for faculty, staff, and students.
- 535 Watson: 24/7 access for faculty, staff, and students.
- Oasis Commons (academic space): 24/7 access for faculty, staff, and students
- Oasis Commons (residential space): 24/7 access to residents only (please note, the residential space at Oasis Commons does not use key cards, they have traditional keys)

Access to individual classrooms and laboratories is limited to those enrolled in the courses meeting there. Laboratory access for research purposes is limited to authorized personnel (faculty, staff, and students) only, as determined by laboratory PI's.

Many events held in KGI facilities are open to the public. Other TCCS facilities such as the bookstore, library, and performance centers are likewise open to the public. However, during the pandemic, events are not permitted on KGI's campus.

Security Considerations for the Maintenance of Campus Facilities

Security considerations for KGI facilities include the following:

- Fire and critical mechanical alarms are monitored by TCCS and are installed in buildings 517 and 535. The fire alarm at Oasis KGI Commons is monitored by a third-party alarm monitoring company contracted by American Campus Communities (ACC), the management company at Oasis.
- Regular preventive maintenance and testing are done on all alarm systems by TCCS.
- Academic and administrative buildings are checked and locked nightly by Campus Safety and are re-opened by KGI Facilities.
- Street lights are inspected nightly by Campus Safety and Facilities. Upgrades or immediate

repairs and/or replacements for lights on public property are carried out by the City of Claremont upon notice by KGI Facilities. KGI Facilities is responsible for lights on KGI property.

- Trees and shrubbery are maintained through Southern California Landscaping Company who are onsite daily for maintenance
- Exterior lighting around the campus has been enhanced. KGI Facilities has added several new lights based on feedback from the community. This includes new LED lighting in our parking lots and new lights mounted on the exterior of every KGI building.
- Bike racks are located on the south side at both the east and west entrance to the 535 Building and the north side of the 517 Building and are maintained by KGI Facilities.
- Security cameras are located throughout The Claremont Colleges and monitored and maintained by Campus Safety. The cameras at KGI are located in building 517 (1st and 2nd floor), Building 535 (1st floor), and building 1NIH (1st, 2nd, and 3rd floor).
- Dedicated Campus Safety Officers are assigned to patrol the KGI campus 24/7 to respond to calls for service.

About the Claremont Colleges Services Department of Campus Safety

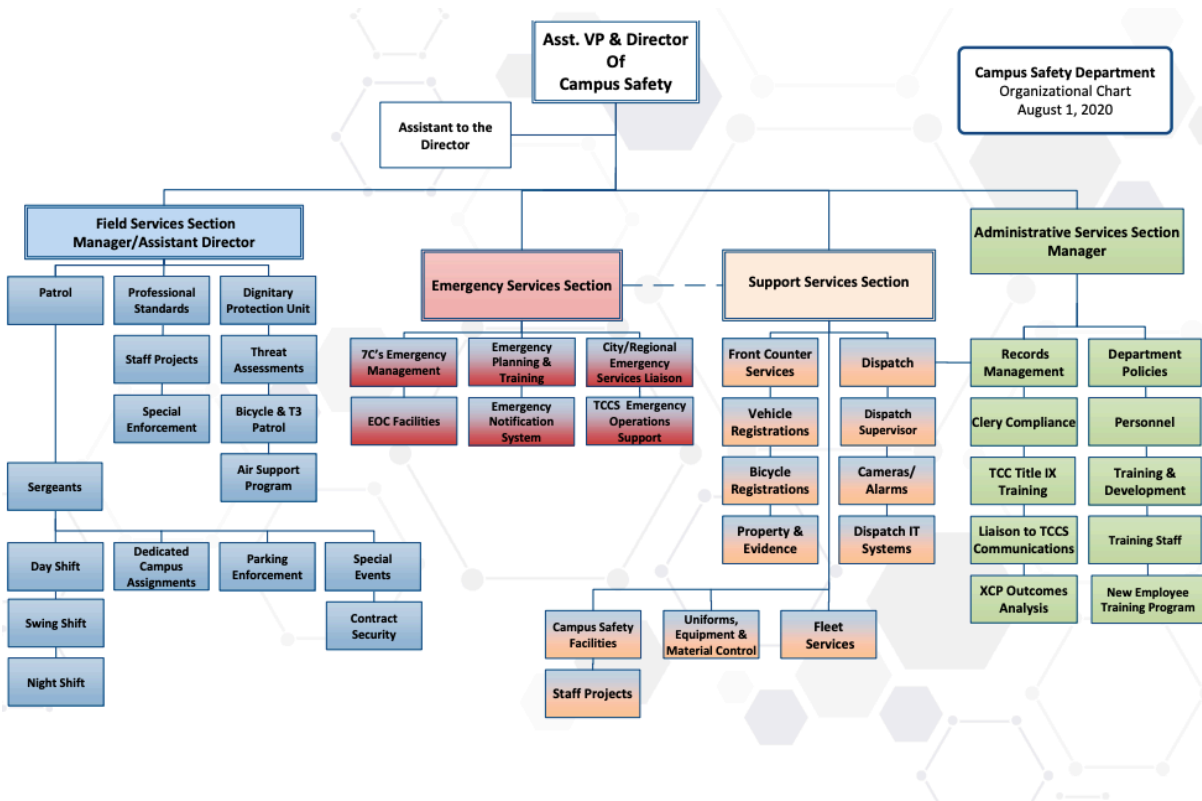
Role, Authority, Training, and Jurisdiction

TCCS Campus Safety protects and serves The Claremont Colleges community 24 hours a day, 365 days a year. The Department is responsible for a number of campus safety and security programs that include Emergency Management, Community Safety, Security Education, and Physical Security, including security technology, Behavioral Threat Assessment, and Special Event Management. Other specific tasks include but are not limited to the following:

- First responders to emergencies of any kind
- Protect the persons and property of students, faculty, staff, and visitors to The Claremont Colleges
- Patrol by vehicle, electric carts, and on foot all campus streets, byways, and interior areas
- Apprehend criminals
- Provide first aid until the arrival of paramedics
- Provide security and traffic control at parties, special events, and performances
- Monitor fire alarms, intrusion alarms, theft alarms, panic alarm systems, and a variety of temperature alarms campus-wide
- Enforce traffic and parking regulations
- Take reports of crimes and incidents and forward them to the Claremont Police Department for investigation
- Provide incident reports to student deans and maintain records of crimes, incidents, and reported activities for analysis purposes
- Assist law enforcement and other emergency service providers as needed
- Offer security survey/audit services to campus administrators
- Provide security/crime prevention presentations to students and staff



The Campus Safety Department is led by the Assistant Vice President and staffed by a Captain, Sergeants, a Dispatch Supervisor, Dispatchers, full-time uniformed Campus Safety Officers, an Assistant to the Director/ Assistant Vice President, and a Clerly Compliance Coordinator.

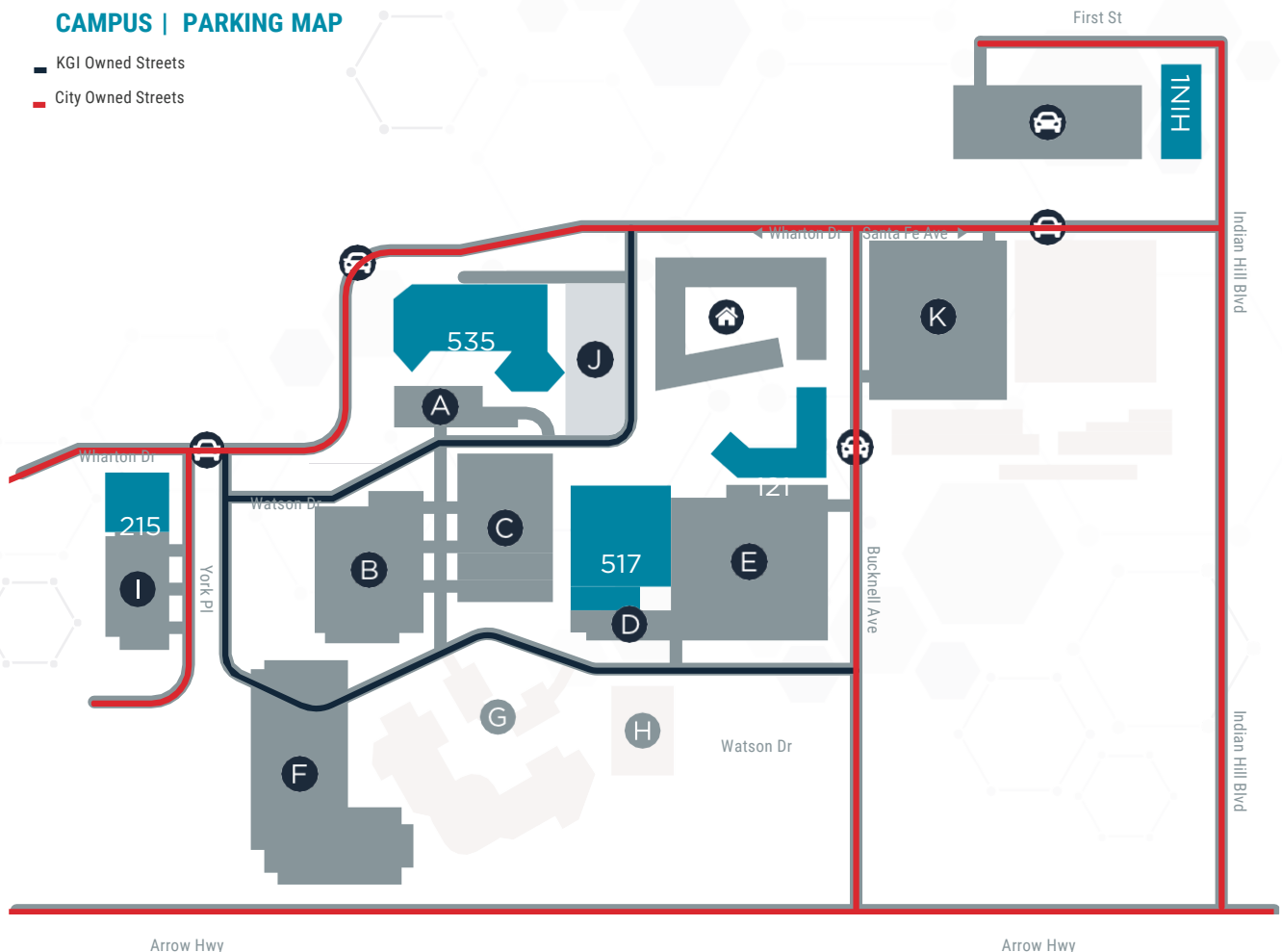


Campus Safety officers are unarmed and have no police powers. Their arrest powers are identical to those of a private person, as provided in the California Penal Code, Section 837. Current certification requirements for the officers include: Guard Registration, Basic Life Support for Health Care Providers, which includes CPR, First-Aid, and AED. Officers are also trained in Blood Borne Pathogens, Baton usage, the administration of Oleoresin Capsicum (Pepper Spray), Auto Epinephrine Pen, Narcan (Naloxone), and receive various FEMA training. Select officers and supervisors receive Rape Aggression Defense (RAD) training, and Dignity Protection. Employees undergo continuous education and training to upgrade their skills. Campus Safety is not a police department but is responsible for law enforcement, security, and emergency response protocols at The Claremont Colleges. Campus Safety also provides support services tailored to meet the needs of the Colleges including high visibility patrols to prevent and detect crime, responding to suspicious activity and crime reports, as well as respond to: medical emergencies, fire and intrusion alarms, traffic accidents, parking enforcement, and enforcement of college rules and regulations as outlined by each of the seven Claremont Colleges.

The Claremont Colleges contain both city streets and streets owned by the Colleges. However, all streets are considered public access. The map below reflects the streets that are owned by the City of Claremont and those owned and/or controlled by The Claremont Colleges and make up Campus Safety's patrol jurisdiction. KGI's borders and Campus Safety's patrol jurisdiction include: First Street to the North, Indian Hill Boulevard to the East, Arrow Highway to the South, and South Cambridge Avenue to the West.

CAMPUS | PARKING MAP

- KGI Owned Streets
- City Owned Streets



Working Relationship with Local, State, and Federal Law Enforcement Agencies

The Claremont Colleges' Campus Safety enjoys a highly effective and close working relationship with the City of Claremont Police Department, as well as the Upland Police Department. Set by our formal Memorandum of Understanding (MOU's) with both agencies, our local law enforcement partners ensure effective operational roles and responsibilities that directly support the mission of the Campus Safety department and the safety and security of The Claremont Colleges. The police are notified immediately and respond to: crimes against persons, including violent crimes, major felonies, crimes involving a known or identified suspect, all private persons arrests on campus, and are called when police presence and/or assistance is deemed appropriate for the situation. As appropriate, and in accordance with Uniform Crime Reporting (UCR) standards, crime reports initiated by Campus Safety may be forwarded to the police agencies for investigation and mandated reporting. An MOU with these law enforcement agencies are maintained and available at all times, pursuant to the Kristen Smart Act of 1988 (State of California). More expansively, Campus Safety and the Claremont Police department, with colleagues across The Claremont Colleges as is appropriate, convene regularly through in-person meetings, phone, and electronic communication to discuss safety issues and work collaboratively and proactively.

In addition, Campus Safety staff assists local fire/paramedic personnel as well as other local and county, state, and federal law enforcement agencies when they respond to campus. The Campus Safety Department typically plays a supportive role in these instances.

Crimes Involving Student Organizations at Off-Campus Locations

KGI relies on its close working relationships with local law enforcement agencies to receive information about incidents involving KGI students and recognized student organizations, on and off campus. If Campus Safety learns of criminal activity involving students or student organizations, it will coordinate with the appropriate external law enforcement agency to forward information about the situation to the KGI Dean of Students office, as appropriate. KGI requires all recognized student organizations to abide by federal, state, and local laws, and institution regulations. As per the KGI Student Handbook, the institute may become involved in the off-campus conduct of recognized student organizations when such conduct is determined to violate KGI's policy. At this time KGI does not have noncampus property locations of student organizations officially recognized by the institution.

The Claremont Colleges Timely Warning Policy

Timely Warning Notices

Purpose: The purpose of this policy is to outline procedures The Claremont Colleges will use to issue Timely Warning Notices in compliance with the Clery Act. TCC is comprised of Claremont Graduate University, Claremont McKenna College, Harvey Mudd College, Keck Graduate Institute, Pitzer College, Pomona College, and Scripps College in concert with The Claremont Colleges Services.

Procedures: A Timely Warning Notice will be issued in the event any that TCC receives notice of an alleged Clery Act reportable crime (identified below) occurring on campus, on public property within or immediately adjacent to one of the campuses of TCC, or in or on non-campus buildings or property controlled by any of TCC, where the College determines, in its judgment, that the allegations present a serious or continuing threat to the TCC community. For purposes of this policy, "timely" means as soon as reasonably practicable, after an incident has been reported to: Campus Safety, one of the Campus Security Authorities (CSAs) identified by each College, or a local police agency. Determining which designated official from Campus Safety makes the decision is based on availability during a 24 hour cycle. Campus Safety maintains designated individuals throughout each 24 hour cycle who are trained in determining the need for issuing a Timely Warning Notification. These designated officials are: Assistant Vice President of Campus Safety, and the on-duty Captain, or Watch Commanders.

Whether to issue a Timely Warning Notice is determined on a case-by-case basis for Clery Act reportable crimes: arson, criminal homicide, burglary, robbery, sex offenses, aggravated assault, motor vehicle theft, domestic violence, dating violence, stalking and hate crimes, arrests and referrals for drug, liquor, and weapons laws violations as defined by the Clery Act¹. In addition to Timely Warning notifications, Alert Bulletins and Emergency Notifications may be issued for other crimes as determined necessary by the Assistant Vice President of Campus Safety, KGI's Dean of Students, KGI's Title IX and Clery Coordinator, or KGI's Director of Human Resources. TCC will issue a Timely Warning Notice even if insufficient information is available if it is likely that there is an ongoing threat to the community.

The above individuals determine if an alert should be sent and are the senders of the notices. In determining whether to issue a Timely Warning Notice, the responsible individuals described above will consider any factors reflecting on whether the reported crime represents a serious or continuing threat to the TCC community, including, but not limited to, (a) the nature of the incident; (b) when and where the incident occurred; (c) the continuing danger to the

¹ A hate crime is a criminal offense of murder and non-negligent murder, forcible sex offenses, non-forcible sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property, domestic violence, dating violence, or stalking incidents, where the criminal offense was committed against a person or property which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, gender identity, religion, disability, sexual orientation, or ethnicity/national origin.

TCC community; (d) the amount of information known by TCC and Campus Safety; and (e) when it was reported (as incidents reported more than 10 days after the fact will generally not result in a Timely Warning Notice unless the other factors weigh in favor of sending a Notice). TCC will without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system and follow its Timely Warning Notification procedures upon the confirmation of a serious or continuing threat to students and employees occurring on TCC.

In the event of an ongoing threat, Campus Safety, KGI's Dean of Students, KGI's Title IX Coordinator and/or KGI's Assistant Vice President of Human Resources and Employee Engagement will communicate, via phone or email the extent of the threat and will use the Timely Warning Notice Decision Matrix/Timely Warning Notice Determination Form below in the decision making process to determine whether or not to alert the community. The form acts as a guideline for determining a Timely Warning Notice and will be completed immediately, and without delay, to determine if the criteria is present to send a notice. If it is determined that a Timely Warning Notice is necessary, Campus Safety will send the notice to KGI and the rest of TCC. Once completed, the form and any and all information related to the decision will be maintained by TCC for a seven-year period.

Timely Warning Notices will be distributed in various ways. A multi-modal integrated communications system for mass notifications is used to notify students and employees through KGI's website at kgi.edu/emergency. Notification will occur by way of e-mail to all TCC Students and Employees and via the KGI website (kgi.edu/emergency) which is available to students, employees, and the public. TCC will initiate the notice by sending the notification email and KGI's Dean of Students, KGI's Title IX Coordinator, and/or KGI's Assistant Vice President of Human Resources and Employee Engagement will contact our Marketing Office to update the emergency website immediately. Attempts will be made to inform the larger community outside of campus through Campus Safety. Campus Safety will coordinate measures with local law enforcement and inform them of the on-going emergency.

KGI's Communication Office will respond to any media inquiries after consulting with Campus Safety, KGI's Dean of Students, KGI's Title IX Coordinator, and/or KGI's Assistant Vice President of Human Resources.

The Timely Warning Notice will typically include, to the extent known, the date, time, and nature of the offense, a brief overview of its particular circumstances, a physical description of the actor(s), law enforcement's immediate actions, a request and method for witnesses to contact local law enforcement, and where applicable and appropriate, cautionary advice that would promote safety. In no instance will a Timely Warning Notice include the name of the victim or other identifying information about the victim. In developing the content of the Timely Warning Notice, Campus Safety will take all reasonable efforts not to compromise on-going law enforcement efforts. Campus Safety will document and retain the justification for determining whether to issue a Timely Warning Notice for a seven-year period.

Anyone with information about a serious crime or incident is encouraged to report the circumstances to Campus Safety by phone at 909.607.2000 or from campus phones at ext. 72000 and in person at 150 E. Eighth Street. If a report is made to other TCC officials, those officials will immediately notify Campus Safety.

The Claremont Colleges Timely Warning Notice Decision Matrix

To be completed by Campus Safety Representative and the On-Call Dean/Senior Administrator from the institution where the incident occurred.

Date/Time of Incident: _____

Date/Time DOS/Campus Safety notified _____

DOS/Campus Safety Report # (if applicable): _____

Name of Person Completing Form: _____

1. Does the incident involve a Clery reportable crime? (If one of the crimes below check, and move on to #2).

- | | |
|--|--|
| <input type="checkbox"/> Criminal homicide | <input type="checkbox"/> Robbery |
| <input type="checkbox"/> Murder and Non-negligent Manslaughter | <input type="checkbox"/> Aggravated Assault |
| <input type="checkbox"/> Manslaughter by Negligence | <input type="checkbox"/> Burglary |
| <input type="checkbox"/> Sex Offense | <input type="checkbox"/> Motor vehicle theft |
| <input type="checkbox"/> Rape | <input type="checkbox"/> Arson |
| <input type="checkbox"/> Fondling | <input type="checkbox"/> Domestic Violence |
| <input type="checkbox"/> Incest | <input type="checkbox"/> Dating Violence |
| <input type="checkbox"/> Statutory Rape | <input type="checkbox"/> Stalking |
| <input type="checkbox"/> Hate Crimes | |
| <input type="checkbox"/> Other (Explain the perceived continuing threat to the TCC community: _____) | |

2. Did the incident occur in a Clery-defined geographic area? (If one of the locations listed below, check and move on to #3.) If no, then a TWN is not required.

☐ On-Campus ☐ On-Campus Residential ☐ Non-Campus ☐ Public Property

3. Was an Emergency Notification already issued regarding this crime? Yes ☐ No ☐

4. Did the EN contain all the required elements of a TWN? ☐ Yes ☐ No

5. Is this incident considered by the institution to represent a serious or continuing threat to students and/or employees? ☐ Yes ☐ No

Consider the following:

- Whether students and employees are at risk of becoming victims of a similar crime?
- Has the alleged perpetrator been arrested?
- Does a criminal incident appear to be a one-time occurrence, or does it fall into a pattern of reported crimes?
- Was it reported to DOS/CS more than 10 days after the incident occurred?

Examples of crimes that could constitute a continuing threat:

- A serial crime that targets certain campus populations such as sex crimes or race-based crimes in which the perpetrator has not been apprehended.
- A crime in which there is no apparent connection between the perpetrator and victim and the perpetrator has not been apprehended.

Examples of crimes that may NOT constitute a continuing threat:

- Crimes in which the perpetrator has been apprehended, thereby neutralizing the threat.
- Crimes in which an identified perpetrator targets specific individuals to the exclusion of others, such as domestic violence.

6. If you answered "yes" to question 5, would issuing a TWN impede the campus or a law enforcement investigation?

_____ Yes _____ No

7. Based upon the above considerations, will a TWN be issued? _____ Yes _____ No

IF YES, Date and Time Issued _____

Explain any information withheld from TWN due to concerns expressed in 6, above

IF NO, explain why no TWN issued:

Elements of a Timely Warning Notice:

- A brief statement of the incident. Do not provide the identity of or identifying information about the victim.
- Identify any possible connections to previous incidents, if applicable.
- Physical description of the suspect.
- Composite drawing of the suspect, if available.
- Date and time the notice was released.
- Other relevant and important information including prevention tips to help recipients understand the potential risk and steps they can take to ensure their safety.

8. If the answer to question 6 is "yes," check all of the resources used to disseminate:

_____ Posters/Fliers/Bulletins

_____ Mass Email

_____ College/TCC Campus Safety Website

_____ Media (radio, television, newspaper)

_____ Public Address/Intercoms/Loudspeakers, etc.

_____ Text

_____ Other:

Emergency Response and Evacuation Procedures

Emergency Management

A summary of emergency response procedures for TCC is located at [services.claremont.edu.emergency-preparedness](https://services.claremont.edu/emergency-preparedness). Included in this website is Emergency Preparedness Information including information on earthquakes, floods, wildfires, and active assailants/shooters.

KGI's Information on registering for our emergency notification system Everbridge, information on Mysafecampus anonymous reporting, information on how to download the LiveSafe Campus Safety Application, information on Title IX, and a copy of our Annual Security Report is located at kgi.edu/policies.

Drills, Exercises, and Training

At least annually, KGI conducts an emergency management exercise to test emergency procedures. The scenarios for these exercises change from year-to-year and include several departments from across the campus. To ensure KGI's emergency management plans remain current and actionable, KGI will conduct an emergency management exercise, at a minimum once yearly. These exercises may include tabletop drills, emergency operations center exercises, or full-scale emergency response exercises. KGI conducts after-action reviews of all emergency management exercises. Before each training exercise or drill, the KGI community is notified via email by the Human Resources Department to outline the date, time, location, and includes a description and purpose of the drill. Upon completion of the exercise, KGI's Safety Committee meets to debrief and discuss the efficacy of the drill. KGI publicizes the emergency response and evacuation procedures via email ahead of time in a drill announcement initiated by Human Resources.

Emergency Notification

This policy statement summarizes KGI's emergency response and evacuation procedures, including protocols for sending Emergency Notifications. An Emergency Notification will be issued in the event that KGI or Campus Safety receives notice of a situation that presents a significant emergency or dangerous situation at KGI or in the local area affecting the health and/or safety of KGI's community, in whole or in part. KGI will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system after an incident has been reported to Campus Safety, one of the Campus Security Authorities (CSAs) identified, or a local police agency unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency. Determining which designated official from Campus Safety makes the decision is based on availability during a 24 hour cycle. Campus Safety maintains designated individuals throughout each 24 hour cycle who are trained in determining the need for issuing an Emergency Notification. These designated officials are: Assistant Vice President of Campus Safety, and the on-duty Captain, or Watch Commanders.

Everbridge System

KGI is committed to ensuring the campus community receives timely, accurate, and useful information in the event of a significant emergency or dangerous situation on campus or in the local area, which poses an immediate threat to the health and safety of the campus community members. KGI uses the emergency notification system Everbridge. Everbridge is an emergency notification service available to students, staff, faculty, and anyone in KGI community who wants to subscribe. Everbridge can be used to send emergency messages within minutes of the occurrence of an incident. Alerts sent by Everbridge are simulcast to the KGI community via our newswire, KGI's Facebook page, Twitter, or at the subscriber's choice, their e-mail account, and/or phone number. All of the campuses have full access to Everbridge for posting local emergency alerts. Annual tests of the Everbridge system are conducted by Campus Safety.

Procedures Used to Notify the Claremont Colleges and Larger Campus Community

In the event of a situation that poses an immediate threat to members of the campus community, KGI will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. In order to do this, KGI has various systems in place for communicating information quickly and without delay. Some or all of these methods of communication may be activated in the event of emergency notification to the entire campus community. These methods of communication include the mass notification system Everbridge, KGI's e-mail system, and verbal announcement within a building and public address system on police cars. KGI will post updates during a critical incident on the homepage.

KGI is also committed to providing a safe environment for everyone in the larger campus community. In the event of an emergency or significant safety concern that would impact members of the larger community outside the college campuses, updated and ongoing emergency information is provided to the Claremont Police Department for dissemination as they feel appropriate. The Claremont Police Department is included on the Everbridge distribution list and receives all emergency notifications and alerts issued by Campus Safety. The TCCS Communication Office would liaison with local media to further distribute the details of an incident as appropriate.

Confirming the Existence of a Significant Emergency or Dangerous Situation and Initiating the Emergency Notification System

In determining whether to issue an Emergency Notification, individuals may use a variety of notification methods to alert Campus Safety to an emergency, such as personal/office phones, emergency ring down phones, email, or in person. The Department of Campus Safety will consider all known factors reflecting on whether the situation represents an immediate threat to the health or safety of the College community, including, but not limited to, (a) the nature of the significant emergency or dangerous situation; (b) when and where the incident occurred; (c) when it was reported; (d) the continuing danger to the campus community; and (e) the amount of information known by the Department of Campus Safety.

The TCCS process to initiate the Emergency Notification system is as follows. Once an incident is reported, either on its own or with the input from these external agencies, (Claremont Police Department, Los Angeles County Fire Department, Los Angeles County Emergency Management) the Department of Campus Safety Assistant Vice President, Captain, on-duty Watch Commander (or designee) will determine if the situation does in fact pose a threat to the community. Should that be the case, federal law requires that the College will, without delay, and taking into account the safety of the community, immediately notify the campus community that may be affected by the situation.

Determining which designated official from Campus Safety makes the decision is based on availability during a 24 hour cycle. Campus Safety maintains designated individuals throughout each 24 hour cycle who are trained in determining the need for issuing alerts. These designated officials are: Assistant Vice President of Campus Safety, Captain, or on-duty Watch Commander.

Once the Emergency Notification has been issued, Campus Safety, in collaboration with the Dean on-call from the affected community (if applicable) take the initial lead in implementing the appropriate response plan, assessing the severity of the crisis, reviewing all available information, delegating responsibility where appropriate, and ensuring that the information needs of various constituencies are met.

TCCS Campus Safety protocol for disseminating Emergency Notifications specific to COVID-19 is in alignment with the Clery Act legislation and Department of Education (ED) Guidance. A highly contagious virus does meet the criteria for being immediately threatening to the health and safety of our community members. Per ED Guidance, a COVID-19 specific ribbon can be found at the top of the home page on the TCCS web page at services.claremont.edu and on KGI's website at kgi.edu.

The links include information regarding COVID-19 specific to the Colleges as well as a link to the Center for Disease Control's COVID-19 website: cdc.gov/coronavirus/2019-ncov/index.html.

Recognizing that we are in year two of the COVID-19 pandemic, our protocol of not sending Emergency Notifications for each confirmed COVID-19 case will continue. However, in addition to the banner on the website designed to share pertinent information, each of the Claremont Colleges has procedures in place to assist with mitigating the spread of COVID-19 and its variants. This information can be found on the institution's website. Therefore, an Emergency Notification may be sent out if the status of the COVID-19 emergency changes, necessitating community notification.

Determining the Appropriate Segment or Segments of the Campus Community to Receive an Emergency Notification

The Claremont Colleges are a consortium of seven separate and distinct colleges that share a multitude of social, residential, dining, and academic programs, to name a few. Due to the nature of our configuration, once a significant emergency or dangerous situation occurring on one of the campuses has been established, and an emergency notification is deemed necessary, it is disseminated via text message to all seven college students and employees enrolled in the Everbridge emergency management system. Depending on the nature of the emergency situation, Campus Safety may work with TCCS Communications and the Claremont Police Department to issue subsequent notifications to a wider group of local community members. Keck Graduate Institute will also post applicable messages about the dangerous condition on the College website to ensure the campus is aware of the situation and the steps they should take to maintain personal and campus safety.

Determining the Contents of the Emergency Notification

The Department of Campus Safety's Dispatch will choose the appropriate template in Everbridge, populate the template with the pertinent information necessary for the current emergency situation and send it out to students, faculty and staff at KGI and the other Claremont Colleges. Additional Emergency Notification messages will follow as information regarding the unfolding situation is known. Campus Safety is also tasked with promptly summoning the appropriate resources to mitigate and investigate such incidents, which may include the input of the Claremont Police Department and or Los Angeles County Fire Department.

Campus Safety will use the following guidelines when determining the contents of the emergency message.

1. The first message is intended to **alert** the TCC community of the Emergency and the actions they should take to safeguard their and their neighbor's safety.
2. The second message is intended to **inform** the TCC community about additional details of the situation. This message is generally distributed once first responders and the Emergency Operations Center has additional information about the dangerous situation.
3. Finally, the third message is the **Reassure** notice that is generally distributed once the situation is nearly or completely resolved. The purpose of this message is to reassure the TCC community that TCC or the College is working diligently to resolve or has resolved the dangerous situation. It can also be used to provide additional information about the situation and where resources will be available.

Enrolling in KGI's Emergency Notification System

KGI Students are registered for Everbridge Alerts automatically through KGI's IT department who downloads and updates the information every day via our student management system. Students are encouraged to keep updated contact information on file with the Registrar's Office. Staff and faculty are registered during their onboarding process through our Human Resources Department. Staff/faculty may contact Cynthia Martinez at Cynthia_Martinez@kgi.edu to update their contact information. Information on how to register for Everbridge can be found at kgi.edu/policies/title-ix-and-clery.

Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault, and Stalking Policy Statements

KGI's Statement on Prohibiting Crimes of Dating Violence, Domestic Violence, Sexual Assault, and Stalking

Keck Graduate Institute is committed to maintaining an environment for students, faculty, administrators, staff, and visitors which is free of all forms of sex- and gender-based discrimination and harassment, including sexual misconduct. Consistent with this commitment and with obligations under Title IX of the Education Amendments of 1972 and other state and federal laws, the Institute has enacted a Sexual Discrimination, Harassment, and Misconduct Policy ("Policy") to reflect and maintain KGI's institutional values and community expectations, to provide fair procedures for determining when the Policy has been violated, and to provide recourse for individuals and the community in response to violations of the Policy. A copy of the full policy can be located on our website at kgi.edu/policies.

KGI's Policy prohibits all forms of sexual or gender-based discrimination, harassment, and misconduct, including sexual assault, intimate partner violence (dating and domestic violence), sexual exploitation, and stalking. KGI's Policy also prohibits retaliation against a person who reports, complains about, or who otherwise participates in good faith in, any matter related to the Policy.

The Institute strongly encourages all members of our community to take action to maintain and facilitate a safe, welcoming, and respectful environment on campus. In particular, the Institute expects that all KGI community members will take reasonable and prudent actions to prevent or stop Prohibited Conduct. The Institute strongly supports individuals who choose to take such action and will protect such individuals from retaliation.

Upon receipt of a report, the Institute will take a prompt, fair, and impartial process from the initial investigation to the final result to eliminate the Prohibited Conduct (if any), prevent its recurrence, and remedy its effects. The Institute's process for investigating and responding to reported Prohibited Conduct is described within our Policy. Students and employees who are found to have violated this Policy may face disciplinary action up to and including expulsion/termination. This information is reiterated within Orientation for new students and onboarding new employees and through ongoing programming throughout the year.

California State Definitions for Sexual Assault, Dating/ Domestic Violence, Stalking, and Consent

The California State Penal Code utilizes the terms Sexual Battery, Rape, Corporal Injury on a Spouse or Cohabitant/Domestic Battery, and Stalking. Below are the definitions that pertain to California state law, including the definition for Affirmative Consent defined by Senate Bill 967. Along with KGI definitions, the definitions below are included within the context of prevention programs.

Penal Code 243.4.: Sexual Battery

- (a) Any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery.
- (b) Any person who touches an intimate part of another person who is institutionalized for medical treatment and who is seriously disabled or medically incapacitated, if the touching is against the will of the person touched, and if the touching is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery.
- (c) Any person who touches an intimate part of another person for the purpose of sexual arousal, sexual gratification, or sexual abuse, and the victim is at the time unconscious of the nature of the act because the perpetrator fraudulently represented that the touching served a professional purpose, is guilty of sexual battery.
- (d) Any person who, for the purpose of sexual arousal, sexual gratification, or sexual abuse, causes another, against that person's will while that person is unlawfully restrained either by the accused or an accomplice, or is institutionalized for medical treatment and is seriously disabled or medically incapacitated, to masturbate or touch an intimate part of either of those persons or a third person, is guilty of sexual battery.

Penal Code 261: Rape

(a) Rape is an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under any of the following circumstances:

- (1) Where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent.
- (2) Where it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.
- (3) Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused.
- (4) Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, "unconscious of the nature of the act" means incapable of resisting because the victim meets any one of the following conditions:
 - (A) Was unconscious or asleep.
 - (B) Was not aware, knowing, perceiving, or cognizant that the act occurred.
 - (C) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact.
 - (D) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.
- (5) Where a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief.
- (6) Where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, "threatening to retaliate" means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.
- (7) Where the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

Penal Code 273.5: Corporal Injury on a Spouse or Cohabitant

(a) Any person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim described in subdivision (b) is guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not more than one year, or by a fine of up to six thousand dollars (\$6,000), or by both that fine and imprisonment

(b) Subdivision (a) shall apply if the victim is or was one or more of the following:

- (1) The offender's spouse or former spouse.
- (2) The offender's cohabitant or former cohabitant.
- (3) The offender's fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship, as defined in paragraph (10) of subdivision (f) of Section 243.
- (4) The mother or father of the offender's child.

(c) Holding oneself out to be the spouse of the person with whom one is cohabiting is not necessary to constitute cohabitation as the term is used in this section.

(d) As used in this section, "traumatic condition" means a condition of the body, such as a wound, or external or internal injury, including, but not limited to, injury as a result of strangulation or suffocation, whether of a minor or serious nature, caused by a physical force. For purposes of this section, "strangulation" and "suffocation" include impeding the normal breathing or circulation of the blood of a person by applying pressure on the throat or neck. For the purpose of this section, a person shall be considered the father or mother of another person's child if the alleged male parent is presumed the natural father under Sections 7611 and 7612 of the Family Code.

Penal Code 243: Domestic Battery

(e) (1) When a battery is committed against a spouse, a person with whom the defendant is cohabiting, a person who is the parent of the defendant's child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship.

Penal Code 646.9: Stalking

(a) Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking.

Senate Bill No. 967: Affirmative Consent

(1) An affirmative consent standard in the determination of whether consent was given by both parties to sexual activity. "Affirmative consent" means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent. It shall not be a valid excuse that the accused believed that the complainant affirmatively consented to the sexual activity if the accused knew or reasonably should have known that the complainant was unable to consent to the sexual activity under any of the following circumstances:

(A) The complainant was asleep or unconscious.

(B) The complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the complainant could not understand the fact, nature, or extent of the sexual activity.

(C) The complainant was unable to communicate due to a mental or physical condition.

Statement on Bystander Intervention

The Institute expects all of its community members to take reasonable and prudent actions to prevent or stop an act of gender-based or sexual misconduct. Taking action may include direct intervention, calling law enforcement, or seeking assistance from a person in authority. Community members who choose to exercise this positive moral obligation will be supported by the Institute. Due to COVID, the Institute sent a Bystander Intervention card confirming our commitment to this initiative electronically.

Prevention and Risk Reduction

Below is the information provided to students on prevention and risk reduction as it is outlined in our Sexual Discrimination, Harassment, and Misconduct Policy. Members of KGI have access to the policy via the student handbook, KGI website, or through the Student Affairs and Title IX office.

Prevention: If you find yourself in the position of being the initiator of sexual behavior, you owe sexual respect to your potential partner and yourself. These suggestions may help you avoid committing a non-consensual sexual act and reduce your risk of being accused of sexual misconduct:

1. Clearly communicate your intentions to your sexual partner and give your partner a chance to clearly communicate intentions to you.
2. Understand and respect personal boundaries. Do not pressure a potential partner.
3. DON'T MAKE ASSUMPTIONS about consent; about someone's sexual availability; about whether the individual is attracted to you; about how far you can go or about whether the individual is physically and/or mentally able to consent. If there are any questions or if there is any ambiguity then you DO NOT have consent and you should stop.
4. If you think you are receiving unclear or conflicting messages from your partner, this is a clear indication that you should stop, defuse any sexual tension, and communicate better.
5. Don't take advantage of someone's drunkenness, drugged, or otherwise incapacitated state.
6. Realize that your potential partner could be intimidated by you, or fearful. You may have a power advantage simply because of your gender or size. Don't abuse that power.
7. Understand that consent to some form of sexual behavior does not automatically equal consent to any other form of sexual behavior.
8. Silence and passivity cannot be interpreted as an indication of consent. Read your potential partner carefully, paying attention to verbal and non-verbal communication and body language. If you are not sure, stop.

Risk Reduction: Risk reduction tips can, unintentionally, take a victim-blaming tone. With no intention to victim blame, and with the recognition that only those who commit sexual violence are responsible for such conduct, these suggestions may nevertheless help you to reduce your risk of experiencing a non-consensual sexual act.

1. If you have sexual limits, make them known as early as possible.
2. If you do not want to engage in a particular activity, tell the other person "NO" clearly and firmly.
3. Try to remove yourself from the physical presence of a sexual aggressor, if you can do so safely.
4. If someone is nearby, ask for help or if it is safe to do so, text or call someone.
5. Acknowledge that alcohol/drugs lower your sexual inhibitions and may make you vulnerable to someone who views someone under the influence as a sexual opportunity.
6. Take care of your friends and ask that they take care of you. Friends can help acknowledge when you are in potential danger or harm. Respect their concerns.

Prevention and Awareness Campaigns for Students and Employees

Prevention and awareness campaigns for students and employees that prevent dating violence, domestic violence, sexual assault, and stalking are carried out by KGI's Dean of Students and Title IX Coordinator, Cynthia Martinez. Dean Martinez also works closely with the other seven Claremont Colleges, including our shared advocacy resource, The EmPOWER Center, in order to provide opportunities for cross-campus programming. Due to COVID-19, many of KGI's regularly scheduled programming and prevention efforts have been canceled or moved to a virtual format.

April Sexual Assault Awareness Month: KGI provides several opportunities during April's Sexual Assault Awareness Month that promote awareness of sexual assault and sexual violence. Due to COVID-19, Sexual Assault Awareness Month programming was replaced with an email campaign sent by the Title IX Office with information on support and resources.

- **October Domestic Violence Awareness Month:** Due to COVID-19, KGI promoted Domestic Violence Awareness Month with an email campaign sent by the Title IX Office with information on support and resources.
- **EmPOWER Center Ongoing Programs:** Along with supporting KGI's efforts for April and October programming, the EmPOWER center also hosts ongoing programs throughout the year to support survivors of dating/domestic violence, stalking, and sexual assault. Below is a list of programs/events.
- **Teal Dot:** This is a three-hour bystander intervention training session that equips students to recognize potentially dangerous situations and safely intervene to prevent violence. This program occurs approximately once a month during the fall and spring semester.
- **Art Therapy Sessions:** bi-monthly, the EmPOWER center hosts art therapy sessions for students. The sessions are guided group art activities geared towards healing and processing trauma.

- Masculinity Mondays: is a bi-monthly drop-in session for students to connect with each other and facilitators about the impacts and effects of unhealthy masculinities and to foster and create healthier masculinities within themselves and within the communities in which they exist.
- In its commitment to prevent sexual assault, dating/domestic violence, and stalking, KGI conducts several training sessions for students and employees. These trainings provide information on support resources, list the types of prohibited conduct at KGI, provide information on how to report and who to report to, describe KGI's process for handling such disclosures, as well information on how to be an active bystander. Below are the ongoing trainings.
 - Everfi Online Training for New Students: Every new incoming student at KGI is required to complete two training courses: AlcoholEDU and Sexual Assault Prevention for Graduate Students.
 - Everfi Online Training for New Employees: Every employee is required to complete the course "Preventing Harassment and Discrimination with Title IX and Clery" within 30 days of hire and the program is repeated every two years for all employees.
- First-Year Orientation: KGI's Title IX Coordinator presents to incoming first-year students.
- Re-Orientation: KGI's Title IX Coordinator presents to current students who are returning to KGI.
- International Orientation: A presentation is provided to new incoming international students by the Title IX Coordinator and the EmPOWER center.
- Summer Orientation: KGI's Title IX Coordinator presents to incoming summer school students.
- All Staff and Faculty Meeting Presentations: KGI's Title IX Coordinator presents during select staff and faculty meetings annually.
- Onboarding trainings for new employees including new student employees: in coordination with Human Resources, the KGI's Title IX and Clery Coordinator may meet with new employees to review Title IX, mandatory reporting requirements, and resources.
- Community Assistant Training: the Community Assistants at KGI are trained annually on the following topics: mandatory reporting/Campus Security Authority requirements, fire safety, active assailant and earthquake emergency preparedness, and information on responding to disclosures of sexual misconduct.
- Title IX Adjudicator Training: those who serve in an adjudication role for Title IX are trained annually. Adjudicators include the Title IX Coordinator, Title IX Deputies, Sanctioning Officers, Investigators, and the Appellate Officer. Training topics include issues related to dating/domestic violence, stalking, and sexual assault, how to conduct an investigation, and fair processes that protect both parties and promote accountability. Additionally, the Title IX Coordinator attends annual professional development conferences regarding prevention, compliance, and/or best practices.

Procedures to Follow if a Crime of Sexual Assault, Domestic/Dating Violence, or Stalking Has Occurred

KGI's Policy on Sexual Discrimination, Harassment, and Misconduct outlines the procedures, resources, and steps victims should follow following an instance of sexual assault, dating/domestic violence, and/ or stalking. Following a report of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the institution will provide the student or employee with a written explanation of the student's or employee's rights and options. Details of what is included in the written material can be found below (a full copy of the policy is made available at kgi.edu/policies). KGI's procedures for disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking are also provided in writing.

The Importance of Preserving Evidence (provided in writing)

Victims/survivors of a sexual assault (particularly forcible oral copulation or 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, Student Health Service, or private physician.

The emergency room nearest KGI, which is also a County designated SART Center, is located at:

Pomona Valley Hospital Medical Center

1798 N. Garey Avenue
Pomona, CA 91767
909.865.9500

SART is a victim-sensitive program designed to provide a team approach to responding to sexual assaults.

Victims/survivors may take a support person with them to the hospital. Students who need assistance arranging for transportation or would like a member of the KGI staff to accompany them to the hospital should contact Campus Safety at 909.607.2000, and ask that a Dean or the Title IX Coordinator be contacted. Know that hospitals that treat any physical injury sustained during a sexual assault are required to report it to law enforcement. The victim/survivor may choose whether or not to speak to police at the hospital and do not need to make an immediate decision to press criminal charges. That decision can be made at a later time.

Victims/survivors who promptly seek medical attention benefit from being examined for physical injury, receiving preventative treatment for sexually transmitted diseases, a toxicology examination for date rape drugs, and emergency contraception. In addition, prompt reporting allows for the preservation of evidence. The preservation of evidence is important as it may assist in proving that the alleged criminal offense occurred and/or may be helpful in obtaining a protective order, which will only be used if the victim/survivor decides (then or later) to press criminal charges or file a civil suit.

To preserve evidence, victims/survivors 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 hours. If, however, a sexual assault victim/survivor chooses to report the incident days, weeks, or even months after the assault, important support systems are still available and can be arranged.

Victim/survivors who do not wish to go to the hospital may choose to contact:

Planned Parenthood 1550 N Garey Avenue Pomona, CA 91767 800.576.5544

Planned Parenthood has healthcare providers who can test and provide preservative treatment for sexually transmitted diseases or see a personal health care provider for tests and treatment.

Know that while the preservation of evidence is important, lack of physical evidence should never deter a victim/survivor from reporting or seeking resources. Because the Institute's process uses a preponderance of the evidence standard, the need for physical evidence (while helpful) is never a requirement for proceeding with a formal or informal process.

Who to report to (provided in writing)

Anyone who witnesses, experiences, or is otherwise aware of conduct that the individual believes to be in violation of this Policy, including retaliation, is urged to contact KGI immediately. Reports may be made to any of the following individuals:



For student, staff, and/or faculty reports:

For staff and faculty reports:

Cheryl Merritt

Assistant Vice President of Human Resources and
Employee Engagement (and Deputy Title IX Coordinator)
909.607.7853

Cheryl_Merritt@kgi.edu

535 Watson Dr.

Claremont, CA 91711

Building 535 West, Office #150D

For student reports:

Cynthia Martinez

Dean of Students (and Title IX Coordinator)

Cynthia_Martinez@kgi.edu

535 Watson Dr.

Claremont, CA 91711

Building 517, Office #120

For student, staff, faculty, or third party reports:

Campus Safety

909.607.7233

909.607.2000 (emergency)

150 E. 8th St.

Claremont, CA 91711

dispatch@claremont.edu

Complainants are encouraged to make a report in a timely way in order to maximize KGI's ability to respond promptly and effectively. The complainant (or third party if making a report on behalf of another person) does not have to request a particular course of action, nor does the complainant or third party need to know the appropriate definition or label for what happened. The decision to make a report is a process that is likely to unfold over time.

Options about the involvement of law enforcement (provided in writing)

In the event of an incident of sexual misconduct, especially sexual violence, KGI strongly encourages that individuals seek assistance immediately from a medical provider and/or law enforcement. In Claremont, those resources include:

Pomona Valley Hospital Medical Center

800.576.5544

1550 N Garey Avenue

Pomona, CA 91767

Campus Safety

909.607.7233 (607-HELP)

909.607.2000 (emergency)

150 E. 8th St.

Claremont, CA 91711

dispatch@claremont.edu

Claremont Police Department

909.399.5411

Emergency Dial 911

570 W. Bonita Ave.

Claremont, CA 91711

Some incidents of sexual misconduct may also constitute criminal conduct. In such instances the complainant is encouraged to file a report with an appropriate law enforcement agency and, if requested, the Institute will assist the complainant in doing so. This is the best option to ensure the preservation of evidence and to begin a timely investigative and remedial response. Police have unique legal authority, including the power to seek and execute search

warrants, collect forensic evidence, make arrests, and assist in seeking emergency protective orders. Victims may choose to decline to notify such authorities and whether or not to file a police report is the complainant's choice.

The definitions of Prohibited Conduct and the burden of proof for internal processes are different from the definitions of criminal behavior and the burden of proof used in the criminal justice system. These reporting options are not mutually exclusive and may be made simultaneously or at different times.

A criminal investigation or proceeding does not relieve KGI of its duty to conduct its own timely inquiry into the alleged misconduct. As a consequence, the Institute will not wait for the conclusion of any criminal investigation or proceedings to commence the KGI investigation and complaint resolution procedures outlined below. Neither law enforcement's determination of whether or not to prosecute a respondent nor the outcome of any criminal prosecution is determinative of whether conduct prohibited under this Policy occurred.

KGI take seriously the rights of victims and the institutes responsibilities for orders of protection, "no contact" orders, and restraining orders. Victims may seek no contact orders through the institute or may be assisted with obtaining a restraining order through the court. These measures are available to the complainant, regardless of whether the complainant files a formal complaint with KGI or local law enforcement. This is provided to victims in writing as outlined below.

- No Contact Order: Campus Safety, the Title IX Coordinator, Dean of Students, and/or the Director of Human Resources may impose a "no-contact" order, which typically will include a directive that the parties refrain from having any contact with one another, directly or through third parties, whether in person or via electronic means, pending the investigation and/or outcome. When taking steps to separate the complainant and the respondent, the Title IX Coordinator, Dean of Students, and/or the Director of Human Resources will seek to minimize unnecessary or unreasonable burdens on either party.
- Restraining Order: The Institute may assist with providing information about or assistance in obtaining a restraining order from a court of law.

Protecting the confidentiality of victims and other necessary parties (provided in writing)

Notification

In accordance with applicable law, KGI's annual security report includes statistics concerning reported sexual assaults and other crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by KGI; and on public property within, or immediately adjacent to and accessible from, the campus. These reports never include personally identifiable information (e.g., the names or addresses of victims).

Statistical Reporting

Under the Clery Act, certain College officials have a duty to report certain misconduct for federal statistical reporting purposes. All personally identifiable information is kept confidential, but statistical information must be passed along to campus safety regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the annual Campus Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety. Mandated federal reporters, also known as Campus Security Authorities, include: student affairs staff, campus law enforcement, local police, coaches, athletic directors, residence life staff, student activities staff, human resources staff, advisors to student organizations, and any other official with significant responsibility for student and campus activities. The information to be shared includes the date, the location of the incident (using Clery location categories), and the Clery crime category. This reporting protects the identity of the victim and may be done anonymously.

Timely Warning

Complainants should also be aware that Institute administrators must issue immediate timely warnings for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community. For purposes of the Timely Warning requirement, the Institute will not disclose a Complaint's name. However, the Institute will provide enough information for community members to make safety decisions in light of the danger. The reporters for timely warning purposes are the same as those detailed in the paragraph above.

Location of Records

The Institute will retain documents related to processes under this Policy for a period of seven (7) years.

Documents related to this process include: formal complaints, remedies provided to a complainant, the investigation report and attachments, the hearing determination, any sanctioning determination, and all appeal-related documents, as well as any audio recording or transcript of the hearing.

The Institute will also retain, for a period of seven (7) years, all materials used to train the Title IX Coordinator and assistant coordinators, Investigators, hearing panel members/officers, and any person facilitating the informal resolution or appeal process. The Institute shall make this training material publicly available on its website.

Sex Offender Registration—Campus Sex Crimes Prevention Act

Megan's Law

Members of the public may request community notification flyers for information concerning sexually violent predators in a particular community by visiting the chief of law enforcement officer in that community. The State of California maintains a database of convicted sex offenders who are required to register their home addresses. This database can be found at:

Search for Sex Offenders: meganslaw.ca.gov/disclaimer.aspx

For general information, see State of California Department of Justice, Megan's Law in California: meganslaw.ca.gov

Preponderance of the Evidence

Preponderance of the Evidence The standard used for determining whether a respondent has violated this Policy is preponderance of the evidence. This means that in the eyes of the evaluator, it is more likely than not that a violation occurred, based on all available evidence. The burden of collecting evidence and proving a violation of this Policy is on the Institute, not the parties.

Disciplinary Procedures for Students and Employees for Cases Involving Alleged Dating/ Domestic Violence, Sexual Assault, or Stalking

Advisor

All complainants and respondents are entitled to be accompanied by an advisor of their choosing throughout the investigation and resolution processes, including initial intake, investigation interviews, meetings, and hearings.

The advisor may be a friend, mentor, family member, attorney, member of The Claremont Colleges community, or any other person, as long as such person is not otherwise involved in these proceedings, such as serving as a witness.

All advisors are subject to this policy, whether they are attorneys or not. Advisors may not make a presentation or represent the complainant or respondent during any meeting, or proceeding, except as otherwise provided herein.

Although reasonable attempts will be made to schedule proceedings consistent with the advisor's availability, the process will not be delayed to schedule the proceedings at the convenience of the advisor. The Title IX Coordinator has the discretion to remove the advisor from the proceedings if the advisor person interferes with the process.

Initial Assessment

Upon receipt of a report of Prohibited Conduct, the Title IX Coordinator or a Deputy Title IX Coordinator ("Coordinator") will make an initial assessment of the report which will include an immediate assessment of any risk of harm to individuals or to the campus community and will take steps necessary to address those risks.

During an initial intake meeting with a complainant, the Coordinator will:

- Assess the immediate physical safety and emotional well-being of the complainant or any other individual, and make medical referrals as appropriate;
- Inform the complainant of the right to notify (or decline to notify) law enforcement if the conduct is potentially criminal in nature, and the importance of the preservation of evidence;

- Make inquiries to understand the key facts upon which the Complainant bases the report (i.e., the who, what, where, and when) to appropriately assess how to proceed;
- Assess the reported conduct to determine whether, under applicable federal law, the campus community should be notified;
- Discuss and provide in writing the range of interim measures and remedies, including changes to academic, living, transportation, and/or working situations, or other protective measures, which are available to the complainant, regardless of whether the complainant files a formal complaint with KGI or local law enforcement;
- Provide the complainant with written information about on- and off-campus resources, and the options for resolution, including informal and formal resolution procedures under this Policy;
- Discuss the complainant's expressed preference for a manner of resolution and express wishes with regard to protecting privacy;
- Explain to the complainant the Institute's Policy prohibiting retaliation;
- Notify the complainant of the right to be accompanied to any meeting by an advisor of choice;
- Determine the respective ages of the complainant and respondent, and if one is a minor, make the appropriate notifications under California's child abuse and neglect reporting requirements; and
- If the conduct is potentially criminal in nature, arrange to enter non-identifying information about the report into the Institute's' daily crime log.

The Coordinator may also meet with the respondent and other relevant parties as part of the initial assessment. If the Coordinator meets with the respondent, s/he will be provided with information on the respondent's rights and options under this Policy and these procedures, and written materials about the availability of, and contact information for campus and off-campus support resources.

At the conclusion of the intake process, the Coordinator or Deputy Title IX Coordinator, in consultation with the Title IX Coordinator, will make two threshold determinations: (1) Does the complainant's report state facts that, if true, could constitute a violation of this Policy? (2) If yes, should the Institute proceed through formal or informal resolution procedures?

If the first threshold is not met under Title IX, or any other Institute complaint resolution process, the complainant will be so advised and the Institute will not proceed further. The Institute will, however, maintain a record of the reported conduct and this information may be considered in connection with any future complaint or investigation. If new evidence is provided at a later date, the Title IX Coordinator may reopen the investigation process.*

**Note that if a complaint does not rise to a level of actionable conduct, the complainant will still receive information on support resources and efforts will be made to deescalate the conduct concerning the complainant including a referral to the appropriate office if applicable.*

Written Complaint

A written complaint signed by the complainant is required to utilize the informal or formal resolution procedures described below. A written complaint is a document submitted or signed by the complainant or signed by the Title IX Coordinator alleging a policy violation by a respondent and requesting that the Institute proceed with the resolution process. A complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail.

Notice to the Respondent

When a decision is made to initiate formal or informal resolution procedures, to impose interim measures, or to take any other action that impacts a respondent, the Title IX Coordinator will ensure that the respondent is promptly notified and is provided with information on the respondent's rights and options under this Policy and these procedures, and written materials about the availability of, and contact information for, campus and off-campus support resources.

In connection with the formal resolution process, written notification will be sent to both parties sufficient to apprise the respondent of the nature of the allegations, including the complainant's name; the nature of the alleged policy violation(s) (e.g., sexual assault, harassment, intimate partner violence, or retaliation); the

date(s) of the alleged policy violation(s); the location(s) where the violation(s) allegedly occurred; and the sanctions that may be imposed if the respondent is found to have violated this Policy. The notice will also include a statement that the respondent is presumed not responsible for the alleged conduct, and that a determination regarding responsibility will be made at the conclusion of the process. The notice will further inform the parties that they each may have an advisor of their choice, including an attorney, they will be afforded an opportunity to review and inspect evidence, and that Institute policy prohibits knowingly making false statements or knowingly submitting false information in connection with the complaint resolution process.

The parties will also be informed that if, during the resolution process, conduct is disclosed which may constitute a further violation of this Policy, and the respondent will be notified and afforded an opportunity to respond before the complaint resolution process is concluded.

Informal Resolution Procedures

Informal resolution is a voluntary process for timely and corrective action through the imposition of individual and/or community-focused remedies designed to maintain the complainant's access to the educational, extracurricular, and employment activities at the Institute and to eliminate a potential hostile environment. The option to pursue informal resolution will be presented to the parties only after the Institute has sufficient information about the nature and scope of the conduct at issue. In cases involving allegations of sexual assault or intimate partner violence, informal resolution is generally not appropriate.

If the complainant, the respondent, and the Title IX Coordinator (or designee) all agree in writing to pursue an informal resolution, the Title IX Coordinator (or designee) will attempt to facilitate a resolution that is agreeable to all parties. The role of the Title IX Coordinator (or designee) is not to be an advocate for either party, but rather, to aid in the resolution of issues in a non-adversarial manner. Under the informal process, the Institute will only conduct such fact-finding as is useful to resolve the conflict and as is necessary to protect the interests of the parties, the Institute, and the Institute community.

The Institute will not compel a complainant or respondent to engage in mediation, to directly confront the other party, or to participate in any particular form of informal resolution. If at any point during the informal resolution process, the complainant, the respondent, or the Institute wishes to cease the informal resolution process and to proceed with formal complaint resolution, the informal resolution process will stop and the formal complaint resolution process described below will proceed.

Any informal resolution must adequately address the concerns of the complainant, the rights of the respondent, and the overall intent of the Institute to stop, remedy, and prevent policy violations. The Institute will take appropriate actions as necessary and use its best efforts to remedy any harm that occurred and to prevent any further incidents of Prohibited Conduct. Examples of potential remedies are provided in the "Supportive Measures" section of this Policy. The recommended resolution may also include other institutional responses or requirements imposed on the respondent.

The time frame for completion of informal resolution may vary, but the Institute will seek to complete the process within twenty (20) days of receipt of an initial report of Prohibited Conduct.

The Title IX Coordinator will maintain records of all reports and conduct referred for informal resolution and the outcome of the informal resolution process.

Formal Resolution Procedures

A formal resolution process will occur when a formal complaint is made by (i) a complainant alleging a violation of this Policy by a respondent; or (ii) by the Title IX Coordinator based upon a determination that a formal resolution process is necessary after considering the safety of the broader campus community. The formal resolution process involves an investigation, hearing and appeal.

NOTE: A respondent may accept responsibility for the conduct alleged at any time during the investigation or hearing process, and acknowledge the identified policy violation(s). If a respondent accepts responsibility for the violation(s), the respondent may proceed to sanctioning rather than completing an investigation or hearing. In doing so, the respondent waives any right to appeal the determination of responsibility.

Selection of Investigator

Once a decision has been made to proceed with a formal investigation, a trained investigator, or team of investigators ("investigator") will be appointed by the Title IX Coordinator to conduct a prompt, thorough and impartial, investigation of the complaint.

The assignment of an investigator may vary depending on the availability of trained internal personnel and other factors. The Title IX Coordinator shall have the authority and discretion to assign an external investigator as circumstances may necessitate or warrant. The Title IX Coordinator may also serve as an investigator or a member of an investigative team. In those situations where the Title IX Coordinator serves as an investigator, a Deputy Title IX Coordinator will be designated to discharge the functions of the Title IX Coordinator in connection with these procedures.

The parties will have three (3) business days after being notified of an investigator's identity to object to the investigator's selection on the basis of actual or perceived conflict of interest, bias, or prejudice. If either of the parties object to the investigator selected, the Title IX Coordinator will evaluate whether the objection is substantiated, and, if so, the Title IX Coordinator will remove and replace the investigator.

Investigation Protocol

The investigator will interview the complainant, the respondent, and witnesses, treating each with appropriate sensitivity and respect, and will collect additional information. Prior to any meeting, including an investigative interview meeting, with a complainant or respondent, the investigator shall provide the party with written notice of the date, time, location, participants, and purpose of the meeting. The investigator shall provide the written notice with sufficient time for the party to prepare for the meeting.

The complainant and respondent will both have the opportunity to present the names of witnesses from whom they suggest the investigator solicit information and questions that they request the investigator to ask the other party or any witnesses. There are no restrictions on the ability of any party to discuss the allegations or gather and present relevant evidence, including presentation of expert witnesses. The investigator will consider the lists provided by the complainant and respondent when determining the persons to interview and the questions to ask, but these decisions remain in the investigator's discretion. The investigator may also choose to interview other witnesses not identified by the parties.

The investigator will prepare a summary of each interview. The investigator will share the summary with the interviewee. The interviewee will have the opportunity to correct or comment on any statements made in the summary. If no response is received from the interviewee, their summary may be included in the Preliminary Investigative Report and will be presumed to be accurate. In all instances where the investigator includes the interview summary as an exhibit to a report, the investigator will also include any response.

It is also the responsibility of the investigator to take possession and arrange for the safekeeping of any physical or electronic records, documents, or other tangible items to be used in making a finding.

The Investigator will not consider evidence which requires seeking information protected by a legally recognized privilege, unless the person holding the privilege has waived the privilege. The investigator may consider prior or subsequent conduct of the respondent in determining pattern, knowledge, intent, motive, or absence of mistake. The investigator will generally not gather information related to the sexual history of either the complainant or respondent, except as provided in Section VIII.E., below.

All parties and witnesses are obligated to be completely honest during the course of the investigation. Any person who knowingly makes a false statement in connection with the investigation may be subject to disciplinary action. False statements include statements that omit a material fact, as well as statements that the person knows to be untrue.

It is important that investigations be thorough, reliable, fair, and impartial. Therefore, the investigator will continue to collect evidence until they determine that the investigation is complete.

Preliminary Investigative Report

The preliminary investigation report (preliminary report) shall include the investigator's summary of the investigation, the allegations at issue, disputed and undisputed facts, and all evidence including witness statement summaries or other evidence.

The investigator will not state factual findings or ultimate findings as to whether the respondent has, or has not, violated this Policy. The investigator shall submit the preliminary investigative report to the Title IX Coordinator. Once the Title IX Coordinator has agreed that investigation is complete, the Title IX Coordinator will simultaneously make the preliminary report available to the parties and their respective advisors (if so desired by the parties) for review. The parties shall also be provided an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the complaint, including the evidence upon which the investigator does not intend to rely and inculpatory or exculpatory evidence whether obtained from a party or other source.

Both parties may provide written comments (which may include posing any follow-up questions for the other party or any witness, requesting a follow-up interview with the investigator to clarify or provide any additional information that such party believes is relevant to the investigation, identifying any new witnesses who should be interviewed, identifying any additional evidentiary materials that should be collected and reviewed to the extent that such items are reasonably available, identifying and objecting to any information that such party believes was inappropriately included in the preliminary report), in writing in response to the preliminary report, within ten (10) business days of receiving it. If these comments suggest that additional interviews or consideration of additional material evidence is needed, the investigator, in consultation with the Title IX Coordinator, may determine that the investigation process will be extended.

Note: The Title IX Coordinator shall provide the report and referenced evidence to the parties in a secure manner. Neither the complainant nor the respondent (or their advisor, including but not limited to family members and/or legal counsel) may copy, remove, photograph, print, image, videotape, record, or in any manner otherwise duplicate or remove the information provided in the preliminary report.

Final Report

After addressing any comments timely submitted and updating the report as necessary, or after the ten (10) business day comment period has elapsed without comment, the investigator will prepare a final report which will contain all information from the preliminary report, supplemented by any additional information gathered. The final report will not state factual findings or ultimate findings as to whether the respondent has, or has not, violated this Policy.

The investigator shall submit the final report to the Title IX Coordinator. Once the Title IX Coordinator has agreed that the final report is complete, the Title IX Coordinator will make the final report available simultaneously to the parties, along with information regarding the hearing process. The parties will have five (5) business days to review the final report and submit any comments concerning the final report to the Title IX Coordinator.

Hearing

The Title IX Coordinator will provide the final report and the parties' response, if any, to the decision maker/hearing officer and schedule a hearing.

- For cases involving students, the decision maker will be the Dean of Students (or designee).
- For cases involving staff/faculty, the decision maker will be the Assistant Vice President of Human Resources and Employee Engagement (or designee).
- For cases involving both staff/faculty and students, the decision maker will be the Dean of Students (or designee) and the Assistant Vice President of Human Resources and Employee Engagement (or designee).
- For cases involving members of the Claremont Colleges, the decision maker will be the Dean of Students (or designee) and/or the Assistant Vice President of Human Resources and Employee Engagement (or designee).

The Title IX Coordinator, in consultation with appropriate administrators, may also elect to engage a qualified external hearing officer either to assist the decision maker in the conduct of the hearing or to serve as the decision

maker. In determining whether to select a hearing officer, the Institute, will consider the nature of the allegations, the complexity of the case, whether there is any issue of conflict of interest, the availability of the decision maker referred to above, whether the Institute is in session or on break, and any other relevant factors.

The hearing is an opportunity for the parties to address the decision maker/hearing officer in person, to question the other party and/or witnesses, and for the decision maker/hearing officer to obtain information following the investigation that is necessary to make a determination of whether a policy violation has occurred.

The Title IX Coordinator will schedule a hearing date, time, and location and provide the parties with at least ten (10) calendar days prior written notice of the hearing. The parties will also be provided with the name of the decision maker/hearing officer. The parties will have three (3) business days after being notified of the identity of the decision maker/hearing officer to object to such person(s) on the basis of actual or perceived conflict of interest, bias, or prejudice. The Title IX Coordinator will evaluate whether the objection is substantiated, and if so, the Title IX Coordinator, will remove and replace the decision maker/hearing officer.

At least five (5) calendar days prior to the hearing, the parties shall provide, for consideration by the decision maker/hearing officer, the names of any witnesses the parties suggest be called. The decision maker /hearing officer shall decide the appropriateness of the potential identified witnesses and shall notify the parties prior to the hearing of the reasoning why any proffered witness would not be appropriate to call as a witness.

The decision maker/hearing officer shall likewise submit to the parties the names of additional witnesses who the decision maker/hearing officer would like to appear at the hearing. Although good faith attempts shall be made by the Institute to secure the attendance of all requested and approved witnesses, the parties must recognize that the Institute does not have the power to subpoena witnesses to appear, and that accordingly, the Institute, through the Title IX Coordinator, will only be able to use good faith efforts and the Institute's own policies regarding cooperation to obtain the attendance of witnesses.

The decision maker/hearing officer has broad discretion to determine the hearing format. However, whenever these procedures are used to adjudicate complaints of sexual misconduct, the decision maker/hearing officer shall permit cross-examination of the parties and witnesses. Neither party shall be allowed to directly question or cross-examine the other or witnesses during the hearing. Instead, questions may only be posed by the party's advisor. If a party does not have an advisor the Institute will, upon request, appoint an advisor for the limited purpose of posing questions to the other party and witnesses at the hearing when required to do so under Title IX. Any such request should be submitted to the Title IX Coordinator as soon as possible, and preferably no later than five (5) calendar days prior to the scheduled hearing. Other than posing questions to the other party and witnesses, advisors may not participate directly in, or interfere with, the proceedings.

Only relevant questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a question, the decision maker/hearing officer must first determine whether the question is relevant and explain any decision to exclude a question as not relevant on the record. Questions related to the sexual history of either the complainant or respondent shall not be permitted, except as provided in Section VIII.E., below.

If a party or witness does not appear at the hearing, or appears and does not submit to cross-examination at the hearing, the decision maker/hearing officer may not rely on any statement of that party or witness in reaching a determination regarding responsibility; provided, however, that the decision maker/hearing officer cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions.

A typical hearing may include brief opening remarks by the decision maker or hearing officer; questions posed by the decision maker/hearing officer to investigator and one or both of the parties; follow-up questions by one party to the other (typically with the respondent questioning the complainant first); questions by the decision maker/hearing officer to any witness including the investigator; and follow-up questions by either party (typically with the respondent questioning the witness first). The decision maker/hearing officer also will afford either party an opportunity to offer closing remarks at the end of the hearing. Offering closing remarks is completely voluntary.

The hearing is closed to all persons except the parties, the parties' respective advisors, appropriate witnesses while they are testifying, the Title IX Coordinator, and/or any person designated by the Institute to serve as a

hearing coordinator. Note, If a party does not participate in, or attend, the hearing involving a claim of sexual misconduct, their advisor may still appear at the hearing and ask questions of the other party and witnesses.

The hearing shall be conducted with all persons physically present in the same geographic location or, at the discretion of the Title IX Coordinator, any or all parties, witnesses, and other participants may appear at the hearing virtually, with technology enabling participants simultaneously to see and hear each other. Note, at the request of either party, the Title IX Coordinator shall provide for the hearing to occur with the parties located in separate rooms with technology enabling the decision-maker(s) and parties to simultaneously see and hear the party or the witness answering questions.

A record of the hearing, ordinarily in the form of a digital or stenographic recording, will be made. Any such recording is Institute property, but shall upon reasonable request, be made available to the parties for inspection and review. No other recording of the hearing is permitted.

All participants at the hearing will behave in a respectful manner. The decision maker/hearing officer has discretion to remove any participant or observer who is not conducting themselves in a manner conducive to a fair, safe, and orderly hearing.

Sanctions/Remedial Actions

This section applies only to proceedings involving student respondents. In the case of employee respondents found responsible for a policy violation, the decision maker/hearing officer will impose sanctions or will refer the matter to Institute's designated officer responsible for administering employee discipline.

Within five (5) calendar days of the last day of the hearing, the parties may submit an impact or mitigation statement, which will be considered by the decision maker/hearing officer only upon a finding of responsibility for the alleged policy violation. An impact statement is a written statement from the complainant in which the complainant describes the impact of the alleged policy violation on the complainant, expresses the complainant's preferences regarding appropriate sanctions, and identifies any aggravating circumstances that the complainant wishes the decision maker/hearing officer to consider. A mitigation statement is a written statement from the respondent in which the respondent explains any factors that the respondent believes should mitigate, or otherwise be considered in determining, the sanctions imposed. Impact and mitigation statements should be sent to the Title IX Coordinator.

If the decision maker/hearing officer determines there was a policy violation, the decision maker/hearing officer shall notify the Title IX Coordinator who will provide the decision maker/hearing officer with (i) any impact and mitigation statements, and (ii) any information concerning the respondent's prior disciplinary record which the Institute believes should be considered by the decision maker/hearing officer in connection with the imposition of sanctions.

Each of the parties shall be provided any statement submitted by the other party, but information concerning the prior disciplinary record of the respondent will not be shared with the complainant.

In connection with the imposition of sanctions, the decision maker/hearing officer should be guided by the following considerations: the severity of the violation on the complainant, documented disciplinary history of the respondent, and any mitigating or aggravating circumstances, and the interests of the community.

If it is determined that the respondent has violated this Policy, the decision maker/hearing officer shall impose sanctions commensurate with the violation and take such remedial actions as may be deemed appropriate. The determination of sanctions/ remedial actions should be guided by the following considerations: the interests of the community, the impact of the violation on the complainant, documented student conduct history, and any mitigating or aggravating circumstances.

Possible Sanctions for students include one or more of the following:

- **Warning:** Formal written notice to the student and official recognition that a violation has occurred.
- **Additional Training:** Including online training(s) or training(s) conducted by appropriate KGI officials that address the behavior or misconduct.
- **Community Service:** Performance of a preapproved service location for a prescribed number of hours to the local or KGI community.

- Creative/Educational Sanctions: Attendance at educational programs, interviews with appropriate officials, planning and implementing educational programs, research papers and other educational activities related to the violation.
- Restriction: The withdrawal of specified privilege(s) for a definite period of time. Restrictions may include, but are not limited to requirements such as: not entering certain areas of housing or the campus (including the Claremont Colleges), not contacting a certain individual or group, or not operating a motor vehicle on campus. Students may also be restricted from holding office in any student organization or participating in some activities.
- Restitution: In cases where the respondent is found responsible for damaging or misappropriating property, s/he may be required to reimburse the property owner for all or some of the cost.
- Probation: A period of time during which any further violations of the Student Code of Conduct may impact or jeopardize the student's status in a specific manner.
- Removal from Institute Housing: Permanent removal from the housing system.
- Suspension: The termination of the student's attendance or an organization's representation at the Institute for an indefinite or specified period of time. A suspension means that students may not be on Institute property or that an organization is prohibited from being recognized at any time without prior approval from the Dean of Students or designee. Stipulations may be applied to either the student or organization as a condition for ending the suspension.
- Expulsion: The permanent separation of the student from the Institute.
- Deferred Degree: The holding of an academic degree for a specified period of time with or without conditions.
- Withholding Degree: The withholding of a student's diploma for a specified period of time and/or denying a student participation in commencement or White Coat activities if the student has a grievance pending, or as a sanction if the student is found responsible for an alleged violation.

Possible Sanctions for staff/faculty include one or more of the following:

- Additional training including online training or trainings conducted by appropriate KGI officials that addresses the behavior or misconduct.
- Verbal reprimand or warning in which case the respondent will be reminded of the policy.
- Written reprimand or warning in which case a copy will be placed in employee's personnel file.
- Performance improvement plan to be prepared by and/or in conjunction with the Director of Human Resources in order to facilitate constructive discussions about what is expected and appropriate behavior and what can be done to achieve this.
- Reassignment, realignment, or removal of certain responsibilities, including elimination of advisory or supervisory roles.
- Restricted access from or suspension of certain Institute privileges, Institute events or Institute property.
- Suspension without pay for a certain period of time and/or ineligibility for an annual pay increase.
- Probation for period of time during which any further violations may impact or jeopardize the employees' status in a specific manner.
- Termination from employment or other contracts or non-reappointment.
- The parties shall be provided simultaneous written notice of the Decision Maker's decision and of their right to appeal.
- In the event of an appeal, sanctions will normally be held in abeyance pending the outcome of the appeal. If, however, the Institute determines that there may exist a threat to the safety or welfare of the KGI community, sanctions will take effect immediately.
- Probation for period of time during which any further violations may impact or jeopardize the employees' status in a specific manner.
- Termination from employment or other contracts or non-reappointment.

The parties shall be provided simultaneous written notice of the Decision Maker's decision and of their right to appeal. In the event of an appeal, sanctions will normally be held in abeyance pending the outcome of the appeal. If, however, the Institute determines that there may exist a threat to the safety or welfare of the KGI community, sanctions will take effect immediately.

APPEAL RIGHTS

Grounds for Appeal

Either party may appeal a decision to dismiss a complaint prior to a determination of responsibility, the determination of responsibility, and the sanctions on the grounds set forth below. However, if, the respondent accepted responsibility for the policy violation, either party may appeal only the sanction determination.

Appeals are decided by the Institute's President (or designee). The grounds for appeal are:

1. **Significant Procedural Error:** A procedural error occurred which significantly affected the relevant decision/determination as it applies to the appealing party (e.g., substantiated bias, material deviation from established procedures). A description of the error and its impact must be included in the written appeal.
2. **New Evidence:** New evidence that was not reasonably available at the time the determination regarding dismissal, responsibility or sanction was made, that could affect the outcome of the matter. Information that was known to the party but which the party chose not to present is not new information. A summary of the new evidence and its potential impact on the decision or determination must be included in the written appeal.
3. **Disproportionate Sanctions:** Either party may appeal the sanction because they feel that the sanction imposed for the violation of this Policy was disproportionate to the conduct found to have occurred.

Disagreement with a decision to dismiss, a determination of responsibility or sanctions is not, by itself, grounds for appeals.

Appeal Procedures

The appealing party must submit the appeal in writing to the Title IX Coordinator within seven (7) business days after receiving notice that (i) a decision has been made to dismiss a complaint prior to a determination of responsibility, (ii) the hearing has not resulted in a finding that the respondent has violated the Policy, or (iii) sanctions have been imposed based on a finding that the respondent has violated the Policy. If either the complainant or respondent submits an appeal, the Title IX Coordinator will notify the other that an appeal has been filed and the grounds of the appeal. The non-appealing party may submit a written response within five (5) calendar days after notice of an appeal.

Note, in the event of an appeal, sanctions will normally be held in abeyance pending the outcome of the appeal. If, however, the Institute determines that there may exist a threat to the safety or welfare of the Institute community, sanctions will take effect immediately. If both the complainant and respondent appeal, the appeals will be considered concurrently.

The President (or designee) will notify the complainant and respondent of the final decision simultaneously in writing and the rationale for the decision. Appeals decisions will be rendered as soon as practical. All appeal decisions are final.

Timeline

The Institute will make a good faith effort to complete the grievance resolution process within a sixty-to-ninety business day time period, including appeal. The Title IX Coordinator may set reasonable time frames for required actions under this Policy. Those time frames may be extended for good cause as necessary to ensure the integrity and completeness of the investigation, comply with a request by external law enforcement, accommodate the availability of party, advisor and witnesses, the need to accommodate disabilities account for Institute breaks or vacations, or address other legitimate reasons, including the complexity of the investigation (including the number of witnesses and volume of information provided by the parties) and the severity and extent of the alleged conduct. Any extension of the timeframes, and the reason for the extension, will be shared with the parties in writing.

Range of Protective Measures

Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge, to the complainant and/or the respondent. The Title IX Coordinator serves as the primary point of contact for facilitating the issuance of supportive measures to stabilize the situation, stop the misconduct, support the parties involved and the community, and protect the integrity of the investigation. These measures may be put in place by the Institute whether the report is resolved informally or formally, or whether or not a full investigation is conducted.

Supportive measures include the following. In the case of students, such measures shall not be punitive and applied to the fullest extent possible to avoid depriving any student of their education.

- **No Contact Order:** Campus Safety, the Title IX Coordinator, Dean of Students, and/or the Assistant Vice President of Human Resources and Employee Engagement may impose a “no-contact” order, which typically will include a directive that the parties refrain from having any contact with one another, directly or through third parties, whether in person or via electronic means, pending the investigation and/or outcome. When taking steps to separate the complainant and the respondent, the Title IX Coordinator, Dean of Students, and/or the Assistant Vice President of Human Resources and Employee Engagement will seek to minimize unnecessary or unreasonable burdens on either party.
- **Restraining Order:** The Institute may assist with providing information about or assistance in obtaining a restraining order from a court of law.
- **Safety Measures:** The Institute may coordinate any reasonable arrangements that are necessary for ongoing safety. This includes parking arrangements, providing security escorts, or transportation assistance.
- **Living Arrangements:** The Institute may assist in changing on-campus living arrangements, as available, for the respondent or that of the complainant to ensure safety and a comfortable living situation.
- **Campus Restriction:** The Institute may issue a directive prohibiting an individual from entering any part of campus. A campus restriction may also be imposed in order to restrict an individual from certain areas of campus, such as a residence hall (this can also include restrictions from KGI activities and/or events).
- **Employment Arrangements:** The Institute may assist with altering work arrangements for staff/faculty, including changes in work schedule or job assignment.
- **Academic Arrangements/Modifications:** The Institute may assist with adjusting academic schedules, withdrawals, absence notifications, deadline extensions, and testing accommodations as well as assist in providing resources to academic support services. Note that such services will be at the discretion of the Academic Dean and/or faculty overseeing the curriculum.
- **Other Interim Measures:** The Institute may coordinate reasonable arrangements to address the effects of Title IX complaints, including connections with counseling, health care, immigration and/or visa assistance and/or financial planning assistance. Once the Title IX Coordinator receives a report, the complainant and respondent (if appropriate) will be scheduled for separate meetings to review reporting options and interim measures (see Initial Assessment VII.C.).

Security Awareness Programs

Below are the programs designed to inform students and employees about campus security procedures and practices that encourage students and employees to be responsible for their own security and the security of others.

- **Student Orientation:** Annually, Campus Safety and/or KGI’s Title IX Coordinator presents to incoming new students about security awareness. Topics include evacuation procedures, how to report crimes, KGI facilities, risk reduction measures, safety escort services, earthquake procedures, active assailant procedures, and information on our LiveSafe app.
- **Student Re-Orientation:** Annually, Campus Safety and/or KGI’s Title IX Coordinator presents to currently enrolled students who are returning to KGI to inform them about security awareness. Topics include reminders on evacuation procedures, how to report crimes, KGI facilities, risk reduction measures, safety escort services, earthquake procedures, active assailant procedures, and information on our LiveSafe app.

- **New Employees:** New employees at KGI (including student employees) may meet with the Title IX Coordinator during their onboarding process to review security awareness. Topics include evacuation procedures, how to report crimes, mandatory reporting requirements, how to support students, KGI facilities, risk reduction measures, safety escort services, earthquake procedures, active assailant procedures, and information on our LiveSafe app.
- **Employees:** Additional training in security awareness is provided by the Human Resources Department annually. Topics include CPR, AED, First Aid Training, and emergency response.

Crime Prevention Programs

KGI is committed to the safety of our campus and our community. In an effort to prevent crimes on or around our campus, KGI has multiple options/programs available to students and employees that educate and raise awareness on the prevention of crimes. These include:

- Annual Security Awareness Programs
- Sexual Assault/Dating Domestic Violence/Stalking awareness and prevention programs/campaigns
- Partnership with our LiveSafe Application
- Emergency Notifications through Everbridge
- Timely Warning Notifications
- Safety Escort Services through Campus Safety
- Maintenance of KGI Facilities including enhanced lighting at KGI
- Emergency Phones located on KGI's Campus
- Annual Fire Safety Training
- Partnership with MySafeCampus notification system
- Online training on sexual harassment/assault/alcohol for employees and students via Everfi and Lawroom
- Nightly patrols of KGI's campus by Campus Safety
- Locked doors/facilities during non-business hours
- ID Card access for employees for locked buildings/facilities
- Annual CPR/AED/First Aid Training

Laboratory Safety

Environmental Health and Safety

Environmental Health and Safety (EHS) provides professional health and safety services to The Claremont Colleges and provides leadership for the health and safety programs for the Claremont Consortium. EHS provides a review of the Colleges' safety and health programs, performs safety audits and provides recommendations for safety program enhancements. EHS investigates accidents, reviews the laboratory safety programs for the Colleges, and provides a variety of safety services, policies, procedures, and guidance documents. EHS serves as liaison with regulatory and compliance agencies and is charged with certain health and safety inspections for a safe and healthy environment for all staff, faculty, and students.

Laboratory Guidelines

KGI's Laboratory Safety Manager is responsible for the maintenance and oversight of laboratory safety. Below are the guidelines set forth by KGI in order for lab safety practices.

Chemical Hygiene Plan

The chemical hygiene plan is a written program that is developed and implemented by the employer which sets forth procedures, equipment, PPE, and work practices that are capable of protecting employees from health hazards presented by hazardous chemicals used in the workplace. KGI's chemical hygiene plan is updated annually and a current copy is kept inside each laboratory. It is every lab worker's responsibility to get familiar with this plan.

Biological Safety Manual

At KGI, laboratory workers may encounter exposure to biological hazards. These hazards are present in various sources throughout the laboratory such as blood and body fluids, culture specimens, tissues, as well as other workers. The goal and purpose of the biosafety program is to protect all employees, students, the public, and the environment from contamination with, or exposure to hazardous biological agents or materials. The biosafety manual provides a practical overview of proper work practices and the requirements for regulatory compliance with laws and guidelines governing the proper use, containment, and disposal of biological hazards. This manual is updated annually and a current copy is placed inside each laboratory. It is every lab worker's responsibility to get familiar with this plan.

Bloodborne Pathogens Exposure Control

KGI is committed to providing a safe and healthy work environment for all staff, students, and visitors. Based on the employee's job duties, either the PI or laboratory safety manager will identify personnel who will be exposed to blood or other infectious material. Any personnel who anticipate exposure to bloodborne pathogens or other potentially infectious materials should receive an explanation of the Exposure Control Plan during their initial training session. The Exposure Control Plan at least covers the following topics: determination of employee exposure, methods of exposure control, post-exposure evaluation and follow-up, communication of hazards, etc.

Chemical Spill Response guideline

A chemical spill is defined as the uncontrolled release of a hazardous chemical, either as a solid, liquid, or a gas. Chemical spills at KGI may occur in a variety of worksites, from research and teaching laboratories to facilities operations. Regardless of the type or quantity of hazardous chemical involved, all worksites must implement measures to reduce the potential for spills and have a plan for responding to chemical spills. A Chemical Spill Response Guideline is kept together with the Chemical Hygiene Plan in each laboratory. The document describes generic methods for preventing chemical spills, responding to spills of low or moderate hazard, and information on reporting and addressing higher hazard chemical spills at KGI.

Proper Laboratory Clothing and Lab Coats

It is important to be properly dressed when working in a laboratory. The worker's skin should be covered with clothing to be protected from spilled chemicals, biological, or radioactive materials, falling objects, and other lab hazards. The workers should wear a shoe that completely covers the foot and clothes that cover your legs down to your ankles. Lab coats, gloves, safety glasses, or goggles are also needed to ensure that you are prepared for any incidents. Two lab coats are ordered for each individual working in a lab at no cost. (Please contact Jasmine Yu for sizing and ordering of lab coats). Additional personal protective equipment may be necessary as well and should be selected based on the hazards of your work. For students joining laboratories during summer, extra lab coats of various sizes will be ordered for classes. Lab coats stay in the labs until dirty and dirty lab coats can be dropped in the gray bins located in 114/535 and 131/517 for cleaning. The lab coats must not be worn outside the buildings.

KGI specific rules regarding PPE are listed below:

- **Gloves:** Please remove gloves when using computer keyboards. Do not wear contaminated gloves in hallways where gloves may come into contact with door handles etc.
- **Safety Glasses** must be worn at all times when working with chemicals or reagents. Please consult with your lab instructor or manager for proper eye protection.

- **Lab Coats** must stay within the labs, please do not wear your lab coat from building to building. Do not take lab coats home, KGI provides laundry service.

Laboratory Inspection and Hood/Cabinet Certifications

1. Why does KGI perform Lab Inspections?

KGI maintains bi-annual laboratory inspections to evaluate the laboratory workplace in order to develop a plan for protecting lab workers. This inspection combines both immediate actions that need to be taken as well as longer-term solutions. The inspections ensure that certain practices are maintained to keep laboratories in clean, hygienic, and safe working conditions.

2. How are Lab Inspections done?

The inspections are performed by the safety committee members who apply standard procedures to check that the laboratory is in compliance with all State and Federal laws and regulations. A detailed report including pictures and findings as well as a date of corrections will be given to the PI, lab instructor, or manager. Once all findings have been corrected the report is returned to safety, who will follow up for completion.

3. How are the safety hood and cabinet inspected?

All laboratory hoods at KGI are certified annually, as regulated by the California Code of Regulations, Title 8, Section 5154.1. KGI maintains best practices for safety hood certification and only hires trained technicians. CEPA is the company who performs that duty for KGI. They conduct all maintenance and certifications as well as "out of compliance" reports. CEPA attaches all certification labels and reports to the front of the cabinet in plain view for OSHA inspectors and users. CEPA includes both chemical and biological safety hoods and cabinets in the annual certification.

It is the responsibility of the lab worker/student to immediately report any safety hood or cabinet malfunction to Lab Operations 70160. Lab Operations personnel will announce via e-mail to all researchers in advance of CEPA performing certifications or repairs to hoods, this prevents compromising experiments during the hood certification process.

Hazardous waste disposal

1. Biological waste

- a. Biohazardous waste is defined as All biologically contaminated waste that could potentially cause harm to humans, domestic or wild animals or plants. Examples include human and animal blood, tissues, and certain body fluids, recombinant or synthetic nucleic acid molecules, and human, animal, or plant pathogens.
- b. All biohazardous waste must be decontaminated before disposal. Common decontamination methods include heat sterilization (e.g., autoclaving), chemical disinfection, and incineration.
- c. KGI is fully licensed by the State of CA to treat and dispose of biological and medical waste on site.
- d. Strict guidelines must be followed in order to be compliant with the State.
- e. Please contact Jasmie Yu (909.607.8698) if you need further training in the proper disposal of biohazards.

Chemical waste

- a. The guideline for disposal of chemical waste is discussed in the Chemical Hygiene Plan.
- b. KGI has all hazardous chemical waste picked up quarterly by North State Environmental (Licensed Waste Hauler).
- c. Your supervisor will direct you to proper waste containers.
- d. Fill out KGI waste tag and place on the waste container (with start date).
- e. Separate waste by DOT hazard class if possible.
- f. Do not mix solids and liquids together.
- g. Do not overfill bottles.
- h. Store waste in the designated area within secondary containers to prevent leakage.

Chemical and Biological Safety Committee

The Chemical and Biological Safety committee is a standing committee responsible for reviewing research activities conducted by faculty, staff, students and/or visiting scientists on Keck Graduate Institute (KGI) property that involve the use of biological agents and hazardous chemicals. The committee also serves as a forum for the discussion of safety, health, and OSHA regulatory issues that affect the campus research community, students, faculty, and staff.

Explosives, Firearms, and other Weapons Policy

This policy and its procedures apply to all KGI faculty, staff, students, and visitors to KGI.

The term weapons should be understood to include fireworks, combustibles, and explosive devices, dirks, daggers, knives (whether fixed or folding, having a blade length longer than 2 1/2 inches unless the knife is being used lawfully in or around a laboratory, or residential, dining or kitchen facility in connection with food preparation or consumption), firearms of any type (including antique and military "trophy" firearms), air rifles, air pistols, pellet/BB guns, paintball guns, or other devices capable of expelling a projectile with force of air pressure or spring action, any type of non-functional replica weapon, blow guns, spear guns, slingshots, bows and arrows, swords, any other form of weapon, sporting instrument, self-defense instrument, ammunition for any purpose (live or inert), and or any weapon possessed or used in violation of the California Penal Code.

The possession of weapons on the premises of KGI or in any building under KGI's control or at any KGI sponsored event is prohibited and a violation of California law. Violation of this policy will result in confiscation of the weapon and disciplinary action, up to and including termination or expulsion. According to the California State Penal Code, Section 626.9(b), any person who brings or possesses a firearm upon the grounds of, or within, a private institution is guilty of a felony which is punishable by imprisonment in the state prison for one, two, or three years. In addition, the use of firearms in Claremont, Los Angeles County or in the western portion of San Bernardino County is prohibited by law. The state law, as well as KGI, prohibits bringing firecrackers or explosive materials of any kind onto any part of the campus or into the buildings. This includes combustibles in containers such as gasoline cans. Illegal knives, switchblades, and other blades which violate California state law are prohibited. BB guns, pellet rifles, and other weapons which propel projectiles are also prohibited and are not allowed on campus. If necessary, recreational items may be stored at Campus Safety. Violation of this policy by any member of the community will result in confiscation of the weapon and may result in disciplinary action.

Drug, Alcohol, and Substance Abuse Policy Statements

KGI Student Drug-Free Campus Policy

Purpose and Scope of Policy

KGI is committed to providing a safe, healthy, and productive learning and working environment. Consistent with this commitment and its obligations under applicable law, KGI has adopted this policy.

Prohibitions

KGI prohibits the unlawful manufacture, possession, distribution, dispensation, sale, transportation, offer to sell, promotion, purchase, and/or use of drugs (including marijuana¹) and alcohol on KGI-owned or controlled property ("KGI property"); at KGI-sponsored/sanctioned activities and events; and while conducting or performing KGI-related business, regardless of location.

Additionally, any and all types of drug paraphernalia, including but not limited to bongs, pipes, hookahs, water pipes, or any items modified or adapted so that they can be used to consume drugs, are not permitted on KGI property. Any such drug paraphernalia found on KGI property will be confiscated.

Students shall not report for class, lab, clinic, or experiential sites under the influence of any drug, alcohol, or substance that will impair their performance, alertness, coordination, or response, or affect the safety of others.

Nothing in this policy, however, is meant to prohibit the appropriate use of over-the-counter medication or other medication that can legally be prescribed under both federal and state law, to the extent that such use does not impair one's performance or affect the safety of others.

[1] KGI does not permit the use of marijuana for any purpose on KGI property, even if the use meets the qualifications of the California Compassionate Use Act, Proposition 215. Therefore, even students who qualify under Proposition 215 to use marijuana for medical purposes are not permitted to possess, store, provide, or use the marijuana on KGI-owned or controlled property (including but not limited to residence halls, academic buildings, athletic facilities, and parking lots) or during KGI-sanctioned activities or events, regardless of the location.

This policy does not prohibit the responsible consumption of alcohol by students over 21 at KGI-sponsored/sanctioned activities and events where alcohol is served, or at social, business, or professional events that KGI students attend in their capacity as such or to perform work for KGI. The consumption of alcohol by students at KGI-sponsored/sanctioned activities or events is governed by KGI's Policy on Student Use of Alcoholic Beverages On and Off-Campus.

The consumption of alcohol by KGI students under twenty-one (21) years old on KGI's campus or at KGI-sponsored/sanctioned activities or events is strictly prohibited.

California and Local Alcohol & Drug Laws

Each member of the KGI community is personally responsible for compliance with the applicable provisions of the law of the State of California. The following codes are provided for your information:

Possession by a Person(s) Under 21 Years of Age

Any person under the age of 21 years who has any alcoholic beverage in their possession on any street or highway or in any public place open to the public is guilty of a misdemeanor (PC.25662). In 1988 California amended Bus. & Prof. Code 25662. The amendment states that peace officers who lawfully enter premises may confiscate alcoholic beverages which are in plain view and possessed by or provided to underage persons at social gatherings. The gatherings must be open to the public, have ten or more underage persons in attendance, with those under 21 consuming alcoholic beverages and no supervision by the parent or guardian of one or more of the participants. Alcoholic beverages in open containers that are confiscated may be destroyed while those in unopened containers shall be impounded for no more than seven working days after which they too may be destroyed. Unopened containers may be released within the seven days to the owner or resident of the property provided they are 21 years of age. (Bus. & Prof. Code 25662(b))

Sales, Furnishing Alcohol to a Minor

Every person who sells, furnishes, gives, or causes to be sold, furnished, or given away any alcoholic beverage to any person under the age of 21 years is guilty of a misdemeanor (B & PC. 25658). Any person under the age of 21 years who purchases any alcoholic beverage or any person under the age of 21 years who consumes any alcoholic beverage in any on-sale premises is guilty of a misdemeanor and shall be punished by a fine of not less than one hundred dollars (\$100), no part of which shall be suspended. The penalty is more severe under the Penal Code Section 272, which states if any person provides an alcoholic beverage to a minor person under 18 he/she will be contributing to the delinquency of a minor, which is also a misdemeanor. The maximum penalty for the violation of this code section is one year in the County Jail for each count and/or \$1,000 fine for each count. It should be pointed out that each minor so provided with an alcoholic beverage is a separate count and may be charged by the District Attorney (PC. 272).

Financial Aid

A student will be ineligible for financial aid (e.g., federal grants, loans, work-study, fellowships, and/or scholarships) if the student is convicted of an offense under federal or state law involving possession or sale of a controlled substance, provided the conduct occurred while the student was enrolled and receiving financial aid. Ineligibility will run from the date of conviction for the following periods of time:

- For possession of illegal drugs: a first offense carries a one-year disqualification, a second offense carries a two-year disqualification, and a third offense makes the student ineligible indefinitely.
- For sale of illegal drugs: a first offense carries a two-year disqualification, and a second offense makes the student ineligible indefinitely.

A student can regain eligibility by successfully completing an approved drug rehabilitation program.

Licensure

A federal or state drug conviction can also disqualify a student from obtaining an intern or pharmacist license. A student's inability to obtain an intern license will result in termination from the PharmD program. This is not applicable to Genetics students.

Available Resources, Education, and Assistance with Respect to Substance Abuse

KGI is committed to education and counseling as the primary focus of its substance abuse program and will provide confidential, professional assistance for any students who want it. Students are urged to seek information and help regarding substance abuse for themselves or their friends. A variety of services including counseling, educational materials, and/or referral are available at the following offices as a part of the overall Claremont Colleges' program.

Monsour Counseling Center

Tranquada Student Services Center
757 College Way, Claremont, CA 91711
909.621.8202

Student Health Services

Tranquada Student Services Center
757 College Way, Claremont, CA 91711
909.621.8222
After hours, 909.607.2000

KGI Division of Student Affairs

517 Watson Drive, Claremont, CA 91711
(By the KGI Café)

To protect students' privacy, information regarding a student during participation in any related program will be treated confidentially.

Approved by the KGI President's Cabinet on September 9, 2014.

Student Use of Alcoholic Beverages On and Off Campus Policy

Purpose and Scope of Policy

This policy is intended to sanction only the legal, safe, and appropriate consumption of alcoholic beverages by KGI students on campus and at KGI-sponsored/sanctioned off-campus activity or event. This policy should be read in conjunction with KGI's Drug-free Campus Policy 340. Students who are KGI employees are also subject to KGI's Drug-free Campus and Workplace Policy 140.

Policy

a. Students' Possession or Consumption of Alcohol on Campus or at Off-Campus KGI-Sponsored Programs Must Be Approved in Advance

No student under the age of twenty-one may possess or consume an alcoholic beverage (as that term is defined in California Business and Professions Code § 23004) on KGI-owned or controlled property ("KGI property") or at a KGI-sponsored/sanctioned off-campus activity or event at any time.

Students twenty-one years of age and older may not possess or consume alcoholic beverages on KGI property or at a KGI-sponsored/sanctioned off-campus activity or event unless the possession and consumption of alcohol has been specifically approved in advanced by the President or Deans.

b. Rules Related to Students' Approved Possession or Consumption of Alcohol

Possession or Consumption by Individual Students

- At events where students' possession and consumption of alcohol has been approved by KGI in advance, only students twenty-one years of age and older may possess and consume alcohol.
- Students violate this policy if they are present on campus (including program sites, such as an internship, clinic, and experiential education sites) while intoxicated, regardless of where they consumed the alcohol. For purposes of this policy, whether a KGI student is intoxicated is a determination that may be made based on the student's behavior and observations by third parties (and without any requirement that a student submits to a breathalyzer, blood alcohol, or other tests).
- Individual violations of this policy and/or related federal or state regulations will be subject to disciplinary action as outlined in the KGI Honor Code and the School of Pharmacy and Health Sciences (SPHS) Student Clinical Code of Conduct.

Student Organizations' Sponsorship of Events Serving Alcohol

- All official student organizations are governed by this policy. A student organization's violation of this policy and/or of related federal or state law may result in the suspension or revocation of the organization's official recognition by KGI, thus precluding the organization from functioning on campus.
- Student organizations governed by this policy also may be governed by the policies of national organizations. Where a provision of this policy and a provision of a national organization policy concerning the use or possession of alcoholic beverages are in conflict, the more stringent provision shall apply.
- Student organizations are expected to supervise and conduct their off-campus activities in a responsible and lawful manner. Students attending off-campus student organization activities are expected to take personal responsibility for their conduct and to comply with this policy, as well as with all local, state, and federal laws and statutes.

Guidelines for Student-Organization-Sponsored Events Serving Alcohol

- The possession, use, serving, and/or consumption of alcoholic beverages during any event sponsored by a KGI-sanctioned student organization shall be in compliance with any and all local, state, and federal laws and statutes.

- The serving and/or consumption of alcoholic beverages shall be carried out only by individuals at least twenty-one years old. Valid age determinations must be made to assure compliance with minimum age requirements, including efforts to determine if a person is using a false I.D.
- The sale of alcoholic beverages on campus is prohibited.
- No portion of any charge levied for attendance at an event shall be used to pay for alcoholic beverages unless the event is specifically approved by the President or Dean following review of the purpose of the event and the plans to ensure that the provisions of this policy are followed by participants.
- Alcohol consumption shall not be promoted as the primary focus of any event.
- Organizations are responsible for ensuring that moderation is encouraged during the lawful consumption of alcoholic beverages.
- A person's decision not to use alcohol is to be respected.
- Food, snacks, and non-alcoholic beverages must be readily available at any event in which alcoholic beverages are served.
- Student organizers must ensure that an appropriate number of designated drivers and/or additional transportation will be available at any event in which alcoholic beverages are served. Transportation will be coordinated by the student organizations with assistance from the Office of Student Affairs.

ii. Assistance Available to Students with Difficulties Related to Alcohol Use or Dependency

Every effort will be made to assist students who are experiencing difficulty related to substance use, abuse, or dependency. Detailed information about the support that KGI offers such students can be found in the KGI Drug-free Campus Policy.

Oasis KGI Commons Alcohol/Drug Policy

Alcohol

- The intent of this policy is neither to encourage nor to endorse the use of alcoholic beverages but to describe the permitted and prohibited use of alcoholic beverages in the Oasis KGI Commons. The University is committed to maintaining an environment for its students that promotes the responsible use of alcoholic beverages and is in full compliance with federal and state laws. Students, employees, or visitors who violate laws or University policies concerning alcoholic beverages shall be subject to criminal prosecution and/or institutional sanctions.
- Possession of bulk alcoholic beverages, that is, amounts for storage or use that is excessive under the circumstances for personal use, is prohibited. Devices used or intended for the rapid consumption of alcoholic beverages are prohibited. Kegs, cases of beer, and other beverages with an equivalent amount of alcoholic content in any form of container are considered bulk alcohol.
- Violation of any other regulation while under the influence of alcohol is considered an additional infraction of Housing Services Regulations.
- Inability to exercise care for one's own safety, the safety of others, or the safety of property owned by the university or residents due in whole or in part to being under the influence of alcohol is considered an infraction of the Oasis license agreement.
- Selling, or causing to be sold, any alcoholic beverage to any other person is prohibited.
- Residents are not permitted to provide any type of alcoholic beverage to anyone under the age of 21 years old, including guests and visitors.

Drugs and Drug Paraphernalia

- Unlawful manufacture, distribution, dispensing, possession, use, or sale of, or the attempted manufacture, distribution, dispensing, or sale of controlled substances identified in federal or state law or regulations is prohibited.
- Possession or use of drug-related paraphernalia is prohibited, which includes medical marijuana.
- Violation of any other regulation while under the influence of a controlled substance is considered an additional infraction of the Oasis license agreement.
- Inability to exercise care for one's own safety, the safety of others, or the safety of property owned by the university or residents due in whole or in part to being under the influence of a controlled substance is considered an infraction of the Oasis license agreement.

KGI Drug-Free Campus Policy for Employees

Purpose and scope of the policy

Federal regulations require that, as a condition of receiving funds or any other form of financial assistance under any federal program, an institution of higher education must certify that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.

Keck Graduate Institute ("KGI" or "Institute") is committed to providing a safe, healthy, and productive work environment. Consistent with this commitment, and its obligations under applicable law, this policy establishes the Institute's intent to maintain a drug and alcohol-free work environment. All employees of KGI, including faculty, staff, and student employees/workers, must comply with this policy as a condition of employment. Persons who are not employees of the Institute but who attend or perform work at the Institute for its benefit (such as students, contractors, and their employees, temporary workers provided by agencies, visitors engaged in joint projects, volunteers, etc.) are also required to comply with this policy.

Prohibitions

KGI prohibits the unlawful: manufacture possession, distribution, dispensation, sale, transportation, offer to sell, promotion, purchase, and/or use of drugs (including marijuana²) or alcohol on KGI owned or controlled property, at KGI sponsored/sanctioned activities and events; while conducting or performing KGI-related business, regardless of location. In addition, employees shall not report for work or work under the influence of any drug or alcohol or other substance which will impair work performance, alertness, coordination or response, or affect the safety of others.

Nothing in this policy is meant to prohibit the appropriate use of over-the-counter medication or other medication that can legally be prescribed under both federal and state law, to the extent that it does not impair an employee's job performance or safety or the safety of others. Employees who take over-the-counter medication or other medication that can legally be prescribed under both federal and state law to treat a disability should inform their supervisors and/or the Human Resources Department if they believe the medication will impair their job performance, safety, or the safety of others or if they believe they need a reasonable accommodation before reporting to work while under the influence of that medication.

Nor does this policy prohibit the use or consumption of alcohol at KGI sponsored activities or events where alcohol is served, or at social, business, or professional events attended by KGI employees while performing work for or in their capacity as KGI employees. However, employees who choose to consume alcohol at such events must do so responsibly, they must conduct themselves properly

² KGI does not permit the use of marijuana for any purpose on Institute property even if the use is otherwise permissible under the California Compassionate Use Act, Proposition 215, or the Adult Use of Marijuana Act, Proposition 64. Therefore, even employees and/or students who qualify under California law to use marijuana for medical or recreational purposes are not permitted to possess, store, provide, use, or consume marijuana on KGI owned or controlled property (including but not limited to Graduate housing, academic buildings, laboratories, and parking lots), or during KGI-sanctioned activities or events regardless of the location.

and professionally at all times, and they must abide by all state and federal laws related to alcoholic beverages, including laws which prohibit the operation of vehicles while under the influence.

Alcohol and event planning guidelines

Where alcohol is to be served at an Institute function, the department or group hosting the event is responsible for ensuring that it is offered in a safe and legal manner.

- An individual or group sponsoring an event where alcoholic beverages are made available must adhere to applicable laws (e.g., securing a license to sell and/or serve) and Institute regulations. The sponsor will be held responsible for any abuses arising from the use of alcoholic beverages by servers and/or consumers.
- Ample non-alcoholic beverages and food must be provided at events where alcohol is served.
- Any individual or group intending to serve alcoholic beverages must register the event with the appropriate office or department and follow the rules set by that office or department. Questions about student events should be directed to Student Affairs at student_affairs@kgi.edu.

Violations of the Drug Free Workplace Policy and Employment

Violations of this policy will result in disciplinary action in accordance with Institute policies and procedures covering the conduct of faculty, and staff, up to and including dismissal (consistent with the local, state, and federal laws described below). As a condition of employment, all employees must abide by the terms of this policy. Student violations of the Alcohol and Other Drugs Policies of the College will be handled in accordance with the Student Code of Conduct Rules and Regulations.

Reporting obligations

In accordance with the Drug-Free Workplace Act of 1988, any employee who is convicted (including a plea of nolo contendere [no contest]) of a criminal drug statute violation occurring in the workplace must, within five (5) days after the conviction, notify KGI of such conviction by informing the Director of Human Resources, Dean of Faculty, or President. If required, appropriate government agencies will be notified within ten (10) days after KGI has been informed of such a conviction.

Health risks associated with the abuse of alcohol and other drugs

The consumption of drugs and alcohol can have significant negative effects on health.

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. High doses of alcohol may cause respiratory depression and death. Repeated use of alcohol can lead to dependence, and cause serious damage to the nervous and circulatory systems, mental disorders, and other health problems.

Drugs and alcohol are chemicals, and any chemical is potentially harmful. Drugs by their very nature cause reactions in the body. Possible effects from non-therapeutic drug use include: convulsions, memory loss, psychosis, anxiety, delusions, hallucinations, and even death.

All drugs are toxic and poisonous when abused. Health risks of drug abuse include, but are not limited to, sleep disorders, confusion, hallucinations, paranoia, depression, malnutrition, liver and kidney damage, cardiac irregularities, hepatitis, and neurological damage. HIV infection associated with intravenous drug use is a prevalent hazard.

Drug use during pregnancy may result in fetal damage and birth defects causing hyperactivity, neurological abnormalities, and developmental difficulties. Consumption of alcohol by women during pregnancy may lead to fetal alcohol syndrome.

Local, state, and federal legal sanctions

Local, state, and federal laws establish severe penalties for unlawful possession or distribution of illegal drugs and alcohol. These sanctions, upon conviction, may range from a fine to life imprisonment. In the case of possession and distribution of illegal drugs, these sanctions could include seizure and summary forfeiture of property, including vehicles. It is especially important to know that federal penalties for illegally distributing drugs include life imprisonment and fines in excess of \$1,000,000.

The following is a brief summary of some of the state and federal criminal sanctions that may be imposed upon someone who violates the alcohol and other drug policy at KGI or elsewhere in the state of California.

- A violation of California law for the unlawful sale of alcohol may include imprisonment in the county jail for six months, plus fines and penalties.
- A violation of California law for the possession, use, and/or sale of narcotics, marijuana, and/or other illicit drugs includes imprisonment in the county jail or state prison for one to nine years, plus fines up to \$100,000 for each count.
- A violation of California law for the possession, use, and/or sale of narcotics, marijuana, and/or other illicit drugs includes imprisonment in the county jail or state prison for one to nine years, plus fines up to \$100,000 for each count.
- A violation of federal law for the possession, use, and/or sale of narcotics, marijuana, and/or other illicit drugs may include imprisonment in the federal penitentiary for one to fifteen years plus substantial financial penalties.
- A violation of the law involving an individual being under the influence of a combination of alcohol and other drugs (itself potentially deadly), may result in an increase in criminal sanctions and penalties.

Available resources, education, and assistance

KGI recognizes drug and alcohol abuse as treatable conditions. Employees who are concerned about problems related to substance use, abuse, and rehabilitation should be aware that The Claremont Colleges sponsor and present seminars and workshops on these topics, from time to time, for all members of the college community. Other programs are available through the health insurance plans and the Employee Assistance Program (EAP) of The Claremont Colleges.

Of particular note is the EAP which provides counseling and other services for qualified employees with substance abuse and other personal or emotional problems. The EAP will treat information obtained regarding an employee during participation in such programs or services as confidential, in accordance with federal and state laws. The Institute will not use an employee's voluntary participation in an EAP program as a basis for corrective action. An employee may also request a leave of absence to obtain treatment for substance abuse, with documentation from a licensed health care provider providing that such treatment is required and undertaken. The granting and returning from medical leaves is subject to applicable KGI personnel policies.

The Human Resources Department can also provide referral services for confidential, professional counseling, providing a constructive way for employees to voluntarily deal with drug or alcohol-related and other problems. Employees who are also students should seek assistance for similar problems through the Student Health Center, Monsour Counseling Center, or the Dean of Students' office.

Accountability

The success of this policy will depend on the thoughtfulness, consideration, and cooperation of all members of the KGI community. All students, faculty, and staff share in the responsibility for adhering to and enforcing this policy. Refusal by students, faculty, or staff to comply with this policy may result in appropriate disciplinary action. Disciplinary action may include termination from employment and referral for prosecution of the most serious violations of law and this policy. For example, an employee found to be selling illegal drugs will be subject to discipline up to and including discharge from employment. Disciplinary action may be invoked entirely apart from any civil or criminal penalties that may apply to the employee or organization.

Missing Student Policy

The following policies and procedures should be followed in the event that a student resident is reported missing from campus. All official missing student reports are immediately referred to Campus Safety or in their absence, the Claremont Police Department. Upon reporting a missing person/resident to Campus Safety the following will occur:

- The Claremont Police Department will be contacted once a student has been determined to be missing for 24 hours so that the reporting party may complete a fully lawful report of the missing person:
 - Any report of a missing person without delay, regardless of jurisdiction.
 - Any report of a runaway juvenile without delay.
 - Reports of missing persons made by telephone.

- Priority will be given to missing persons reports over non-emergency property crimes.
- As soon as practical, the Assistant Vice President or Captain of Campus Safety shall be notified.
- Dispatchers, Officers, and Watch Commanders are to make an immediate assessment of reasonable steps to be taken to locate, based on the type of missing person and determine if that person might be at risk.
- Broadcast a BOLO, without delay, when a child is under the age of 12 or the person missing is considered at risk.
- Immediately inform Claremont Police of the additional risk factor(s).
- A missing person call will be given priority over non-emergency property crime calls in determining order of dispatch.
- The incident will be memorialized within a Campus Safety incident report.
- In no case will a Campus Safety Incident report serve as a formal "Missing Person's Report" as defined in Penal Code Sections 14205-14210.
- Any incident report prepared by Campus Safety shall include the Claremont Police Case Number.

A resident will be considered missing if a house mate, classmate, faculty member, family member, or other campus personnel has determined that the resident has been missing more than 24 hours. A reasonable amount of time may vary with the time of day and information available regarding the missing resident's daily schedule, habits, punctuality, and reliability. Residents will also be considered missing immediately, if their absence has occurred under circumstances that are suspicious or cause concerns for their safety.

Campus Safety Department
909.607.2000

Director of Campus Safety
Stan Skipworth
909.621.8033

Dean of Students (KGI)
Cynthia Martinez
909.607.7150

Dean of Students (CGU)
Quamina Carter
909.621.1895

Director of Housing Operations
909.607.3964

General Manager
Cristian Barajas
213.444.8235

Registering Emergency Contact(s):

In addition to registering a general emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted in the event the resident is determined to be missing for more than 24 hours. If a student has identified such an individual, housing will provide Campus Safety the contact information of the identified contact upon the reporting of the missing person. The contact will be notified within 24 hours if the student is determined to be missing. A student who wishes to identify a confidential contact can do so by visiting the Oasis KGI Commons Office. A resident's confidential contact information will be accessible only by authorized campus officials and law enforcement.

If a resident is under 18 years of age, and not an emancipated individual, Oasis KGI Commons is required to notify a custodial parent or guardian (in addition to any other contact person designated by the student) and the notification must occur immediately after the student is determined to be missing, but no later than 24 hours of being determined missing.

Keck Graduate Institute Crime Statistics

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) requires colleges and universities across the United States to disclose information about crime on and around their campuses. TCC Campus Safety maintains a close relationship with the Claremont police department to ensure that crimes reported directly to the police department that involve KGI are brought to the attention of TCC Campus Safety.

TCC Campus Safety collects the crime statistics disclosed in the charts through a number of methods. Police dispatchers and officers enter all reports of crime incidents made directly to the department through an integrated computer aided-dispatch systems/records management system. After an officer enters the report in the system, a department administrator reviews the report to ensure it is appropriately classified in the correct crime category. The Department periodically examines the data to ensure that all reported crimes are recorded in accordance with the crime definitions outlined in the FBI Uniform Crime Reporting Handbook and the FBI National Incident-Based Reporting System Handbook (sex offenses only). In addition to the crime data that TCC Campus Safety maintains, the statistics below also include crimes that are reported to various Campus Security Authorities, as defined in this report. The statistics reported here generally reflect the number of criminal incidents reported to the various authorities. The statistics reported for the sub categories on liquor laws, drug laws and weapons offenses represented the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented. The statistics reported for the categories under VAWA Offenses and Sex Offenses include reports made to the Title IX Coordinator that may otherwise not have been reported to campus judicial authorities or campus safety.

Definitions for Clery Reportable Crimes

- Murder and Non-negligent Manslaughter is defined as the willful (non-negligent) killing of one human being by another.
- Manslaughter by Negligence is defined as the killing of another person through gross negligence.
- Rape is the penetration, no matter how slight, of the vagina or anus, with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim. This offense includes the rape of both males and females.
- Fondling is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- Incest is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape is sexual intercourse with a person who is under the statutory age of consent.
- Robbery is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- Aggravated Assault is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
- Burglary is the unlawful entry of a structure to commit a felony or a theft.
- Motor Vehicle Theft is the theft or attempted theft of a motor vehicle.
- Arson is any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
- A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.
 - Under the Clery Act, Hate Crimes include any of the following offenses motivated by bias: Murder and Non-negligent Manslaughter, Sexual Assault, Robbery, Aggravated Assault, Burglary, Motor Vehicle Theft, Arson, Larceny-Theft, Simple Assault, Intimidation, Destruction/Damage/Vandalism of Property. Larceny-Theft, Simple Assault, Intimidation, and Destruction/Damage/Vandalism of Property are included in your Clery Act statistics only if they are Hate Crime.

- **Larceny-theft:** The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.
- **Simple Assault:** An unlawful physical attack by one person on another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- **Intimidation:** To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or conduct, but without displaying a weapon or subjecting the victim to actual attack. Includes cyber-intimidation if victim is threatened on Clery geography.
- **Destruction, damage or vandalism of property:** To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of the property.
- **Dating Violence** is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.
- **Domestic Violence** is defined as 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; 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.
- **Stalking** is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress.
- **Weapons:** Carrying, Possessing, Etc., is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.
- **Drug Abuse Violations** are defined as the violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.
- **Liquor Law Violations** are defined as the violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Categories of Prejudice

Race

A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.

Gender

A preformed negative opinion or attitude toward a group of persons because those persons are male or female.

Gender Identity

A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g. bias against transgender or gender non-conforming individuals.

Religion

A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.

Sexual Orientation

A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation.

Ethnicity

A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.

National Origin

A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.

Disability

A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

Offense	Year	On-Campus	Residential Facility	Non-campus Building or Property	Public Property
Criminal Homicide					
Murder and Non-negligent Manslaughter	2018	0	N/A	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Manslaughter by Negligence	2018	0	N/A	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Sex Offenses					
Rape	2018	0	N/A	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Fondling	2018	0	N/A	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Incest	2018	0	N/A	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Statutory Rape	2018	0	N/A	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Robbery	2018	0	N/A	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Aggravated Assault	2018	0	N/A	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Burglary	2018	1	N/A	0	0
	2019	1	1	0	0
	2020	2	2	1	0
Motor Vehicle Theft	2018	0	N/A	1	0
	2019	0	0	0	1
	2020	1	0	1	0
Arson	2018	0	N/A	0	0
	2019	0	0	0	0
	2020	0	0	0	0

Other Offenses	Year	Arrest				Judicial Referral			
		On-Campus	Residential Facility	Non-campus Building or Property	Public Property	On-Campus	Residential Facility	Non-campus Building or Property	Public Property
Liquor Law Violations	2018	0	N/A	0	0	0	N/A	0	0
	2019	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0
Drug Abuse Violations	2018	0	N/A	0	0	0	N/A	0	0
	2019	0	0	0	0	1	1	0	0
	2020	0	0	0	0	0	0	0	0
Illegal Weapons Possession	2018	0	N/A	0	0	0	N/A	0	0
	2019	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0

VAWA Amendment Offenses					
Offense	Year	On-Campus	Residential Facility	Non-Campus Building or Property	Public Property
Dating violence	2018	0	N/A	0	0
	2019	1	1	0	0
	2020	0	0	0	0
Domestic Violence	2018	0	N/A	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Stalking	2018	1	N/A	0	0
	2019	1	0	0	0
	2020	1	0	0	0

HATE CRIMES:

THERE WERE NO REPORTABLE HATE CRIMES FOR 2018, 2019, OR 2020

Unfounded Crimes Pursuant to the Violence Against Women Reauthorization Act regulations, an institution may withhold, or subsequently remove, a reported crime from its crime statistics in the rare situation where sworn or commissioned law enforcement personnel have fully investigated the reported crime and, based on the results of this full investigation and evidence, have made a formal determination that the crime report is false or baseless and therefore “unfounded.” Only sworn or commissioned law enforcement personnel may “unfound” a crime report. The recovery of stolen property, the low value of stolen property, refusal of the victim to cooperate with the prosecution, and the failure to make an arrest do not “unfound” a crime report.

UNFOUNDED CRIMES:

THERE WERE NO UNFOUNDED CRIMES REPORTED FOR 2018, 2019, OR 2020

Annual Fire Safety Report

KGI has opened its first residential facility, Oasis KGI Commons, during the 2019-2020 academic year. KGI, in consultation with our Residential Life Management Group, have drafted policies for Fire Safety and Missing students in order to proactively promote safety within our residence halls.

In addition to these policies, KGI Facilities works closely with Marx Brothers Fire Extinguisher Company to keep our fire extinguishers up to date and operating. Fire extinguisher training is offered to all faculty and staff annually and is scheduled by the Human Resources Department.

Residence Hall Fire Safety

- Residents shall take due care to prevent fires. Flammable materials shall not be used or stored on the premises. These items include, but are not limited to, candles, incense, fireworks, lighter fluid, propane, or other gas cylinders, etc.
- Residents shall not leave cooking appliances unattended (i. e. stove, rice cooker, and crock-pots).
- Tampering with the fire alarm system or firefighting equipment is strictly prohibited. Violators of this policy may be subject to fines.
- False reports of fire or other dangerous conditions (except those resulting from reasonable error/accident), failure to properly report fires or interference with the response of University or city officials to such emergency calls is prohibited. Violators will be prosecuted and subjected to a fine and jail time.
- Multiple fire extinguishers are located in the exterior walkways of every floor of the Oasis KGI Commons. Each fire extinguisher is enclosed in a locked case with a glass cover. In the case of an emergency, residents can access a fire extinguisher by pulling the metal handle on the case. (Please note: this will break the glass cover). It is illegal for residents to tamper with or access a fire extinguisher in a non-emergency situation.
- Fire alarms are tested on a semester basis (2x's a year).
- Decorations that are flammable or fire hazards (including candles and incense) are prohibited.
- "Live cut" trees (such as Christmas Trees) or other combustible decorations are prohibited in the Oasis KGI Commons.
- Any permissible holiday decorations in the apartments must be made of fireproof materials and be UL (Underwriters Laboratory) List-approved for the intended use.

Training

All Community Assistants in Oasis KGI Commons receive comprehensive fire safety training at the beginning of the academic year, which includes lectures and demonstrations on the behavior of fires, automatic sprinklers, building evacuation, and proper use of fire safety equipment. The Dean's office, Academic, Facilities, and Residential staff work with students with special needs to develop personalized emergency plans, procedures, and audio/visual devices as needed.

Fire drills will be conducted each semester in Oasis KGI Commons (twice per year). Human Resources/Facilities also provides guidance and information pertaining to evacuations and emergency procedures during new employee and student orientation sessions.

Fire Reporting, Drills, and Evacuation Response

All building fire alarms are monitored by Facilities staff continuously around the clock. In the event of a problem with the central monitoring system, the fire alarm panels will still work locally for each wing of the building. In the event of discovery of a fire, students, staff, and faculty are urged to activate the building fire alarm by pulling the handle on a red fire pull station and call the Department of Campus Safety emergency telephone line at 909.607.2000 immediately and evacuate the building. If individuals are in a building and the alarm goes off, they should go outside by the shortest possible route and wait until permission is given to re-enter the building. Please report an already extinguished fire to American Campus Communities by contacting Cristian Barajas, General Manager, at cbarajas@americancampus.com or at 213.444.8235 so the information can be included in the fire safety report.

Fire drills will be held twice per year in Oasis KGI Commons for the protection of the students except as noted. The drills are conducted by Campus Safety officers in conjunction with the Community Assistants for Oasis KGI Commons. The Community Assistants assist Campus Safety in the evacuation process both during fire drills and actual alarms guiding students to pre-determined gathering places to aid in accounting for those occupants who have evacuated. Students are encouraged to take the opportunity of a fire drill to learn the quickest and safest ways out of the residence hall.

General Statement of College-Owned Student Housing Fire-Safety Systems

Oasis KGI Commons is protected throughout by automatic sprinklers and fire alarm systems which are continuously monitored by Oasis KGI Commons Facilities staff. Fire detection devices include smoke detectors throughout the residence hall including the residence hall rooms. Heat detectors are also provided in many students' room as one integrated unit with the room's smoke detector. Plans for future improvements in fire safety, if determined necessary by the institution, will be implemented with all due diligence and speed.

Future Improvements in Fire Safety

Recognizing that Oasis KGI Commons is a brand-new building, there are no current plans for future improvements in fire safety. However, future improvements as determined necessary by the institution will be implemented with all due diligence and speed.

Fire Log and Fire Statistics

The Oasis KGI Commons opened in July of 2019 and is the first and only residential hall located at KGI. Oasis KGI Commons is managed by American Campus Communities. The housing office maintains the building's fire log. The fire log records all reported fires, including arson, in on-campus student housing facilities. To request a copy of the building's fire log, you may contact Cristian Barajas, General Manager, at cbarajas@americancampus.com or at 213.444.8235.

There were no reported fires in any of the listed facilities below since it opened in July 2019, or at any time during the 2020 calendar year.

- KGI Oasis Commons: 111 Bucknell Avenue, Claremont, CA 91711

This report is published annually in accordance with Section 488(g) of the Higher Education Opportunity Act otherwise known as the Campus Fire Safety Right-to-Know. It is made available on the KGI website at kgi.edu/policies/title-ix-and-clery and on Campus Safety's website by October 1 of each year and details statistics on fires in the college's on-campus housing facilities, a description of the college's fire safety systems, and other related information.

All currently registered students as well as employees are directly notified by electronic mail of the report's availability and a link to the electronic address where the report is posted. This report is also available in paper form upon request. Prospective students and employees are informed of the report's availability as well.



535 Watson Drive
Claremont, CA 91711

kgi.edu



kgi.edu/social

Keck Graduate Institute (KGI) was founded in 1997 as the first higher education institution in the United States dedicated exclusively to education and research related to the applied life sciences. KGI offers innovative postgraduate degrees and certificates that integrate life and health sciences, business, pharmacy, engineering, and genetics, with a focus on industry projects, hands-on industry experiences, and team collaborations.

A member of The Claremont Colleges, KGI employs an entrepreneurial approach and industry connections that provide pathways for students to become leaders within healthcare and the applied life sciences. KGI consists of three schools: Henry E. Riggs School of Applied Life Sciences, School of Medicine, and School of Pharmacy and Health Sciences.

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