

2021 POMONA COLLEGE ANNUAL FIRE SAFETY AND SECURITY REPORT

January 1, 2020 – December 31, 2020



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FROM THE PRESIDENT

To the Pomona College Community,

Becoming a safe and resilient community at Pomona College is just that—a becoming. Together we strive to always build toward becoming better. And together we signal that it's not just ideal, it's essential.

Members of our College community have put in a great deal of time and effort in creating this report. It is an overview of campus safety measures and crime statistics and it looks at student substance abuse, sexual violence and misconduct. It also lays out our responses to these issues.

Pomona and The Claremont Colleges at large are together cultivating an environment that prioritizes support, cooperation and transparency. To meet our standards, we must always set our sights higher rather than settle.

Please read this report and join me in committing to make this a flourishing community. Let's always work to become the best version of ourselves, and let's always seek to become an increasingly secure place to study, work and teach.

A handwritten signature in black ink, appearing to read "G. Starr", with a long horizontal flourish extending to the right.

G. Gabrielle Starr
President, Pomona College

FROM THE ASSISTANT VICE PRESIDENT OF CAMPUS SAFETY

To the Pomona College 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 Claremont Colleges Services (TCCS) Campus Safety Department is staffed by dedicated security professionals who are committed to making Pomona College and all of The Claremont Colleges (TCC) safe places in which to live, work, and study.

Pomona College 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 and 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 Pomona College in the commitment to foster a secure and supportive environment at TCC. Campus safety and security indeed requires a collaborative effort at TCC, and so we proudly partner with the many Departments at Pomona College that have a critical role in fostering campus safety, including: the Dean of Students office, 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.



Stan Skipworth

Assistant Vice President, TCCS Campus Safety

ANNUAL SECURITY REPORT INTRODUCTION

Pomona College places a high priority on keeping our campus safe for our 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 actions to lessen the chances of crime occurring on campus; and, (c) keeping Pomona College 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 Pomona College 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

Pomona College's Interim Clery Officer, Associate Dean of Students Mike Manalo-Pedro, is responsible for distributing the notice of availability of the Annual Security and Annual Fire Safety Report by the Department of Education's deadline of October 1st each year to every member of the Pomona College Community. This notice is sent in writing via email to our student, staff and faculty listserv. Anyone, including prospective students and employees, or community members may request a paper copy of this report by contacting Mike Manalo-Pedro at 909-621-8017.

PREPARATION OF THE REPORT

This report is prepared by Pomona College's Interim Clery Officer, Associate Dean of Students Mike Manalo-Pedro in partnership with Rita Shaw, Assistant Director of Campus Advocacy Resources Education and Support (CARES) and campus stakeholders. This report was prepared in cooperation with The Claremont Colleges Services (TCCS) Campus Safety, using information maintained by Campus Safety and information provided TCCS Student Health and Counseling Services, the Claremont and Upland Police Departments, Police Departments whose jurisdiction falls within non-campus property controlled by the Institution, and by Pomona College Student Affairs, Dean of Students, Human Resources, Campus Life, Title IX, Residence Life, and other Campus Security Authorities. Each of these offices provide updated policy information and crime data. Campus crime statistics are reported by location and include: On-Campus (owned, contiguous, educational or student-used), Residential Facility (on-campus), Non-Campus Building 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 Pomona College. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire campus community that you immediately report crimes to 911 and/or Campus Safety to ensure an effective investigation and appropriate follow up action, including issuing a Crime Alert or Emergency Notification if necessary.

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 909-621-8170 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, 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 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. However, please note that the Cisco IP Phones often times still record 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”.

TCCS Campus Safety has primary responsibility for the security of Pomona College’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

The College has installed numerous emergency phones throughout the campus. Phones are located in numerous outdoor locations. Emergency phones provide direct voice communications to the Campus Safety Dispatch Center. TCCS has installed more than 200 emergency phones throughout The Claremont Colleges.

LIVESAFE APP

Pomona College community members have access to the free LiveSafe mobile app. Smartphone users can download the app (through their app store or google play).

LiveSafe provides users the opportunity to do something if/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. LiveSafe users 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.

During times of distress, a LiveSafe user can send a link with an accurate GPC 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/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.

Live Safe 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.

CAMPUS SECURITY AUTHORITIES (CSA'S)

While Pomona College prefers that community members promptly report all crimes and other emergencies directly to Campus Safety at 909-607-2000 or 911, we also recognize that some may prefer to report to other individuals or College offices.

The Clery Act recognizes certain College officials and offices as "Campus Security Authorities (CSA's)". The Clery 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 duty to take action or respond to particular issues on behalf of the institution."

Pomona College is very concerned about the safety and welfare of all students, employees and visitors and is committed to providing a safe and secure environment.

While the College has identified several hundred CSAs (including all student affairs on-call and other deans, other student affairs staff, some academic affairs staff, coaches and RAs), we officially designate the following offices as places where campus community members should report crimes:

Office/Official	Campus Address	Phone Number
Campus Safety	150 East Eighth Street	909.607.2000
Dean of Students	550 North College Avenue	909.621.8017
Assistant Vice President for Human Resources/Chief Human Resource Officer (CHRO)	150 East Eighth Street	909.607.1686
Title IX Coordinator	550 North College Avenue	909.621.8017
The Housing and Residence Life Office	170 East Sixth Street	909.621.8256 or 909.607.2239

VOLUNTARY, CONFIDENTIAL REPORTING

If you are the victim of a crime or want to report a crime you are aware of but do not want to pursue action within the College or criminal justice system, we ask that you consider filing a voluntary, confidential report. A confidential report protects the reporting party's wish to keep personally identifying information confidential, while taking steps to ensure your safety and the safety of others. The confidential report also allows the College and Campus Safety to compile accurate records on the number and types of incidents on campus. Reports filed in this manner are counted and disclosed in this annual report.

Members of the Pomona College community who wish to report crime voluntarily and confidentially may speak with licensed counselors, clergy, medical providers in the context of seeking medical treatment and rape crisis counselors/victim advocates, who, except in very narrow circumstances specified by law, will not disclose confidential communications or identifiable information.

CAMPUS-BASED STUDENT RESOURCES WITH THE LEGAL PRIVILEGE OF CONFIDENTIALITY

Monsour Counseling and Psychological Services – Professional Counselors

Tranquada Student Services, 1st floor
757 College Way, Claremont, CA 91711
909.621.8202 or 909.607.2000 (after-hours emergency)

Student Health Services

Tranquada Student Services, 1st floor
757 College Way, Claremont, CA 91711
909.621.8222 or 909.607.2000 (after-hours emergency)

McAlister Center for Religious Activities – Pastoral Counselors

919 North Columbia Avenue, Claremont, CA, 91711
909.621.8685

Project Sister Family Services – Campus Advocates at Pomona College

909.626.HELP (4357) (24/7 Crisis Hotline)

Project Sister Family Services – Counselors at EmPOWER

1030 Dartmouth Avenue, Claremont, CA 91711
909.607.0690

CAMPUS-BASED RESOURCES FOR STUDENTS AND EMPLOYEES THAT ARE DESIGNATED BY THE COLLEGES AS CONFIDENTIAL

Rima Shah (Director) at the EmPOWER Center

1030 Dartmouth Avenue
Claremont, CA 91711
909.607.0690

Please note that only the Director of the EmPOWER Center has been designated as a confidential resource. As noted above, there are licensed professional counselors from Project Sister Family Services at the EmPOWER Center and these counselors have the legal privilege of confidentiality.

Sharon Chia Claros (Director) at the [Queer Resource Center \(QRC\)](#)

395 East 6th Street
Claremont, CA 91711
909.607.1817

Please note that only the Director of the QRC has been designated as a confidential resource.

CAMPUS-BASED EMPLOYEE RESOURCE WITH THE LEGAL PRIVILEGE OF CONFIDENTIALITY

[Employee Assistance Plan \(EAP\)](#)

1.800.234.5465

At no cost to Pomona College Employees, the EAP offers confidential advice and counseling services to eligible employees and their immediate family members 24/7 relating to multiple issues and concerns.

COMMUNITY-BASED RESOURCES FOR STUDENTS AND EMPLOYEES WITH THE LEGAL PRIVILEGE OF CONFIDENTIALITY

[Project Sister Family Services](#)

909.626.HELP (4357) (24/7 Crisis Hotline)

Crisis services for individuals who have been sexually assaulted or abused.

[WINGS Domestic Violence Program](#)

626.967.0658 (24/7 Crisis Hotline)

Safe emergency shelter, crisis services and support groups for victims of domestic violence and their families.

[House of Ruth](#)

877.988.5559 (24/7 Crisis Hotline)

Safe emergency shelter, crisis services and support groups for victims of domestic violence and their families.

[Rape, Abuse & Incest National Network \(RAINN\)](#)

800.656.HOPE (4673) (24/7 Crisis Hotline)

The nation's largest anti-sexual violence organization focused on supporting survivors.

CONFIDENTIALITY LIMITATIONS

Confidential resources with the legal privilege of confidentiality (such as professional and pastoral counselors, domestic violence and rape crisis counselors, community based victim advocates, physicians, etc.) are protected by and obligated to adhere to established professional codes of ethics, relevant California state laws and the Family Educational Rights and Privacy Act (FERPA). Whenever there is any discrepancy between these guidelines, they follow the most stringent ethical standard, as advised by their respective professional code of ethics.

This means no information will be revealed to anyone outside of the confidential provider's respective practice without written permission from the client, except where disclosure is required by law (i.e. where the client is likely to harm themselves; 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 legal and valid court order).

Resources that have been designated by the College as a confidential resource do not have Title IX reporting requirements. As such, they do not have to report disclosures of sexual assault, dating/domestic violence, stalking or harassment that they receive to the College's Title IX Coordinator. These resources do have reporting requirements under the Clery Act. As such, these resources do have to report disclosures through the CSA Incident Form. This form can be found on the Campus Safety website and is only accessible to members of the Claremont Colleges. Notably, this report does not have to include any personally identifying information, they are required for statistical purposes only. These resources do not have the legal privilege of confidentiality.

ANONYMOUS REPORTS

Any individual may make an anonymous report without disclosing some or all personally identifying information. The College's ability to respond to anonymous reports is limited by lack of information about the incident(s) and/or the individuals involved. The appropriate administrator will determine any appropriate next 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 crime elects not to or is not able to make such a report.

Students and employees can also download the LiveSafe app from their mobile device for free (discussed above on p9).

Anyone may [share information anonymously with Campus Safety's Silent Witness program](#).

By policy, Campus Safety will 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. **It is NOT intended for reporting emergencies or crimes-in-progress.**

The form provides a user the opportunity to communicate directly with the Assistant Vice President of Campus Safety. 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.

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.](#)

Any member of the Claremont Colleges and members of the public may also view the Clery Daily Crime Log on the monitor at Campus Safety during normal business hours at 150 East Eighth 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.

CAMPUS SECURITY POLICIES, CRIME PREVENTION AND SAFETY AWARENESS PROGRAMS

CRIME PREVENTION AND SAFETY AWARENESS PROGRAMS

Teal Dot Interpersonal Violence Bystander Intervention Program & Haven

A "teal dot" is any behavior, choice, or action that promotes safety for everyone and communicates utter intolerance for sexual violence, dating/domestic violence, and stalking. A teal dot is intervening in a high-risk situation--a teal dot is looking out for your friends at a party, a bar, or other high-risk situation-- a teal dot is hanging a prevention poster or sign in your room--a teal dot is getting your club, organization, or team trained on teal dot prevention--a teal dot is putting a link on your Facebook page to a campus prevention resource--a teal dot is wearing a teal dot sticker or t-shirt. A teal dot is simply your individual choice at any given moment to make our campus safer. Teal Dot training is mandatory for all new students to Pomona College and is offered to all students, staff, and faculty at The Claremont Colleges. All new students are required to participate in a Teal Dot workshop, and also take the on-line course, HAVEN, on education and prevention of sexual assault and interpersonal violence. For more information on Teal Dot, see p39).

Alcohol.EDU

Alcohol.EDU is an interactive online program that uses the latest evidence-based prevention methods to create a highly engaging learning experience, inspiring students to make healthier decisions related to alcohol, cannabis, e-cigarettes, and other drugs.

LiveSafe App and Presentation

Pomona College community members have access to the free LiveSafe mobile app. Smartphone users can download the app (through their app store or google play). All new students receive a presentation during Orientation on how to set up and use LiveSafe. LiveSafe provides users the opportunity to do something if/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. LiveSafe users 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. For more information about LiveSafe, see the section above, on p9).

Alcohol and Drugs Policy Overview & A Culture of Respect

The Alcohol and Drugs Policy Overview presentation is required during New Student Orientation and focused on risk reduction strategies and prevention of alcohol and drug abuse. The Culture of Respect presentation is also required during New Student Orientation and is focused on risk reduction, bystander intervention and prevention education surrounding sexual assault, dating/domestic violence, and stalking.

Wellness at Pomona

This presentation is required of all new students and is offered during New Student Orientation. This session is focused on engaging students in conversation about and providing students with information about mental health resources and programs that exist on campus, in the community and at a national level.

In addition to the information and programs offered by Campus Safety, Campus Life, and other College offices during Orientation and beyond, Pomona has established a number of policies and procedures related to ensuring a reasonably safe campus community.

- See [information on emergency preparedness](#).
- See the College's [Sexual Misconduct, Discrimination and Harassment Policy and Procedures](#).
- The [Student Handbook and Code of Conduct](#) can be found online.

Pomona College takes great pride in the community and offers students, faculty and staff many advantages. This community is a great place to live, learn, work and study, however, this does not mean that the campus community is immune from all of the other unfortunate circumstances that arise in other communities. With that in mind, Pomona College has taken progressive measures to create and maintain a reasonably safe environment on campus. In addition to the services provided by Campus Safety, Pomona College has precautionary measures in place that are intended to enhance the quality of life and to assure the safety and security of the students, staff and faculty (for more information, see below in the section, Security of and Access to College Facilities).

ADMINISTRATORS ON-CALL, BEHAVIORAL INTERVENTION TEAM, SENIOR ADMINISTRATOR ON-CALL

Pomona College has established an after-hours administrator on-call team. The administrators on-call are often the first responders to call from Campus Safety about student situations, disruptive behaviors, or crises. The administrator on-call will determine the appropriate steps given the situation and will keep a detailed record on the interaction and intervention. If the situation involves threatening or extremely disruptive behavior, it is referred to the behavioral intervention team or the Senior Administrator On-Call. This team serves as the primary resource for managing student concerns, follow up services and support.

PARENTAL NOTIFICATION POLICY

The College reserves the right to report student discipline information to the parents or legal guardians of students. Federal legislation authorizes the College to disclose disciplinary records concerning violations of the College's rules and regulations governing the use or possession of alcohol or controlled substances that involve students who are under the age of 21, regardless of whether the student is a dependent. The College may also notify parents when there is grave concern for a student's health, welfare, or wellbeing, or when the status of the student at the College changes or is in danger of changing (e.g. residential probation or suspension, academic probation or suspension).

WEAPONS POLICY

Some items are absolutely prohibited in the residence halls. These items include guns, (including BB guns, pellet rifles, and other weapons that propel projectiles), ammunition, knives, switchblades, swords, or other bladed weapons and fireworks. These items are prohibited even if they are intended for decoration, recreation, or ceremonial use. In addition, combustibles in containers, such as gasoline cans, are never allowed in the residence halls. Students should not bring firearms or other weapons to campus for target practice, recreational, decorative, or ceremonial use. Serious sanctions, including suspension and expulsion, may result from violation. Gasoline powered scooters and motorcycles cannot be stored in individual rooms or elsewhere in the residence halls at any time.

MISSING STUDENT NOTIFICATION POLICY

The Clery Act requires institutions that maintain on campus housing facilities to establish a missing student notification policy and related procedures (20 USC 1092 (j) Section 488 of the Higher Education Opportunity Act of 2008). In accordance with general institutional emergency notification procedures, when a Pomona College student is thought to be missing from the campus, the Administrator On-Call should be immediately notified.

If a student is determined to have been missing for 24 hours, the College and/or Department of Campus Safety will, within 24 hours, notify the appropriate law enforcement agency, filing a formal missing student report, and, if the missing student is under 18 years of age and not an emancipated individual, the College and/or Department will also notify a custodial parent or guardian. If a member of the College community believes that a student who resides in on-campus housing is missing, it should be reported to the Administrator On-Call, and/or the Department of Campus Safety so that appropriate action can be taken.

It is made clear to all students annually, that each student at Pomona has the option to designate an individual to be contacted by the College no later than 24 hours after the time the College determines the student is missing; otherwise, the student's general emergency contact will be notified. Students fill out the Emergency Contact information form through *My Pomona Portal* on an annual basis. This information is only accessible to College employees who are authorized campus officials and this information will not be disclosed to others, with the exception of law enforcement personnel in the furtherance of a missing student investigation. Pomona College's missing student investigative procedures include communication procedures for official notification of appropriate individuals at Campus Safety and the College that a student has been missing for more than 24 hours; require an official Missing Person Report relating to a Pomona student to be referred immediately to Campus Safety; if through investigation of an official report, the Administrator On-Call and Campus Safety determines a student has been missing for more than 24 hours, they will: Notify the local police; Contact the individual provided by the student as their emergency contact(s) or, if otherwise specified, the missing student contact person; If a student is under 18 years of age, and not an emancipated individual, immediately contact the custodial parent(s) or legal guardian(s) of the student, in addition to the student's missing student contact person.

SECURITY AND ACCESS TO CAMPUS FACILITIES

Pomona College is committed to campus safety and security. In addition to the services provided by Campus Safety, the College has precautionary measures in place intended to enhance the quality of life and to assure the safety and security of students, staff and faculty.

Pomona College is a residential college, nearly all students live on campus. The Vice President for Student Affairs/Dean of Students is the college officer responsible for residential and campus life issues.

Many events held in Pomona College facilities are open to the public. Other TCCS facilities such as the bookstore, library, and performance centers are likewise open to the public.

At Pomona College, locks, landscaping and outdoor lighting are designed for safety and security. Sidewalks are designed to provide well-traveled, lighted routes from parking areas to building and from building to building.

SECURITY CONSIDERATIONS FOR THE MAINTENANCE OF CAMPUS FACILITIES

- Several parking structures, computer rooms and other areas on campus are equipped with surveillance cameras; signs announcing the use of video surveillance systems are posted in the parking structures
- Cameras are installed in many areas including coverage of entry points for residence halls and bicycle storage areas. The total number of surveillance cameras on campus is over 130
- Housekeeping staff are trained to report suspicious activity and are on campus Monday through Friday from 5am to 12am and there is on-call staff during weekends
- Maintenance, grounds and housekeeping staff members utilize hand-held radios to enhance rapid response to campus needs
- Trees and shrubbery near buildings and walkways are regularly trimmed to minimize their use for concealment
- Regular security (lighting, shrubbery and general safety) inspections are conducted by the department of facilities and campus services; deficiencies are corrected, and enhancements are instituted
- Reports of non-working lock hardware are routed to staff maintenance personnel immediately
- Housekeeping, grounds and maintenance personnel are required to wear uniforms and ID badges when working on campus
- Fire lanes are secured. Entry is provided only as necessary
- Peepholes have been installed in the north campus residence halls and in many south campus residence hall rooms
- Office computer equipment is required to have lock downs
- New/enhanced emergency phone systems are installed
- MDI card key units are installed on the entrances of eleven residence halls and on the entrances of six academic buildings; card keys are collected annually, and the system is re-programmed. The access code is changed to eliminate lost cards
- High security screens are installed on all first-floor windows with six exceptions due to fire escape regulations at Mudd-Blaisdell

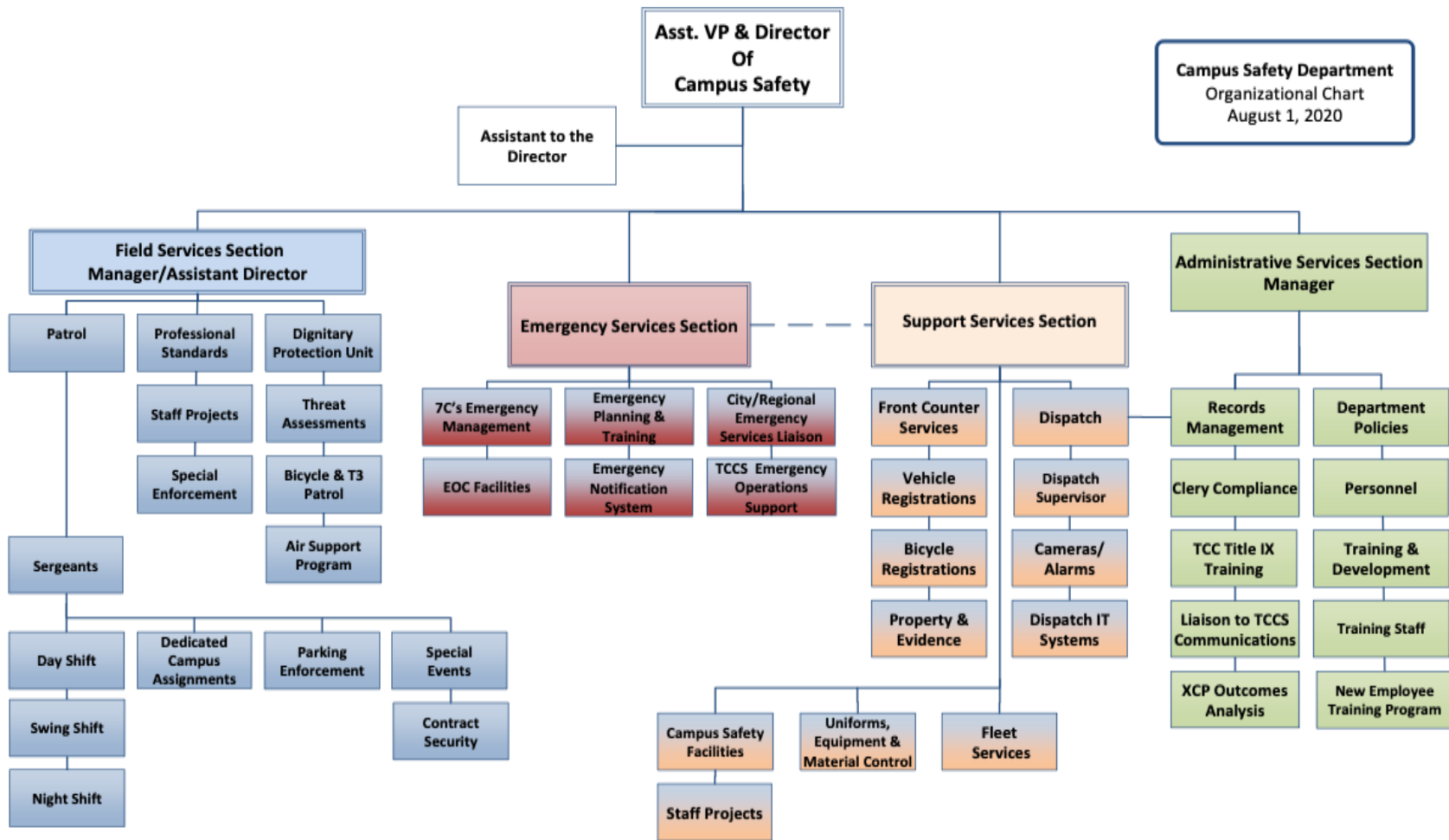
- Emergency telephones connected directly to campus safety are installed across the campus and in remote areas such as: several laundry rooms, the track, tennis courts and a basement in one of the residence halls
- Eighty-two intrusion alarm systems are installed in various buildings across the campus
- Security screens with alarm capability connected to campus safety are installed on the Harwood Hall roof to prevent and deter access to the roof and upper floor rooms
- High security locks are installed on all new construction
- In most areas, campus exterior lighting is inspected monthly by electricians
- Knox boxes have been installed throughout the campus to enhance campus safety's response time to incidents involving facilities to reduce the likelihood of lost keys
- Two computing center entrances have card access units installed
- Radios are also utilized by our Emergency Response Teams members (20) and our Disaster Assistance Response Team members (62) and the Special Task and Rescue Squad (75) for emergency situations

ADDITIONAL SECURITY CONSIDERATIONS FOR THE CAMPUS

- Student Affairs administrators are on-call after hours, throughout the academic year and summer. All residence halls are served by live-in Resident Advisers (RAs) who are available and on-call throughout the school year to provide additional community support and development. In addition, Pomona features a number of staff and faculty members who live on-campus.
- All residence hall entrances are locked 24 hours. Main entrances are maintained by card key systems. Resident Advisers check residence hall doors to be sure they are locked each night.
- All 16 residence halls are equipped with either security systems, which allow entrance only with a special card key or high security locks that require key access. Only Pomona students and authorized Pomona staff and faculty are issued card keys with access to the residence halls. Students are instructed to report lost card keys immediately, and any lost card keys are deactivated immediately.

- Escort services are available through campus safety, year-round.
- Students' visitor(s) must register with the Office of Campus Life/Housing and Residential Life (located in the basement of Smith Campus Center). Students are expected to be responsible for their visitors and guests at all times.
- Campus-wide security alerts are distributed in a timely manner to inform the campus community of crimes or suspected crimes that may threaten the safety of Pomona students and employees.
- All non-residential campus buildings are locked nightly by a staff member.
- Security staffing and prior notification are required at designated student parties and other events, especially when alcohol is served.
- No one other than the student who is assigned to live in a specific room may obtain the key. Only one (or two if it is a double room) key is kept for each room. If a student loses their key, the door will be re-keyed at the occupant's expense.
- Campus safety has a set of master keys, a tight key control policy and a strict facility-access policy. Locks are changed immediately when a key is reported lost and new keys are issued.
- It's every student's responsibility to assure the residence halls are kept securely locked. After entering or leaving the residence hall, make sure the door relatches. Anti-door propping signs are installed on all entrances to dorms. A fine of \$100 is assessed if a residence hall exterior door is found propped and a fine of \$100 for tampering with door locking mechanisms.
- Fire extinguishers are located in every building. Fire sprinklers are in all residence halls and many non-residential buildings. There are smoke detectors in each residence hall. Fire alarms, which report directly to campus safety, are in all buildings.
- Building attendants lock and secure academic and administration buildings after regular use hours nightly. After-hours access must be approved before key service is provided.
- We encourage community members to promptly report any security concern, including concerns about locking mechanisms, lighting or landscaping to Facilities and/or Campus Safety.

ABOUT TCCS 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 Clery 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 following map reflects the streets that are owned by the City of Claremont and those owned and/or controlled by The Claremont Colleges.

There are seven separate and distinct Colleges, with six of the Colleges sharing contiguous space. The streets that establish the perimeter of Campus Safety's patrol jurisdiction for the following colleges: Claremont Graduate University, Claremont McKenna College, Harvey Mudd College, Pitzer College, Pomona College and Scripps College are Foothill Boulevard to the North, Claremont Boulevard to the East, First Street to the South and Harvard Avenue to the West. Additional details of the patrol jurisdiction for each campus are described below.

The exception to this is Keck Graduate Institute, which does not reside on the same parcel of land. 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.

The Claremont Colleges Services (TCCS), Claremont McKenna College (CMC), and Pitzer College own The Pit, also known as the East Campus property, which is currently undeveloped land. This parcel of land borders Foothill Boulevard to the North, Monte Vista Avenue to the East, Arrow Route to the South and Claremont Boulevard to the West.

Set back off of Foothill Boulevard: Claremont Graduate University, Harvey Mudd College, Pomona College, Scripps College and TCCS own parcels of undeveloped land known as the North Campus Property. One specific parcel of North Campus Property is Pitzer College's Robert Redford Conservancy. All this land is bordered by the backyards of residential housing not affiliated with the Colleges to the North, Mills Avenue to the East, Foothill Boulevard to the South, and the Rancho Santa Ana Botanical Gardens to the West.

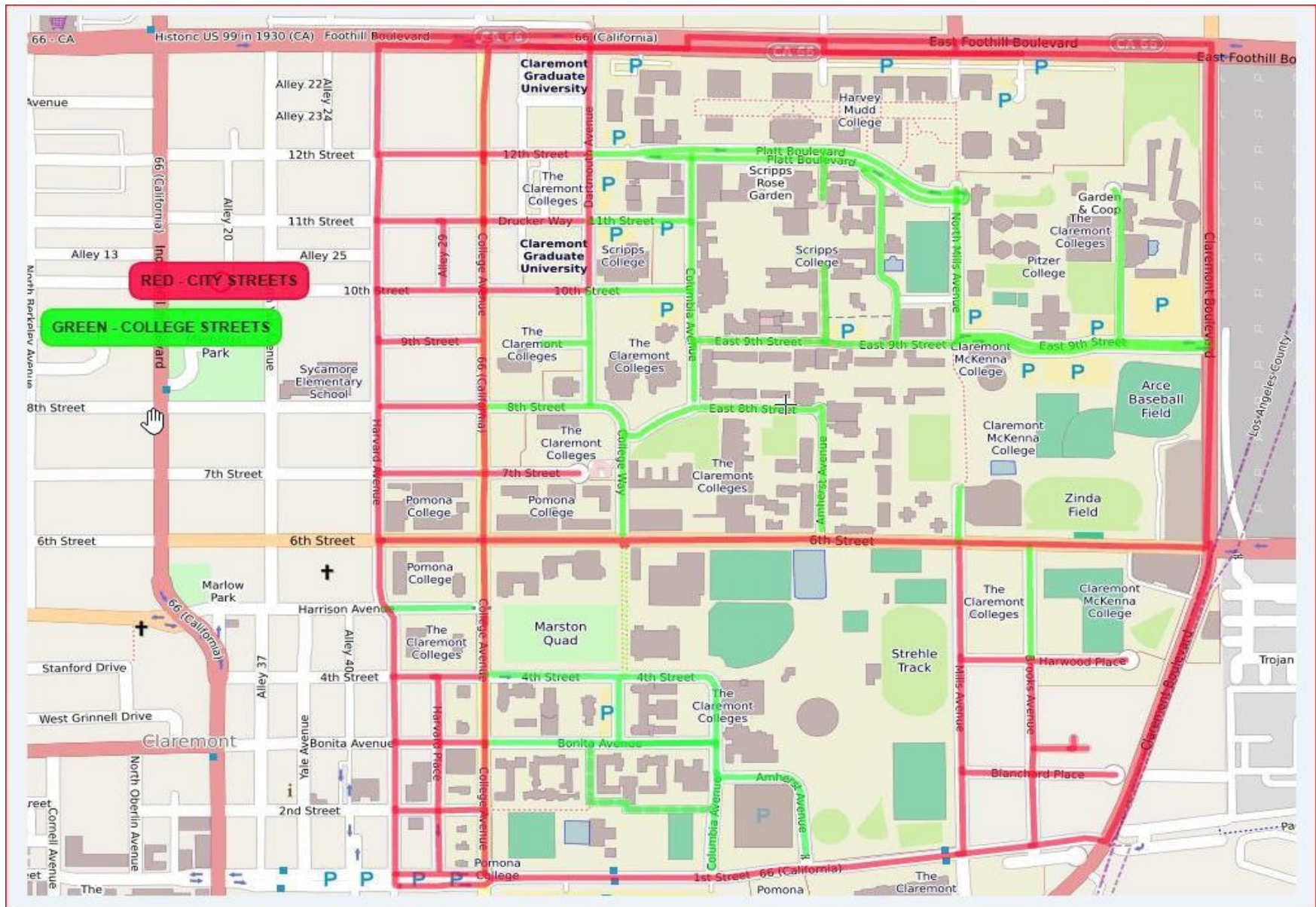
The Rancho Santa Ana Botanical Gardens are affiliated with the Claremont Colleges, although are not owned or controlled by The Claremont Colleges.

Set back off the main street and north of Foothill Boulevard resides the Claremont Collegiate Apartments (CCA), which is Claremont Graduate University housing. CCA is bordered by TCCS undeveloped land that was formerly a golf course to the North, the Rancho Santa Ana Botanical Gardens to the East, the School of Theology, which is affiliated with the Claremont Colleges, but not owned or controlled by TCCS, to the Southeast, Via Los Altos to the Southwest, and Via Zurita Street to the West.

Further West on Foothill Boulevard in an office building controlled by Claremont Graduate University is the School of Community and Global Health. This building is bordered by Colby Circle which curves, so this is the North and West border, to the East is bordered by a parking lot with restaurants and retail shopping and Foothill Boulevard to the South.

The Claremont Colleges contain both city streets and streets owned by the Colleges. However, all streets are considered public access.

The map below (on the following page) reflects the streets that are owned by the City of Claremont and those owned and controlled by The Claremont Colleges.



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 person's 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 is 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

Pomona College relies on its close working relationships with local law enforcement agencies to receive information about incidents involving Pomona College 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 Pomona College Dean of Students office, as appropriate. Pomona College requires all recognized student organizations to abide by federal, state, and local laws, and College regulations. As per the Pomona College Student Handbook, the College may become involved in the off-campus conduct of recognized student organizations when such conduct is determined to violate College policy.

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 of 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, the on-duty Captain, or Watch Commanders, and the Administrator on-call or the Senior Administrator on-call (as designated by each of the Colleges), impacted by the reported crime, are responsible for determining whether to issue a Timely Warning Notice.

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 Act. Timely warning notices also may be issued for other crimes as determined necessary by the Assistant Vice President of Campus Safety, on-call administrator, or senior administrator on-call. 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 TCC community, including, but not limited to, (a) the nature of the incident; (b) when and where the incident occurred; (c) when it was reported; (d) the continuing danger to TCC community; and (e) the amount of information known by TCC and TCCS Campus Safety. TCC will follow its emergency notification procedures upon the confirmation of a significant emergency or dangerous situation (including a Clery-reportable crime), involving an immediate threat to the health or safety of students or employees occurring on TCC.

A timely warning notice decision matrix/timely warning notice determination form will be used in the decision-making process to document the decision to alert or not to alert the community. 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 by way of email, text messages and phone. Information will be provided on the [Pomona College emergency website](#). The particular circumstances will determine the method of notification. Generally, notification will occur through the Everbridge email system to all Claremont Colleges students and employees.

Timely warning notices 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, TCCS campus safety will take all reasonable efforts not to compromise ongoing law enforcement efforts. TCCS 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 TCCS campus safety by phone at 909-607-2000 or from campus phones at ext. 72000 and in person at 150 E. 8th Street. If a report is made to another official at TCC, those officials will immediately notify TCCS campus safety.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

EMERGENCY MANAGEMENT

There are different types of emergencies that may present themselves to the College and they may present themselves in different ways. The College maintains three groups of people who are responsible for preparation and response to emergencies. The group that is responsible for overall preparation for emergencies is called the Emergency Response Team (ERT).

In addition, Pomona College features a Senior Administrator On-Call (SAOC) system, with a senior staff member on call at the College on a 24/7 basis. Finally, an administrator on-call is also available after hours. The role of the administrator on-call is to respond to any student situation, disruptive behavior or crisis. The administrator on-call determines the appropriate steps given a situation and will refer the situation to the SAOC if needed.

The ERT is chaired by a senior staff member of the College and meets approximately bi-weekly during the academic year. This group evaluates the risks of activities and events that may happen in the future. The ERT is the umbrella structure for 8 emergency support teams (EST). Members of the ERT and EST teams are trained, approximately monthly during the academic year, on how to monitor for emergencies including

earthquakes, fires, other natural disasters, and human threats, including civil unrest.

Information about potential threats may come to EST members through: TCCS Campus Safety, local police authorities, the other Claremont Colleges, news and media agencies or members of the Pomona College community. Members of the ERT/EST are trained on how to observe and report potential emergency situations, and they may activate an immediate assembly of a full or partial ERT, on-call group or SAOC group using Everbridge, a multi-modal notification system.

The ERT follows the incident command model, with a designated incident manager and teams of people who are responsible for the safety, protection and recovery of the College in a serious emergency (the 8 EST teams). For more information about the ERT or SAOC system, contact the assistant vice president, facilities at 909.607.1764 or the dean of campus life at 909.621.8611. For more information about the administrator on-call system, contact the assistant vice president of student affairs at 909.621.8017.

DRILLS, EXERCISES, AND TRAINING

At least annually, Pomona College conducts an evacuation drill and a “shelter in place” drill each year. One of these drills is practiced during business hours for the entire community and the other is practiced in the evening, primarily for the residential community.

In addition, the campus life office practices at least two evacuation drills each year, in the evenings which involve the resident advisors, residence life staff and students in residence halls.

To ensure the College’s emergency management plans remain current and actionable, Pomona College 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. Pomona College conducts after-action reviews of all emergency management exercises.

EMERGENCY NOTIFICATION

This policy statement summarizes Pomona College’s and the Claremont College’s emergency response and evacuation procedures, including protocols for sending Emergency Notifications. An Emergency Notification will be issued in the event that Pomona College or Campus Safety receives notice of a situation that presents a significant emergency or dangerous situation at Pomona College or at one of the Claremont Colleges or in the local area affecting the health and/or safety of the community, in whole or in part. Pomona College 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. The Assistant Vice President of Campus Safety or in their absence or unavailability, their designee (generally the Captain, or on-duty Watch Commander), and the Administrators On-Call are responsible for determining whether to issue an Emergency Notification.

EMERGENCY NOTIFICATION SYSTEM

Pomona College and TCCS 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.

Pomona College uses the emergency notification system Everbridge. Everbridge is an emergency notification service available to students, staff, faculty, and anyone in the Pomona College 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 incorporate technology consisting of social media, email, text messaging and telephone. 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 CAMPUS COMMUNITY AND SURROUNDING COMMUNITY

In the event of an emergency, TCC have various systems in place for communicating information quickly. Some or all of these communication methods may be activated in the event an emergency notification needs to be sent to all or a segment of TCC community. These methods of communication at Pomona College include the mass notification system, Everbridge, Pomona College email system, campus public address system and/or emergency messages that scroll across computer screens. Pomona College may post updates during a critical incident on [our emergency website](#).

Pomona College 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 ringdown 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.

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, Emergency Services Manager, Captain, or on-duty Watch Commander.

The TCCS Department of Campus Safety is responsible for responding to all significant incidents that may involve an immediate or ongoing threat to the health and/or safety of Pitzer College and the Claremont Colleges community. It is also tasked with promptly summoning the appropriate resources to mitigate and investigate such incidents. 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.

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.

Pomona College and 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](#). 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](#).

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's 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. Pomona College 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 Pomona College 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 appropriate segment of 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 appropriate segment of 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 POMONA COLLEGE'S EMERGENCY NOTIFICATION SYSTEM

Everbridge Mass Notification is an emergency notification service that enables Campus Safety to notify you quickly about a major emergency on campus and to provide you with information and instructions. Messages are sent via email, text and recorded message to campus phone extensions. Students, faculty and staff with a campus phone extension and college email are already in the Everbridge database. To add a cell phone number and/or home number, log on to the campus portal at my.pomona.edu and click on the Everbridge link. All contact information included in Everbridge will be used ONLY for campus emergency notification and will NOT be made available to any other service.

PROGRAMS TO PREVENT SEXUAL ASSAULT, DATING OR DOMESTIC VIOLENCE, AND STALKING

POMONA COLLEGE'S STATEMENT ON PROHIBITING CRIMES OF SEXUAL ASSAULT, DATING/DOMESTIC VIOLENCE, AND STALKING

Pomona College is committed to maintaining an environment for students, employees 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 College has enacted a Sexual Misconduct, Harassment and Discrimination Policy and Procedures ("Pomona Policy") to reflect and maintain Pomona College's institutional values and community expectations, to provide fair procedures for determining when the Pomona Policy has been violated, and to provide recourse for individuals and the community in response to violations of the Pomona Policy. A copy of the full [sexual misconduct, harassment, and discrimination policy and procedures can be located on our website](#).

Furthermore, in August 2020, in response to new Title IX regulations issued by the U.S. Department of Education ("DOE") in May 2020 requiring higher education institutions to amend their current policies related to sexual misconduct, and following the work of The Claremont College ("TCC") Title IX Adjudication Task Force to provide for a common adjudication process among TCC institutions, the College adopted a joint TCC Title IX Grievance Process ("TCC Title IX Policy"). Among other things, the new TCC Title IX Policy follows the new Title IX regulations by narrowing the scope of what institutions are required to address under Title IX, and provides for related extensive changes to the manner in which schools address Title IX allegations. The TCC Title IX Policy addresses conduct that:

- is alleged to have occurred on August 14, 2020 or later;
- is reported by a complainant while they were participating in or attempting to participate in a College program or activity in the United States;
- involves specific conduct defined by the DOE as constituting sexual harassment.

More information about the TCC Title IX Policy is available online.

Through the Pomona Policy and TCC Title IX Policy, the College provides written notification to students and employees about existing counseling and health services, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other campus and community-based victim services and programs via email, print materials, and the College's website.

The College's Policies prohibits all forms of sex or gender-based discrimination, harassment, and sexual misconduct, including sexual assault, dating and domestic violence, sexual exploitation, and stalking ("Prohibited Conduct")¹. The College's Policies also prohibits retaliation against a person who reports, complains about, or who otherwise participates in good faith in, any matter related to the Policies. The College 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 College expects that all Pomona College community members will take reasonable and prudent actions to prevent or stop Prohibited Conduct. The College strongly supports individuals who choose to take such action and will protect such individuals from retaliation.

Upon receipt of a report, the College will take prompt and equitable action to eliminate the Prohibited Conduct (if any), prevent its recurrence, and remedy its effects. The College'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.

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.

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.

¹ In addition to the Pomona Policy and the TCC Title IX Policy-which address different types of sexual misconduct allegations-the College also addresses other forms of discrimination and harassment that do not involve sexual misconduct allegations through its Discrimination and Harassment Investigation and Response Procedures (hereinafter jointly referred to as "Policies")

(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.
- (e) 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

Through its Pomona Policy and TCC Title IX Policy, the College adopts an affirmative consent standard in the determination of whether consent was given by both parties to sexual activity in compliance with SB 967. "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 to alleged lack of affirmative consent that the accused believed that the complainant consented to the sexual activity under either of the following circumstances:

- (A) (A) The accused's belief in affirmative consent arose from the intoxication or recklessness of the accused.
- (B) (B) The accused did not take reasonable steps, in the circumstances known to the accused at the time, to ascertain whether the complainant affirmatively consented.

In addition, 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:

- (C) The complainant was asleep or unconscious.
- (D) 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.
- (E) The complainant was unable to communicate due to a mental or physical condition.

BYSTANDER INTERVENTION

Bystander engagement is encouraged at Pomona College through safe and positive intervention techniques and by empowering third-party intervention and prevention such as calling for help, using intervention-based apps, identifying allies, and/or creating distractions. Bystander education highlights the need for those who intervene to ensure their own safety in the intervention techniques they choose and motivates them to intervene as stakeholders in the safety of the community.

Teal Dot Bystander Intervention Program: A teal dot is any behavior, choice or action that promotes safety for everyone and communicates intolerance for sexual violence, dating/domestic violence and stalking. Examples include intervening in a high-risk situation; looking out for your friends at a party; hanging a prevention poster in your room; getting your organization trained in prevention; putting a link on your Facebook page to a campus prevention resource; or wearing a teal dot sticker or button. A teal dot is simply your individual choice at any given moment to make our campus safer. Teal Dot training is mandatory for all new students and is offered to all students and employees at the Claremont Colleges.

PREVENTION, AWARENESS AND RISK REDUCTION

Pomona College is committed to the prevention of and increasing awareness of sexual violence. All incoming students and new employees are provided with information, strategies and programs intended to prevent rape, sexual assault, dating/domestic violence and stalking before it occurs through the changing of social norms and other approaches; that includes a clear statement that Pomona College prohibits such acts, their definitions, the definition of consent, options for bystander intervention, information about risk reduction and our policies and procedures for responding to these incidents. Ongoing prevention and awareness campaigns are also offered throughout the year. These programs include but are not limited to:

- **SAPU** is an online sexual violence prevention education program, which all new students are required to complete before course registration.
- **Culture of Respect** is a presentation by the College's Title IX Coordinator that is required to all new students and covers sexual

misconduct, harassment and discrimination policies and prevention.

- **InterACT!** is an evidence-based interactive performance program focused on sexual violence prevention and education, attendance is required for all new students.
- **AlcoholEdu** is an interactive online program that uses the latest evidence-based prevention methods to create a highly engaging learning experience, inspiring students to make healthier decisions related to alcohol, cannabis, e-cigarettes, and other drugs.
- Review of sexual misconduct, harassment and discrimination policies during new staff and faculty orientation.
- Training on sexual harassment is required of all faculty and staff.
- **Pomona College CARES (Campus Advocacy Resources Education and Support) Office** hosts outreach tables, and education/prevention programs and events and is the home of peer led student leadership programs, the Peer Educators and CARES Fellowships.

PROCEDURES TO FOLLOW IF A CRIME OF SEXUAL ASSAULT, DATING/DOMESTIC VIOLENCE, AND/OR STALKING HAS OCCURRED

The procedures to follow if a crime of sexual assault, dating/domestic violence and/or stalking are outlined in this section. In compliance with the Title IX regulations issued by the US Department of Education (DOE) that went into effect on August 14, 2020, the College adopted the TCC Title IX Policy to address certain types of sexual harassment, including sexual assault, dating violence/dating violence and stalking. Additionally, the Pomona Policy outlines the procedures, resources, and steps victims can take following an instance of sexual assault, dating/domestic violence, and/or stalking not governed by the TCC Title IX Policy. After receiving 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 (full copies of the TCC Title IX Policy and Pomona Policy are available online).

Through these policies, Pomona College provides written notification to students and employees about existing counseling and health services, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other campus and community-based victim services and programs via email, print materials, and the College's website.

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 Pomona College, which is also a County designated SART Center, is located at:

Pomona Valley Hospital Medical Center
1798 North 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 Pomona College staff to accompany them to the hospital should contact Campus Safety at 909.607.2000 and ask that the Dean on-call 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. If you have physical injuries, photograph or have them photographed, with a date stamp on the photo.

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 that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order, and 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. Record the names of any witnesses and their contact information. This information may be helpful as proof of a crime, to obtain an order of protection, or to offer proof of a campus policy violation.

Try to memorize details (e.g., physical description, names, license plate number, car description, etc.), or even better, write notes to remind you of

details, if you have time and the ability to do so.

WHO TO REPORT TO (PROVIDED IN WRITING)

A reporting party does not have to request a particular course of action, nor do they need to know the appropriate definition or label for what happened. The decision to make a report is usually one that is likely to unfold over time. Anyone who witnesses, experiences, or is otherwise aware of conduct that they believe to be in violation of this Policy, including retaliation, is encouraged to contact the College Title IX Coordinator as soon as possible.

Mike Manalo-Pedro

Associate Dean, Interim Title IX Coordinator, Clery Officer

Alexander Hall – Room 114

550 North College Avenue

Claremont, CA 91711

909.621.8017

mike.manalo-pedro@pomona.edu

Reports can also be made to any one of the College's Deputy TIX Coordinators

Ellie Ash-Bala

Associate Dean of Campus Life and Director of the Smith Campus Center

909.621.8611

ellie.ash-bala@pomona.edu

Brandon Johnson

Senior Associate Director of Athletics

900.621-8420

brandon.johnson@pomona.edu

Brenda Rushforth

Assistant Vice President, Human Resources, CHRO

909.607.1686

Brenda.rushforth@pomona.edu

David Tanenbaum
Associate Dean of the College, Professor of Physics and Astronomy
909.621.8722
David.Tanenbaum@pomona.edu

Reporting to law enforcement

Information about the option to report to and/or seek assistance from law enforcement is also provided to individuals who are victims of sexual violence, dating/domestic violence and stalking. In Claremont, those resources include:

Campus Safety
909.621.8170 or 909.607.2000 (emergency)
150 East Eighth Street
Claremont, CA 91711
dispatch@Claremont.edu

Claremont Police Department
909.399.5411 or 911 (emergency)
570 West Bonita Avenue
Claremont, CA 91711

Some incidents of sexual misconduct may also constitute criminal conduct. In such instances the victim/survivor is encouraged to file a report with an appropriate law enforcement agency and, if requested, the College will assist them 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 not want to notify such authorities for a wide variety of reasons, whether or not to file a police report is absolutely their 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 the College of its duty to conduct its own timely inquiry into the alleged misconduct. As a

consequence, the College will not wait for the conclusion of any criminal investigation or proceedings to commence a College 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.

Victims may also seek no contact directives from the College or may be assisted with obtaining a restraining order through a court of law. Campus Safety, the Title IX Coordinator, the Dean of Students and/or the Assistant Vice President/CHRO for Human Resources may impose a no-contact directive which typically will include a directive that the responding party refrain from having any contact the complainant, directly or through third parties, whether in person or via electronic means, pending the investigation and/or outcome.

PROTECTING CONFIDENTIALITY (PROVIDED IN WRITING)

Pomona College recognizes the sensitive nature of these crimes and is committed to protecting the privacy of any individual involved in the College's process. Different officials on campus are able to offer varying levels of privacy protections. Reports made to law enforcement, including if criminal prosecution is pursued, may be made public and shared with the accused. Legal counsel should be consulted regarding information about specific laws. As noted previously, reports made to medical professionals, licensed mental health counselors, rape crisis center counselors and victim advocates, and pastoral counselors will not be shared with anyone without the consent of the victim, with the exception of imminent threat to self or others.

Notification: In accordance with applicable law, Pomona College'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 the College; 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 data must be passed along to campus safety regarding the type of incident and its general location 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. 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 the College and Campus Safety 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 College/Campus Safety will not disclose a Complainant's name. However, the College/Campus Safety will provide enough information for community members to make safety decisions in light of the danger.

Location of Records: A copy of a formal complaint, investigative file (including any written materials, interview notes, and/or other items that make up the file), and the written report shall be maintained in the Title IX office. Should a violation of this Policy be found, a record of the complaint and disciplinary action taken shall be made part of the personnel or student file of the person(s) found to have violated the Policy. In the event that the investigation does not result in a finding of violation of this Policy, no record of the complaint or investigation will become a part of any individual's personnel or student file but will still remain on file within the Title IX office for the purpose of tracking trends, repeat offenders, and patterns.

SEX OFFENDER REGISTRATION – CAMPUS SEX CRIMES PREVENTION ACT

Megan's Law [34 CFR 668.46(b)(12)]

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](#)

For general information, see [State of California Department of Justice, Megan's Law in California](#)

DISCIPLINARY PROCEDURES FOR CASES INVOLVING ALLEGED SEXUAL ASSAULT, DATING/DOMESTIC VIOLENCE AND STALKING

SUPPORT PERSON/ADVISOR

The Complainant and Respondent may each have a support person of their choosing present with them at all meetings and any hearing associated with a complaint and in which the respective individual is participating. The support person can be the advisor of choice of the student and can include a current member of the Claremont Colleges community or an external support person, including a lawyer. The support person cannot have involvement in the underlying case. The support person may attend, but shall not participate in, meetings or the hearing. Under the Pomona Policy, because it is an administrative process, any legal counsel present as the party's support person during any related proceedings, including, but not limited to, investigatory interviews, hearing, or any other related discussion or meeting, shall be permitted only in a non-participatory advisory role. In addition, at least three days (72 hours) prior to any hearing, the Complainant and Respondent may each notify the Title IX Coordinator that both a support person and advisor/lawyer will be present during the hearing (no more than two

individuals in total); the request should be in writing and should identify the persons the Complainant or Respondent wishes to be present during the hearing. Again, both the support person and advisor/lawyer shall be permitted only in a non-participatory advisory role.

Under the TCC Title IX Policy, each party is required to be provided with an advisor during a related hearing. If a party has not already obtained an Advisor prior to the start of the hearing, the party's Home Institution's Title IX Coordinator will be responsible for ensuring their respective Respondent and/or Complainant is appointed an advisor at no fee or charge to the party. The advisor is responsible for questioning witnesses and other parties during the hearing; outside of this limited role, an advisor may never speak on behalf of a party or otherwise disrupt any related meeting or hearing, and may be excluded who does not comply with the TCC Title IX Policy.

CASE MANAGER (under the Pomona Policy)

For cases under the Pomona Policy, the Complainant and Respondent will each be offered by the Title IX Coordinator, or its designee, a separate College-appointed, trained Case Manager. The Case Manager, usually a staff or faculty member, can help the party to whom they are assigned to navigate through the Pomona Policy and related procedures, and support the party in accessing resources, accommodations, and other kinds of support. At the discretion of the party, their assigned Case Manager may accompany them to any meeting/hearing related to the Pomona Policy. The Case Manager is expected to be a silent and non-participating observer in any Pomona Policy meetings/hearings. The Title IX Coordinator will assign the Case Manager from a pool of trained individuals after the initial intake usually within seven (7) days.

INTERIM MEASURES AND SUPPORT RESOURCES

The College may take whatever measures it deems necessary in response to an allegation in order to protect an individual's rights and personal safety, the safety of the College community, or if determined to be necessary to ensure the integrity of the investigation or adjudication process. The College is obligated to comply with a complainant's reasonable request for a living, academic or work situation change following an alleged sex offense.

Determinations regarding interim measures are made by the Title IX Coordinator or, its designee, on a case-by-case basis. Such measures include, but are not limited to, an interim suspension (immediate, temporary suspension pending the outcome of investigation and/or hearing process), a "no contact" directive, restrictions on access to campus or areas of campus, and/or appropriate changes in academic schedule. Interim measures may include reporting the matter to the local police.

Under both the Pomona Policy or the TCC Title IX Policy, a Complainant or Respondent may request a "no-contact" letter or other protection. Not all of the measures listed in this section will be necessary in every case. If an individual identifies an interim measure that is not already provided by the College, the College will consider whether the request can be granted. In those instances where interim measures affect

both a Complainant and Respondent, the College will minimize the burden on the Complainant wherever appropriate.

Failure by any individual to adhere to the parameters of any interim measure is a violation of College policy and may lead to disciplinary action. Individuals are encouraged to report such failures by another party to the Title IX Coordinator. Depending on timing and other circumstances, allegations that an individual has violated any interim measure may be investigated and/or adjudicated (where appropriate) separately from or as part of an ongoing matter.

In addition to those noted above, other interim measures and available support services include:

- Campus Safety escort to ensure safe movement on campus;
- referral to medical, counseling, or emergency services;
- assistance with identifying off-campus resources;
- assistance with transportation, parking, and/or travel needs;
- assistance in obtaining a court-issued restraining order;
- varied forms of academic assistance, including academic support services, tutoring, alternative course completion options, rescheduling of exams and assignments, changing class schedules, transferring course sections or withdrawing from a course without penalty;
- change of work schedules, job assignments, and worksite location;
- and/or any other remedy that can be tailored to the involved individuals to achieve the goals of this Policy.

Interim measures assume no determination of responsibility. Both parties will receive a document setting forth the interim measures that have been deemed appropriate. The TIXC reserves the right to increase, reduce or otherwise adjust interim measures as appropriate.

INTAKE AND INITIAL REVIEW

Upon receipt of a report of prohibited conduct, the Title IX Coordinator or its designee will provide resources and support information and will conduct an Initial Review. This review 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.

The first step of the Initial Review will typically include an initial meeting between the Complainant and the Title IX Coordinator or its designee. The purpose of the meeting is to gain a basic understanding of the nature and circumstances of the report; it is not intended to be a full investigation interview.

During an initial intake meeting, the Title IX Coordinator or its designee will:

- assess the nature and circumstances of the allegation(s), including which Policies will potentially apply;
- address immediate physical safety and emotional well-being of the Complainant and the College community;
- discuss with the Complainant the range of interim measures and remedies, including options for no-contact orders, changes in living, academic, transportation, working situations;
- provide the Complainant with information about on- and off-campus resources, including the College-appointed support options, and visa and immigration assistance, as appropriate;
- provide information about their student financial aid options, as appropriate;
- obtain the Complainant's expressed preference for the manner of resolution and assess any barriers to proceeding;
- provide the Complainant with an explanation of the anticipated time frames for the resolution process if the Complainant wished to move to an investigation;
- provide the Complainant with an explanation of the limitations on the College's response should the Complainant choose to remain anonymous;
- provide information about a sexual assault and harassment policy Case Manager and information about an adviser of their choice, including legal counsel;
- determine if concerns exist for discrimination or harassment based on other protected classes;
- explain the College's policies for confidentiality and prohibiting retaliation, as described in the Policy and provide a writing explaining confidentiality;
- explain the difference between confidential and non-confidential resources;
- assess the reported conduct for the need for a timely warning notice under federal law;

- determine if pattern of evidence or other similar conduct by Respondent exists;
- determine if any issues of academic freedom exist, which may be reviewed by the Dean of the College or designee;
- submit non-identifying information about the report to Campus Safety for entry into the College's daily crime log if the report includes a Clery-reportable crime;
- provide the Complainant with a written explanation of the Complainant's rights and options as set forth in the Pomona Policy and/or the TCC Title IX Policy, including, but not limited to:
 - the right to report, or decline to report, the incident to law enforcement if the conduct is potentially criminal in nature. The College is available to assist in this process;
 - the right to obtain a "no-contact" order from the College, or local authorities;
 - the right and importance of seeking medical treatment to address physical health and to preserve evidence;
 - the right to file a complaint through the applicable internal complaint resolution process;
 - the right to receive an explanation of the internal complaint resolution process and the preponderance of the evidence standard of proof used to resolve the complaint;
 - the right to be provided a prompt, fair, and impartial investigation and resolution; and
 - the right to receive an explanation of the possible sanctions against Respondents.
- provide the Respondent with a written explanation of the Respondent's rights and options as set forth in the Pomona Policy and/or the TCC Title IX Policy, including, but not limited to:
 - the right to participate, or decline to participate, in any investigation and hearing;
 - discuss with the Respondent the range of interim measures and remedies, including options for no-contact orders, changes in living, academic, transportation, working situations;
 - provide the Respondent with information about on- and off-campus resources, including the College-appointed support options, and visa and immigration assistance, as appropriate;

- the right to receive an explanation of the internal complaint resolution process and the preponderance of the evidence standard of proof used to resolve the complaint (“more likely than not”);
- the right to be provided a prompt, fair, and impartial investigation and resolution; and
- the right to receive an explanation of the possible sanctions against Respondents.

The Title IX Coordinator or its designee also will promptly inform the Respondent of any actions(s) that will directly impact the Respondent and provide appropriate opportunities for the Respondent to respond to such action(s) as set forth in the Policy.

At the conclusion of the intake process, the Title IX Coordinator or its designee, in consultation with the Title IX Coordinator [and other TCC Title IX Coordinators and/or the TCC Title IX Administrator (where appropriate)], will then determine

(1) whether or not the complainant’s report states facts that, if true, could constitute a violation of the TCC Title IX Policy and/or the Pomona Policy and (2) whether to refer the report for further investigation.

The Title IX Coordinator or its designee will discuss the determination with the Complainant and provide information to assist in understanding available resources and procedural options, which will be communicated to the Complainant in writing.

NOTICE TO THE RESPONDENT

When a decision is made to initiate formal or alternative 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 the Pomona Policy and/or the TCC Title IX Policy and related 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 state facts sufficient to apprise the respondent of the nature of the allegations, including the complainant’s name; the nature of the alleged policy violation(s); the date(s) of the alleged policy violation(s); the location(s) where the violation(s) allegedly occurred; a brief description of the allegations; and the sanctions that may be imposed if the respondent is found to have violated this Policy.

ALTERNATIVE RESOLUTION PROCEDURES

In some circumstances, where both parties are amenable, the Title IX Coordinator will determine whether the complaint may, at the choice of the parties, proceed through alternative resolution under the Pomona Policy and/or TCC Title IX Policy (where not otherwise prohibited by

law). In determining whether the matter is appropriate for alternative resolution, the Title IX Coordinator will consider a range of factors including the severity of the alleged prohibited conduct and the College's legal obligations. Alternative resolution procedures are intended to resolve actual or perceived instances of harassment and discrimination through agreement and mutual understanding between the parties involved without the need for more formal action by the College.

At the conclusion of an informal procedure which results in the parties and the Title IX Coordinator or designee agreeing the charge has been successfully resolved, each party will be asked to sign an acknowledgment that the informal procedure was performed with their agreement and resulted in a resolution of the charge that was satisfactory to them.

FORMAL RESOLUTION PROCEDURES

A formal investigation into an alleged violation of the Pomona Policy and/or TCC Title IX Policy will proceed when one or both of the following are present:

- The College has information to proceed and recognizes that it is in the best interest of the campus community's safety to proceed with a formal investigation and/or:
- The College has information to proceed and the complainant wishes to proceed with a formal investigation.

The Title IX Coordinator and Title IX Coordinator's Team will take all reasonable steps to respond to a complaint consistent with a Complainant's requests for confidentiality. However, the team's ability to do so may be limited based on the nature of a Complainant's request. For example, if a Complainant requests that the Complainant's name or other identifiable information not be shared with the Respondent or that no formal action be taken, the College may be limited in its ability to fully respond to the complaint. The College will balance the Complainant's requests with its responsibility to provide a safe and non-discriminatory environment for all College community members and to afford a Respondent fundamental fairness.

In the event that a Complainant does not wish to proceed with formal action, the Title IX Coordinator, in consultation with the Title IX Coordinator's Team, as appropriate, will decide, based on the available information, whether additional steps are required. In making this decision, the Title IX Coordinator's Team will consider following factors: whether the Complainant has requested confidentiality; whether the Complainant wants to participate in additional steps; the severity and impact of the sexual misconduct; the respective ages of the parties, including whether the Complainant is a minor under the age of 18; whether the College can undertake any action without the participation of the Complainant; whether the Respondent has a pattern of committing sexual misconduct; the existence of independent evidence; the extent of prior remedial methods taken with the Respondent; and any legal obligation to proceed based on the nature of the conduct.

The College's formal complaint resolution procedures will include a prompt, fair and impartial process from the initial investigation to the final result. Whether under the Pomona Policy or under the TCC Title IX Policy, all proceedings (initial intake/review, investigation, and adjudication hearing) are conducted by officials who receive annual training on issues related to sexual assault, dating/domestic violence, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. The following overview of grievance processes under the Pomona Policy and/or the TCC Title IX Policy are summaries; for additional information, please refer to and review the entire policies.

Appointment of Investigator(s)

Under the Pomona Policy, the Title IX Coordinator will select one external investigator, and may select one internal investigator employed by Pomona College, both chosen from a pool of investigators trained in the College's policies and procedures, trauma-informed response, Title IX investigations, and the dynamics of sexual harassment and sexual violence; however, where one of the involved parties is from a different Claremont College, a single external investigator may be selected. Under the TCC Title IX Policy, the TCC Title IX Administrator, in consultation with the relevant campus Title IX coordinator(s), will designate an Investigator to conduct a fair, thorough, and impartial investigation.

The Investigator(s) will meet with the Complainant to review the complaint, related policies, and these procedures.

The Title IX Coordinator will promptly notify the parties of the identity of the Investigator(s). If a party objects to the proposed Investigator's involvement based upon an actual or perceived conflict of interest, the party must provide written notice to the Title IX Coordinator within three (3) calendar days from the notification explaining the conflict of interest. A conflict of interest occurs where an individual's personal interests or relationships conflict with their ability to be a neutral fact finder in a particular case. For example, if a member has also served as an advisor for a party to a complaint or has a close personal relationship with one of the parties, there may be a conflict of interest. The Title IX Coordinator will promptly rule on the objection and provide notice to the parties. If a conflict of interest is found, the Title IX Coordinator will expedite selection of another Investigator(s) and shall promptly notify the parties of the selection. Once Investigator(s) is/are confirmed, the Investigator(s) will meet with the parties to, among other things, discuss the allegations, collect evidence, and discuss additional relevant witnesses.

Appointment of External Adjudicator

In those matters moving forward to investigation and involving a Respondent from the College under the Pomona Policy, the Title IX Coordinator will also select an External Adjudicator who will preside over any hearing of the matter to determine responsibility under the Pomona Policy, including (in consultation with the Title IX Coordinator) the determination of sanctions pursuant to the Pomona Policy's guidelines. The External Adjudicator will also review and evaluate any pre-hearing concerns raised by the parties with respect to improper investigative procedures. The External Adjudicator will be a neutral party from outside of the College, typically a retired civil jurist, experienced attorney or seasoned student conduct administrator experienced in these matters, who is trained and experienced in dispute resolution, Title IX and trauma-informed response

to complaints of sexual harassment and sexual violence, the dynamics of sexual misconduct, and the College's policies and procedures, including applicable confidentiality requirements.

Under the Pomona Policy, the Title IX Coordinator will promptly notify the parties of the identity of the External Adjudicator. If a party objects to the proposed External Adjudicator's involvement based upon a conflict of interest, the party must provide written notice to the Title IX Coordinator within three (3) calendar days from the notification explaining the conflict of interest. The Title IX Coordinator will promptly rule on the objection and provide notice to the parties. If a conflict of interest is found, the Title IX Coordinator will expedite selection of another External Adjudicator and shall promptly notify the parties of the selection.

Under the TCC Title IX Policy, when appropriate, the TCC Title IX Administrator, in consultation with the relevant campus Title IX coordinator(s), will designate an Adjudicator to conduct a fair, thorough, and impartial investigation. The Adjudicator is a single individual, either internal or external to TCC. The Adjudicator is responsible for overseeing the hearing, making procedural determinations, managing the questioning process, and issuing the Hearing Decision.

The Adjudicator will have had appropriate training in the definitions of Sexual Harassment, the scope of TCC's education programs and activities, the investigation and hearing processes, bias, the Alternative Resolution Process, and hearing decision writing. Additionally, the Adjudicator will be trained on the following:

- Any technology to be used at the hearing; and,
- Issues of relevance of questions and evidence, including when questions and evidence about the Complainant's sexual predisposition or prior sexual behavior are not relevant.

The Hearing Coordinator will provide the parties with written notice of the Adjudicator's identity. The parties will have five (5) business days to object to the selection of the Adjudicator for an actual conflict of interest or bias. The TCC Title IX Administrator will consider and resolve any objections to the selection of an Adjudicator.

Investigation Overview

Every complaint alleging sexual misconduct, discrimination and/or harassment that the College submits to an Investigator will be investigated promptly and thoroughly. In conducting an investigation, the Investigators will be particularly sensitive to concerns regarding retaliation relating to an individual's participation in the process as a party or witness. The Investigators will conduct interviews as needed with all appropriate

individuals, including the Complainant and Respondent, and will gather any pertinent evidentiary materials.

Under the Pomona Policy, after concluding their investigation, the Investigators will draft an Investigation Report summarizing witnesses interviewed, evidentiary materials gathered, and conclusions concerning any violations of College policy. The Investigation Report shall identify the evidence considered material to the Investigators' recommendation that the case should or should not move forward to a hearing and will provide explanation of the Investigators' characterization of evidence for purposes of reaching their conclusion.

Under the Pomona Policy, the Investigators will then provide their report to the Title IX Coordinator. The Title IX Coordinator will review the report to determine if there is sufficient information for the College to believe that it is more likely than not that a College policy violation occurred. The Title IX Coordinator may refer back to the Investigators any questions that the Title IX Coordinator has concerning the report's contents or conclusions. After the investigators successfully answer or resolve the Title IX Coordinator's questions or concerns, if any, and the Title IX Coordinator has completed its review, the Title IX Coordinator will either: (1) prepare a Statement of Alleged Policy Violations which will summarize why the College believes it is more likely than not that the alleged conduct did occur and that the Respondent is responsible for violating College policy; or (2) will prepare a Results Notification Memorandum which will summarize why the College believes it is more likely than not that the alleged conduct did not occur and that the Respondent is not responsible for violating College policy.

Under the TCC Title IX Policy, before issuing the final Investigation Report, the TCC Title IX Administrator will provide a preliminary Investigation Report to the parties, and provide the parties with an equal opportunity to respond to the relevant evidence, including allowing parties to present additional relevant evidence or information. This is known as the Evidence Review Process. This opportunity should be provided to each party regardless of whether the party participated in the investigation. Absent good cause, parties are provided with ten (10) business days to review and respond to the evidence.

Under the TCC Title IX Policy, as part of this Evidence Review Process, the parties may submit proposed questions for the Investigator to ask of the other party or any witness, request additional interviews and information-gathering, and/or suggest additional witnesses. The Investigator has discretion to determine if the responses warrant additional information-gathering. If the Investigator determines it is unnecessary to ask individuals additional questions, interview new witnesses, and/or gather additional evidence, the Investigator will explain their decision in the final Investigation Report. If additional evidence is provided, the parties submit a written response to the evidence, or new evidence is gathered, it will be included in either a revised preliminary Investigation Report or a separate addendum, as deemed appropriate by the Investigator. Both parties will be provided a reasonable opportunity to review and respond to any new evidence. The Investigator will determine when it is appropriate to conclude the Evidence Review Process. The TCC Title IX Administrator will notify the parties when the Evidence Review Process is complete and the Investigation Report is finalized.

Post-Investigation Meetings with Parties Under the Pomona Policy

Under the Pomona Policy, the Title IX Coordinator will then meet with the Complainant and Respondent, separately, to discuss the content of the Statement of Alleged Policy Violations or the Results Notification Memorandum and to provide them with copies of the document along with copies of the Investigators' report. To protect the integrity of the College's various investigatory and/or hearing processes, these documents shall be kept confidential by the parties involved and not shared with witnesses or persons not involved in the matter. However, Complainants and Respondents are not prohibited from sharing these documents with family, counsel, or a support person/advisor. Neither the Complainant nor the Respondent are required to meet with the Title IX Coordinator and may decline to do so.

Response by the Parties to the Statement of Alleged Policy Violation or Results Notification Memorandum and Review by External Adjudicator Under the Pomona Policy

Under the Pomona Policy, after meeting with the Title IX Coordinator to review the conclusions of the investigation, and/or after receiving either the Statement of Alleged Policy Violation or Results Notification Memorandum, each party may submit a written response to the Title IX Coordinator for review by the External Adjudicator. Such written responses, if any, must be submitted within seven (7) calendar days after receipt of either the Statement of Alleged Policy Violation or Results Notification Memorandum. Exceptions to the seven-day period will be limited and rare. Through this written response, either party may request the External Adjudicator to overturn the determination of the Title IX Coordinator's assessment based on improper investigative procedures and/or the discovery of new evidence that was not reasonably available at the time of the investigation interviews.

Under the Pomona Policy, the External Adjudicator has seven (7) calendar days to review these submitted responses and related documents and make a determination of whether there were improper investigative procedures and/or whether there is new evidence, as defined in this section of the Policy, that should be admitted for purposes of the hearing.

Respondent Takes Responsibility: Overview Under the Pomona Policy

Under the Pomona Policy, If the Respondent takes responsibility, then the Title IX Coordinator will forward the documents to the External Adjudicator (EA) for a determination of sanctions. The EA will determine sanctions in consultation with the Title IX Coordinator and in conformity with this Policy. The Complainant will be informed of the Respondent's decision to take responsibility, and has the opportunity to submit an Impact Statement for consideration by the EA. Similarly, the Respondent has the opportunity to submit a Mitigation Statement following their decision to take responsibility for the violation(s).

The Title IX Coordinator will ensure that each of the parties has an opportunity to review any statement submitted by the other party and submit any further statement.

All submissions should be sent to the Title IX Coordinator. The Title IX Coordinator will provide any statement(s) to the External Adjudicator. The

External Adjudicator will then have ten (10) calendar days to reach a determination of sanctions.

Appeal of Results Notification Memorandum Under the Pomona Policy

In response to a Results Notification Memorandum, the Complainant may appeal the Title IX Investigators' determination to the External Adjudicator. Any written response to the Results Notification Memorandum will be forwarded by the Title IX Coordinator to the External Adjudicator for review and analysis, along with the Investigation Report and supporting evidence. As above, the External Adjudicator has seven (7) calendar days to review these documents and make any of the following decisions: (i) determine that the complaint should proceed to hearing; (ii) send the case back to Title IX Coordinator for further investigation; or (iii) review and reject claims of improper investigative procedure/new evidence. The decision of the External Adjudicator may not be appealed, and any further appeals by either party may not be based on the ground of improper investigative procedures.

Hearings Before External Adjudicator Under the Pomona Policy: Overview

The EA shall hear all claims of sexual misconduct, harassment, and discrimination involving student Respondents pursuant to the procedures set forth in this Policy. The EA will determine responsibility and decide sanctions, if appropriate, after a finding of responsibility. In cases brought under the Policy, the evidentiary standard of preponderance of evidence (more likely than not) will be used for the sexual misconduct-related violations.

Role of the Title IX Coordinator Under the Pomona Policy

The Title IX Coordinator will refer the written complaint, if any, the Statement of Alleged Policy Violations, the Investigation Report, and the response, if any, to the EA. The EA is supported by the Title IX Coordinator, who will be present during the hearing, to serve as a resource for the EA on issues of policy and procedure, and to see that policy and procedure are appropriately followed throughout the hearing. The Title IX Coordinator may request that the College's legal counsel be present during any meeting or hearing. If the EA determines, by a preponderance of the evidence, that the Respondent has violated the Policy, the EA, in consultation with the Title IX Coordinator, will determine the appropriate sanction.

Scope of Hearing Under the Pomona Policy

The External Adjudicator may only find responsibility for claims or supporting allegations that appear on the Statement of Alleged Policy Violations prepared by the Title IX Coordinator. In cases involving complaints against students where related complaints are submitted to the Title IX Coordinator and the Dean of Students Office pursuant to the Student Code, the investigation and/or hearing of both the sexual misconduct, harassment and/or discrimination complaint and the Student Code violation(s) will be decided by the External Adjudicator, as discussed herein.

Hearing Protocols Under the Pomona Policy

1. **Timing:** The External Adjudicator will conduct a prompt, thorough, and unbiased hearing. Hearings will be held as soon as practicable, normally within two weeks of circulation of the Investigation Report, including between semesters due to the availability of witnesses, etc. The parties will receive notice of any delay of convening a hearing.
2. **Review and Consideration of the Evidence:** The External Adjudicator will base its determination whether behavior constitutes sexual misconduct, harassment, and/or discrimination under this Policy on the evidence presented. With respect to other violations of the Student Code, the External Adjudicator will consult with the student dean advising the Judicial Council. The External Adjudicator will invite the Complainant and Respondent to appear before it, and will hear and question witnesses, if there are any. The Complainant and Respondent may be present at the hearing if they choose or they may choose to participate in the hearing remotely. However, neither party shall be allowed to directly question or cross-examine the other during the hearing. Five (5) calendar days prior to the hearing, questions, if any, shall be submitted to the External Adjudicator by both parties in writing, who will then decide whether those questions are relevant to the matter and in compliance with Title IX requirements; this does not preclude either party from submitting additional written questions during the hearing for the External Adjudicator's consideration.
3. **Review and Consideration of "New" Evidence:** If the EA determines that "new" evidence that did not come to light during the investigation has been presented during the hearing, the EA may adjourn the hearing for a period that the EA deems appropriate to enable the Complainant and/or Respondent to respond to such evidence. Evidence is considered "new" only if the EA finds the evidence is relevant and important and could not with a reasonable effort have been discovered earlier by the party and provided to the investigator.
4. **Confidentiality of Proceedings:** The hearings will be closed, except to the Complainant and the Respondent, their respective advisor/support person and their respective Case Manager. The advisor/support person may consult with the party during the hearing but may not address the EA. Once the hearings have ended and the process of deliberation has begun, the meeting will be closed to all but the EA and the TIXC.
5. **Impact and Mitigation Statements:** Within two (2) calendar days of the close of the hearing, either party may submit a separate Impact or Mitigation statement, that will only be read and considered by the EA upon a finding of responsibility. These statements should be sent to the TIXC, who will forward the submissions to the EA upon a finding a responsibility. Upon a finding of responsibility, the TIXC will also ensure that each of the parties will receive any statement submitted by the other party. The Impact Statement is a written statement describing the impact of the Respondent's conduct on the Complainant and expressing a preference about the sanction(s) to be imposed. The Mitigation Statement is a written statement explaining any factors that the Respondent believes should mitigate or otherwise be considered in determining the sanctions(s) imposed.

6. **Decisions by External Adjudicator:** Decisions of the EA following the hearing will be limited to the following issues: (i) whether a violation of this Policy has occurred; and (ii) upon a finding of responsibility, an appropriate sanction.
7. **Determinations of Sanctions by External Adjudicator:** The EA, upon a finding of responsibility, shall determine sanctions for student Respondents. The sanctions may include remedial or corrective actions as warranted (including, but not limited to, extension of or expansion of any interim measures already in place). In general:
 - Expulsion is the expected sanction for any student who is determined to have committed sexual assault involving sexual penetration and force and/or incapacity.
 - Any determination of responsibility for committing sexual assault involving sexual penetration without force or incapacitation may result in a sanction ranging from suspension of no less than one-year or the Complainant's remaining tenure on campus (whichever is longer) to expulsion.
 - Any determination of responsibility for committing sexual assault involving sexual contact may result in a sanction ranging from conduct probation up to expulsion.
 - Any determination of responsibility for engaging in any other prohibited form of conduct may result in a sanction ranging from conduct warning to expulsion.

The EA will not deviate from the range of recommended outcomes unless compelling justification exists to do so. The EA may issue a single sanction or a combination of sanctions. In considering the appropriate sanction within the recommended outcomes, the EA will consider the following factors:

- the impact of the conduct on the Complainant;
- the impact of the conduct on the community, its members, or its property;
- the Respondent's prior discipline history;
- how the College has sanctioned similar incidents in the past;
- the nature and violence of the conduct at issue;
- whether the Respondent has accepted responsibility;
- whether the Respondent is reasonably likely to engage in the conduct in the future based on pattern and practice evidence heard and considered by the investigator and/or EA;
- the need to deter similar conduct by others; and
- any other mitigating or aggravating circumstances, including the College's values.

Possible sanctions include:

- **Conduct Warning**—A written notification that a violation of the Student Code occurred and that any further responsible finding of misconduct may result in more severe disciplinary action.
 - **Conduct Probation**—A written notification that indicates a serious and active response to a violation of the Student Code.
 - **Loss of Privileges**—Denial of the use of certain College facilities or the right to participate in certain activities or to exercise certain privileges for a designated period of time.
 - **Residential Relocation or Suspension from Housing**—Relocation is the reassignment of a student from one living space to another. Residential Suspension is the removal of a student from on-campus housing.
 - **Educational Requirements/Referrals**—The College reserves the right to impose counseling or substance assessments, training requirements or other educational sanctions (attendance at programs, readings, research papers and other educational activities related to the violation).
 - **Community Service** – Performance of at a service location, pre-approved by the Title IX Coordinator, for a prescribed number of hours to the local or Pomona College community.
 - **Restitution** – In cases where the respondent is found responsible for damaging or misappropriating property, they may be required to reimburse the property owner for all or some of the cost.
 - **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 if the student has a grievance pending, or as a sanction if found responsible for an alleged violation.
 - **College Suspension**—The separation of a student from the College for a specified period of time, after which the student is eligible to return.
 - **Expulsion**—Expulsion is the permanent separation of the student from the College.
8. **Other Remedial Decisions by External Adjudicator:** The EA should also consider other remedial actions that may be taken to address and resolve and to prevent the recurrence of any discrimination/harassment.
9. **Transmission of External Adjudicator’s Decision and Report:** In the case of student Respondents, the EA will communicate their

decision and hearing report in writing to the TIXC. The TIXC will inform each of the parties simultaneously and provide in writing the decision and hearing report. The Complainant's copy of the decision, report and details of the sanction(s) imposed, if any, may be limited in the copy of the EA's report given to Complainant due to Respondent's FERPA or other applicable privacy rights. A copy of the decision and report will also be provided to the Vice President for Student Affairs/Dean of Students who will also enter the decision into the Respondent's record and will be placed in permanent confidential records in the Dean of Students office and available to the TIXC and EA. The sanction(s) imposed will be implemented immediately and will be in effect pending the outcome of any appeal.

Hearing Protocols Under the TCC Title IX Policy

Under the TCC Title IX Policy, upon receipt of the final Investigation Report, the TCC Title IX Administrator will evaluate the evidence gathered and determine if the TCC Title IX Policy is still applicable to the Formal Complaint. The TCC Title IX Administrator will consider if the following elements are met: 1. The conduct is alleged to have occurred on or after August 14, 2020; 2. The conduct is alleged to have occurred in the United States; 3. The conduct is alleged to have occurred in TCC's education program or activity; and, 4. The alleged conduct, if true, would constitute Sexual Harassment, as defined in the TCC Title IX Policy.

If the TCC Title IX Administrator determines that the required elements are met, the matter shall proceed to a hearing. At least five (5) business days prior to the scheduled hearing, the Hearing Coordinator shall send the parties written notice of the hearing. The written notice will include the following information:

- The identity of the Adjudicator;
- The time, date, and location of the hearing, including if the hearing will be conducted entirely via videoconference;
- The identity of all parties participating in the hearing, including witnesses approved by the Adjudicator;
- A list of all documents the Adjudicator may consider in reaching their determination;
- TCC's Live Hearing Expectations; and,
- A general overview of the hearing process.

A hearing will be held in which an Adjudicator will make credibility determinations, findings of fact on disputed facts, and findings of policy on the relevant Policy(ies) the Respondent is alleged to have violated. In reaching findings, the Adjudicator may consider the final Investigation Report, all evidence gathered by the Investigator, and testimony provided at the hearing. Individuals may choose not to participate in the hearing. If any

individual – Complainant, Respondent, and/or witnesses – chooses not to participate in the hearing, the Adjudicator may not consider any statement made by the individual to the Investigator. Parties (Complainants and Respondents) may also choose to attend the hearing and not answer questions. The Adjudicator will not draw any adverse inference solely from an individual’s decision to not participate in the hearing, although this decision may impact the information available to the Adjudicator in reaching their decision. However, the Adjudicator may draw adverse inferences if an individual selectively participates in the hearing (for example, answering some questions but declining to answer others). The hearing is a closed proceeding and will not be open to the public. The witnesses will only be present in the hearing for the duration of their testimony.

The Adjudicator will permit breaks, as needed, throughout the hearing. All participants in the hearing will behave in a respectful manner, as outlined in TCC’s Rules of Decorum. The Rules of Decorum will be shared with the parties, their Advisors, and Support Persons prior to the hearing. The Adjudicator has the discretion to remove any participant or observer who is not conducting themselves according to the Rules of Decorum. TCC expects the parties will wish TCC to share documentation related to the allegations with their Support Person and/or Advisor. TCC provides a FERPA release form that authorizes such sharing and participation. The parties must complete this form before TCC is able to share records with a Support Person and/or Advisor. Parties must also complete this form before the commencement of the hearing. The parties are not otherwise restricted from discussing and sharing information relating to allegations with others who may support them or assist them in preparing and presenting. Support Persons and/or Advisors are expected to maintain the privacy of the records shared with them by TCC. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by TCC. TCC may seek to restrict the role of any Support Person and/or Advisor who does not respect the sensitive nature of the process or who fails to abide by TCC’s privacy expectations.

If the Adjudicator determines there was a Policy violation, the Adjudicator will notify the TCC Title IX Administrator. The TCC Title IX Administrator will take two steps:

- They will notify the Title IX Coordinator and the appropriate Administrator of each parties’ Home Institution. The parties’ Home Institutions may submit written recommendations related to sanctions. The parties’ Home Institutions will provide those recommendations to the TCC Title IX Administrator, who will transmit them to the Adjudicator; and,
- They will provide the Adjudicator with any written party statements pursuant to the TCC Title IX Policy (section IX.D.8).

If the parties did not provide written statements, they will not be provided an additional opportunity to submit a written statement to the Adjudicator. The Adjudicator will decide if remedies are appropriate in order to restore or preserve equal access to the party’s education and/or employment. Such remedies may include the same individualized services described as “Supportive Measures.” However, unlike Supportive Measures, remedies need not be non-disciplinary or non-punitive, and need not avoid burdening the Respondent. The Adjudicator will make a sanctioning determination based on the factual and Policy findings, written party statements, written Institution recommendations, and other factors relevant to sanctioning. The Adjudicator shall give significant weight to the written Institution recommendations in issuing a sanction. The

factors an Adjudicator may consider include, but are not limited to: severity of the violation, aggravation, intent, retaliation, impact. Possible sanctions include warning, restitution, service hours, educational program/project, referral for assessment, loss of privileges, restricted access, removal of offending cause, relocation/removal from residence halls, probation, suspension, employment termination, and expulsion.

After the issuance of the final decision (the Hearing Decision if there is no appeal, or the Appeal Decision), the TCC Title IX Administrator will send matters involving findings of Policy violation(s) to the Dean of Students or designated official within the Respondent's Home Institution. The Dean of Students or designated official will review the issued sanctions and determine if any enhancements are warranted based on a Respondent's disciplinary history and the Respondent's Home Institution's Title IX Coordinator is responsible for ensuring completion of the sanction(s).

Appeal Procedures Involving Student Respondents Under the Pomona Policy

Under the Pomona Policy, either party may appeal the determination of responsibility or sanction(s) by the EA in writing to the VP for Student Affairs/Dean of Students or its designee. The appeal must be filed within 10 calendar days of receiving the written notice of outcome. Dissatisfaction with the outcome of the hearing is not grounds for appeal. The limited grounds for appeal are 1) Improper Hearing Procedure; 2) New Evidence; and 3) Sanctions imposed were grossly disproportionate to the violation committed.

The appeal will be conducted in an impartial manner by the VP/Dean of Students. In any request for an appeal, the burden of proof lies with the party requesting the appeal. The appeal is not a new review of the underlying matter. The VP/Dean of Students shall consider the merits of an appeal only on the basis of the three (3) grounds for appeal and supporting information provided in the written request for appeal and the record of the original hearing. The VP/Dean of Students can affirm the original findings, alter the findings, and/or alter the sanctions, depending on the basis of the requested appeal.

Appeal Procedures Involving Student Respondents Under the TCC Title IX Policy

Under the TCC Title IX Policy, a Complainant or Respondent who is not satisfied with the determinations made as to proceeding with a Formal Complaint under this Policy, closure of a Formal Complaint under this Policy, and/or the Policy findings or sanctions imposed at the completion of the hearing process may submit an appeal to the TCC Title IX Administrator. The TCC Title IX Administrator, in consultation with the parties' Title IX Coordinators, will identify an appropriately trained Appeal Authority to review and make a determination of the appeal(s).

A party may appeal based on one or more of the following grounds:

- **Procedural Error:** There was a procedural error(s) which materially affected the outcome of the matter (i.e., failure to follow the process outlined in this Policy). The appealing party must describe in their appeal how the procedural error impacted the outcome.
- **Conflict of Interest:** The Title IX Coordinator, TCC Title IX Administrator, Investigator(s), and/or Adjudicator(s) had a conflict of interest or bias for or against an individual party, or for or against Complainants or Respondents in general, that affected the outcome of the

matter. The appealing party must describe in their appeal the alleged conflict of interest or bias held by the individual and how this altered or impacted the outcome.

- **New Evidence:** There is new evidence which was not available or known (and could not have reasonably been known) at the time of the final determination which materially affected the outcome of the process. The appealing party must describe in their appeal how the new evidence would have altered the outcome of the process and why the new evidence was not available or reasonably known prior to the appeal.
- **Disproportionate Sanctions:** The sanctions are disproportionate to the Adjudicator's findings. The submission of an appeal pauses the implementation of any sanctions during the pendency of the appeal(s). Supportive Measures remain available during the appeal process.

When the TCC Title IX Administrator identifies an Appeal Authority, they will provide written notice of the individual's identity to the parties. After the Notice identifying the assigned Appeal Authority has been sent to the parties, the parties will have two (2) business days to object to the selection of the Appeal Authority for an actual conflict of interest or bias. The TCC Title IX Administrator will consider and resolve any objections to the selection of an Appeal Authority.

Appeals must be submitted within five (5) business days of the Notice of the Hearing Decision to the TCC Title IX Administrator. The appeal must specify which grounds the appeal is based upon and include any arguments the party wishes to make in support of their appeal.

The TCC Title IX Administrator will send a written notice of the appeal to the non-appealing party and provide them with a copy of the appeal. The non-appealing party may issue a response to the appeal. The appeal response is limited to ten (10) pages, including attachments, and may address only the issues raised in the appeal. The non-appealing party will have five (5) business days to submit their appeal response after receiving the notice of the appeal.

If the Appeal Authority needs clarification on any point raised in the appeal, they may make a written request for clarification from the appealing party, through the TCC Title IX Administrator. The appealing party may respond in writing. The TCC Title IX Administrator will transmit the written communications to the Appeal Authority. The Appeal Authority may not communicate directly with either party. The TCC Title IX Administrator will provide copies of the written communications to the non-appealing party and to the parties' Home Institution Title IX Coordinators.

The review of an appeal will not involve any additional investigation by the Appeal Authority. The review will be based upon evidence introduced during the investigation process and presented at the hearing, as well as the arguments made during the appeal process. The Appeal Authority will

not consider new evidence for the purposes of upholding, overturning, or modifying the findings. Appeals submitted under the ground of new evidence will be considered only to determine whether the new evidence could likely change the determination of responsibility.

The Appeal Authority will draft a written report which summarizes their decision regarding the appeal. The Appeal Decision will include a description of the ground(s) for the appeal, a summary of the issues raised on appeal, a statement regarding the evidence considered, a statement describing the decision was made based on the preponderance of the evidence standard, and the determination regarding the appeal. The Appeal Authority may decide to do the following:

- Uphold the findings and sanctions;
- Overturn the findings and/or sanctions;
- Modify the findings and/or sanctions; or,
- Remand the case for a second hearing based on new evidence which could likely affect the outcome of the matter.

The TCC Title IX Administrator will send written notice of the Appeal Decision to both parties within ten (10) business days of the submission of an appeal response from the non-appealing party (or the deadline for the non-appealing party to submit a response). The Notice of the Appeal Decision will include a copy of the written Appeal Decision. The notice will inform the parties there is no further review of the matter, no further right to appeal, and that the matter is closed. The determination regarding responsibility and sanctioning becomes final on the date of the Appeal Decision, unless the Appeal Decision determines further investigation and an additional hearing is necessary based on new evidence discovered.

POLICIES GOVERNING ALCOHOL AND OTHER DRUGS

POMONA COLLEGE ALCOHOL AND DRUG POLICY

The health and wellbeing of every Pomona student is the responsibility of each community member and of the entire community and is the primary focus of the following policy. The College recognizes that responsible alcohol use can be compatible with healthy adult behavior and successful social events.

Our intent is to ensure the safety of our students and to ensure that the College's environment remains conducive to the intellectual, cultural, and social learning and growth that is the College's mission. Pomona College takes a therapeutic approach when working with students involved in alcohol policy violations. Every effort is made to connect students with appropriate resources on campus. Pomona College employs an Alcohol

and Drug Counselor with whom students may speak in strict confidence. The Alcohol and Drug Counselor is located in Wig hall and that telephone number is 909-607-8763.

The alcohol policy was written by the Student Affairs Committee on which students, faculty, and administrators serve together. The Student Affairs Committee has final authority over the regulations that govern student life at Pomona College. Pomona College complies with and enforces all federal, state, and local laws governing alcohol consumption and distribution.

REGULATIONS

- Students 21 years of age and older are permitted to possess and drink alcoholic beverages at Pomona, but may not distribute, furnish, or serve alcohol to people under 21 years of age or to obviously intoxicated persons of any age.
- Students under 21 years of age may not consume, possess, distribute, or sell any alcoholic beverage.
- Pomona students who live off campus are bound by this policy.
- Because of the dangers it poses, possession or consumption of hard alcohol is viewed with special disfavor by the College. Hard alcohol is not allowed in south campus residence halls. Students of any age who violate college policies while using or distributing hard alcohol will face enhanced sanctions. **Virtually all of the alcohol poisoning cases on the Pomona College campus involve hard alcohol consumption.**
- Operating a motorized vehicle, a bicycle, or a skateboard on Claremont Colleges' property while under the influence of alcohol is prohibited. **Motorized vehicles include cars, golf carts, and motorcycles, among other vehicles.**
- Excessive consumption of alcohol is often a contributing factor in violations of other important college policies. These policies include those addressing vandalism, noise, and misuse of fire safety equipment. The involvement of alcohol in such violations may be considered a compounding factor by Deans and Judicial Boards in assigning sanctions.
- Unsafe drinking behavior, especially drinking games and contests, will be subject to sanctions. The College strongly discourages "front-loading" and "doing shots" of hard alcohol, because these behaviors maximize the dangers associated with intoxication and the risk of alcohol poisoning. **"Front-loading" is the consumption of large amounts of alcohol in a short period of time prior to attending a program or event.**
- Public drunkenness is not permitted.

- Students may not drink alcoholic beverages in public areas on campus, except at officially registered parties and social events at which those over 21 years of age may be served or at private gatherings in common living room areas of student suites (applicable for students who are 21 years of age and older). Campus social events are officially registered with the Office of the Campus Center and are subject to the conditions outlined in the Party and Social Event Regulations below.
- Open containers of alcohol or cups containing alcoholic drinks may not be carried around campus or in public spaces in the residence halls.
- Private gatherings in residence hall rooms or the common living room areas of student suites that infringe on public space or become a public nuisance will be dispersed and sanctioned. Students who host such parties are responsible for the behavior of those who attend.
- Kegs and other common containers of alcohol, with the exception of bottles of wine, are prohibited in residence halls and in all other areas of the campus, except when officially registered. Kegs may not be registered in residential spaces. **Common containers of alcohol include kegs, kegerators, pony kegs, punch bowls, water coolers, and other such containers obviously meant to serve a large number of individuals.**
- Pomona College operates under a “Good Samaritan” policy. Each Pomona student shares responsibility for the safety and welfare of their fellow students. Failing to seek assistance for a fellow student who appears to be dangerously drunk will result in sanctions. In medical **emergencies, students should always seek help from College officials (Resident Advisors, Deans or Campus Safety). Sanctions will not be imposed on students who seek or receive medical attention.**
- The entire College community is responsible for the well-being of prospective students visiting the campus. Giving or offering drugs or alcohol to a prospective student will result in sanctions.
- From the time that students arrive on campus in August until the beginning of the second week of classes, the College does not permit alcoholic beverages to be served or consumed on campus. During this time, students may not have open containers of alcohol in their room or in their possession. This period is known as, “Substance-Free Opening.”
- Brewing beer, distilling alcohol, or fermenting wine is not permitted on campus.

PARTY AND SOCIAL EVENT REGULATIONS

The College allows student organizations and individuals to register parties and social events that serve alcohol (“registered events”) in specified campus locations. The College reserves the right to revoke or alter the specific spaces in which registered events can be held and their frequency.

The following regulations apply to ALL registered events

- Beer and wine are the only alcohol that may be served or consumed at registered events.
- Beer includes all fermented beverages with an alcohol content of up to 6%. Wine includes champagne and other sparkling wines with alcohol content of up to 14%.
- Alcohol may not be purchased with funds collected as mandatory fees by the College, including all fees turned over to the ASPC by the College for the purpose of supporting student activities.
- Alcoholic beverages may not be sold at any campus event without an appropriate State license.
- Alcoholic beverages may not be served at registered events that are open to the general public.
- Events at which alcohol is served may not be registered during reading days or final exams.
- Consumption or possession of alcohol at athletic events is prohibited.
- Alcohol may not be served at study break events.
- Individuals are prohibited from bringing their own alcoholic beverages to any registered event or from taking alcoholic beverages out of events or social functions.
- The number of people attending a registered event who may legally drink will determine the number of alcoholic beverages available.

The following regulations apply only to registered events held in PUBLIC SPACE

- Locations in which this category of events may currently be registered include: Smith Campus Center locations (Edmunds Ballroom, the Courtyard, Doms Social Room); Sontag Greek Theater; Eversole Courtyard; Walker Courtyards; Clark V Courtyards; Clark I Courtyards; Harwood Courtyard; Bixby Plaza; Seaver Theater Courtyard; the lobby of Bridges Auditorium; Frank Dining Hall; and Frary Dining Hall.
- Events at which alcohol is served must be registered with and approved by the Office of the Campus Center and Student Programs in Suite 244 of the Smith Campus Center, ext. 18610.
- Only students of The Claremont Colleges who present valid College identification cards and their guests with guest passes are permitted to attend registered events. Guest passes may be obtained at any Resident Advisor desk, at the Office of Campus Life, or at the Smith Campus Center Building Manager's window.

- Students of the Claremont Colleges must show their college-issued ID card, as proof of age, at the point of alcohol service. Guests of students, who possess a valid Guest Pass, must show their Driver's License with their Guest Pass, at the point of alcohol service.
- Registered events in public space must have one or more of the College's servers on duty at all times to serve alcohol. Servers ensure that only those are served who:
 - are 21 years of age or older
 - possess identification that confirms their age
 - are not intoxicated
 - No event with alcohol may begin or continue without a College server in charge of alcohol distribution. Servers are hired by the Office of the Campus Center and Student Programs after an event is registered.
- Campus Safety Officers must be hired for the duration of public events at which alcohol is served. Campus Safety Officers are hired by the Office of the Campus Center and Student Programs after an event is registered.
- All registered events in public space must have a host or hosts who are present for the duration of the event. If alcohol is served, at least one host must be 21 years of age or older. Hosts contact the Office of the Campus Center and Student Programs to arrange appropriate numbers of servers and Campus Safety officers and to ensure that the party does not begin or continue without their presence. Hosts are also responsible for ending the event at the agreed upon time and for ensuring clean-up of the event site.
- High-quality non-alcoholic beverages and appealing food must be readily available and accessible at social events throughout the duration of the event.
- A public registered student event serving alcohol can only be held from Sunday thru Wednesday night if it meets all of the following criteria:
 - The entity hosting the event is an academic or administrative department or is an open- membership, registered student organization
 - The event is not a party nor is it connected to a party
 - The event ends by 9:30 pm
 - All attendees to the event must RSVP in advance of the event, and there are 35 participants or less

Advertising Alcohol

In order to avoid a hidden culture of alcohol use and in order to advertise a diversity of events beyond keg parties, publicity about particular types of alcohol is permitted. Electronic media (such as "Chirps!") in which social events are advertised on the Pomona campus (but not the

other four undergraduate campuses) may include reference to the type of alcohol being served. For example, events which are wine tasting, wine and cheese receptions, champagne brunches, Oktoberfest, etc. may be noted as such, but alcohol may not be the focus of publicity.

Electronic advertising which is sent to students, faculty and staff at Pomona to announce social events must adhere to the following guidelines:

- Advertising may specify the type of alcohol being served (for example, wine, champagne, sake) but it may not specify brands
- Advertising may not specify the quantity of alcohol present.
- Advertising may not portray drinking as a solution to personal or academic problems of students or as an enhancement to social, sexual, or academic status, nor may it be portrayed as the central purpose of the event.
- Advertising may not encourage drinking or make reference to drunkenness.
- Posters, banners, flyers, and other print media which are designed to be displayed on campus and in public may not mention alcohol when advertising parties, or other events.

Regulations for registered private events

- Students over 21 years of age who have participated in the College's host safety training program may register wine, a single pony-keg or a single keg of beer for a social event in the spaces that the college designates annually.
- Events of this nature may occur only on Friday and Saturday nights for up to four hours in duration, anytime between 5:00 PM and 2:00 AM. They must be registered with and approved by the Office of Campus Center and Student Programs at least 24 hours in advance.
- Private parties may not be advertised. Any beer or wine served at private parties must be provided and paid for by the host(s).
- The student registering the event shall be considered the event host. Hosts must:
 - Ensure that no student who is obviously intoxicated or under 21 years of age is served. Assume responsibility for the conduct of party guests (including those with guest passes)
 - Ensure that the event does not violate the College noise policy
 - Ensure that the event does not spill over into public space
 - Ensure that the event is not excessively crowded
 - Be present and sufficiently sober to carry out all hosting obligations for the duration of the event. Hosts who fail to fulfill any of these obligations will no longer be permitted to register an event and will face sanctions.

The Pomona College Code of Conduct is an educational process that allows for students in violation of the Student Code to think about their actions, the impact of those actions on the community, and prevention of future code violations. The process outlined below is a framework outlining various violations of the alcohol and drug policies and recommended **sanctions**. (Policies not covered below will be handled on a case-by-case basis and could be handled by Student Code Administrators [formerly investigators], Deans, or the Judicial Council depending on the incident.)

Please note: If you are found or plead responsible for a policy violation that will be kept as a record of your conduct throughout your time at Pomona. This is common in college and university conduct systems throughout the United States. There was confusion about this previously since while points could expire, the cases remained on a student's record. If you have questions about the impact of an incident on your record you can speak with the Judicial Council Advisors, your Class Dean, or the Career Development Office.

Possession of beer/wine (under 21); possession of hard alcohol on South Campus (any age); providing beer/wine to students under 21; misusing prescription drugs (not including distribution or intent to distribute):

- First offense – Warning letter and meeting with Student Code Administrator
- Second offense – Second warning letter and meeting with Student Code Administrator and AOD counselor
- Third offense – Meeting with Dean, meeting with AOD counselor, and AOD education
- Fourth offense (or more) – Judicial Council
- All student conduct administrators and Deans may include additional educational sanctions (ex. Apology letter, community service) and will be discussed with the respondent during the meeting.

Possession of liquor (under 21); providing liquor to students under 21; hosting an unregistered party OR possessing keg/party ball/common container/multiple cases or bottles; using or possessing marijuana (not including distribution or intent to distribute):

- First offense – Warning letter and meeting with Student Code Administrator
- Second offense – Warning and meeting with Dean and the AOD counselor
- Third offense – Probation for one semester, meeting with Dean, meeting with AOD counselor, AOD education
- Fourth offense (or more) – Judicial Council

All student conduct administrators and Deans may include additional educational sanctions (ex. Apology letter, community service) and will be discussed with the respondent during the meeting.

Using false identification (any kind); attending an unregistered party; failure to comply/refusal to cooperate with a reasonable request of a Pomona College official (incl but not limited to RAs, RLCs, Campus Safety, Student Code Administrators)

- First offense – Warning letter and meeting with Student Code Administrator

- Second offense – Second warning letter and meeting with Student Code Administrator
- Third offense – Probation for one semester, meeting with Dean, educational sanction
- Fourth offense (or more) – Judicial Council

All student conduct administrators and Deans may include additional educational sanctions (ex. Apology letter, community service) and will be discussed with the respondent during the meeting.

Driving under the influence

Students found responsible for operating a motorized vehicle while under the influence of alcohol whether on campus or elsewhere may no longer register, drive, or park an automobile on the Pomona College campus.

Substance-free opening violations

In addition to points, violations of Substance-Free Opening will result in 10 hours of community service. In addition, violators will not be allowed to move into a residence hall prior to the opening day established for all returning students the following fall. Because the student would be required to live off campus during preopening training, violations may jeopardize leadership positions such as a Sponsor or Mentor, Admissions Intern, Residence Advisor, Head Sponsor, Orientation Adventure Leader, among other positions. Substance Free Opening violations may also result in Judiciary Council hearings if other Student Code violations are associated with the sanctioned incident.

Violating the obligations of a private party host

Students who fail to fulfill host obligations will have the privilege of hosting permanently revoked and may be subject to additional sanctions.

Other Sanctionable Violations of the Alcohol Policy

- Providing or serving alcohol to obviously intoxicated persons of any age;
- Public drunkenness;
- Open containers of alcohol or cups containing alcohol in public space;
- Making alcohol;
- Providing alcohol to students under 21 years of age.

The violations listed above or indeed any violations of the alcohol policy are subject to the following potential sanctions:

- Warning
- Fines
- Confiscation of alcohol, false ID Cards and other prohibited items; Removal of brewing or distilling materials and equipment from campus.
- Citation by Campus Safety or arrest by the Claremont Police Department; filing of an incident report by a Resident Advisor (RA).
- Mandatory meeting with a dean.
- Suspension from social events where alcohol is served.

- Loss or suspension from campus housing or dining.
- Suspension or denial of permission to hold further social events.
- Community service
- Required participation in an alcohol education program.
- Placement at the bottom of the class in room draw.
- Placement at the bottom of the College room draw. Suspension or loss of organizational status.
- Referral to the Judiciary Council for disciplinary action where penalties up to suspension and expulsion may be imposed.
- Sanctions that specifically address a particular violation.

FEDERAL, STATE, AND LOCAL LAW

- Students are not exempt from local, state, and federal law while on the Pomona College campus.
- The federal government, through the Drug Free Schools and Communities Act, requires that colleges enforce state and local laws concerning drugs and alcohol in order to remain eligible for federal funds including federal student financial aid.
- California has a strict host liability law. If a student sells or serves alcohol, she or he can be held responsible in a court of law for the conduct of any individual who is served if that person subsequently injures himself or herself, becomes ill, dies, or injures a third party. This is especially true when the person served is a minor or is already intoxicated. (California Business & Professions Code Sec. 25602(a), California Vehicle Code Sec. 23153)
- The City of Claremont prohibits public intoxication, open containers of alcohol in vehicles, and consuming alcohol in public parks.
- It is illegal to sell, furnish or give alcoholic beverage to anyone under 21 or to anyone who is obviously intoxicated. (California Business & Professions Code Sec. 25658.)
- It is illegal for anyone under 21 to purchase or attempt to purchase alcoholic beverages or to possess alcoholic beverages in any public place, including streets or highways. (California Business & Professions Code Sec. 25662, 25658.5(a))
- It is illegal to sell alcohol without a valid license or permit. (California Business & Professions Code Sec. 23301.)
- It is illegal to drink while driving. (California Vehicle Code Sec. 23221, 23220)
- It is illegal to have an open container of alcohol in a moving vehicle. (California Vehicle Code Sec. 23222, 23223)

- It is illegal to drive under the influence of alcohol. (Intoxication is presumed when blood alcohol level is .08% or higher but may be found with blood alcohol levels of .05% to .08%). (California Vehicle Code Sec. 23152.)
- It is illegal for anyone under 21 to drive with a blood alcohol level of .05% or more or to drive 50 while under the influence of alcohol. (California Vehicle Code Sec. 23140.)
- It is illegal to ride a bicycle or to operate a water vessel, water ski or aquaplane while intoxicated. (California Vehicle Code Sec. 21200.5; California Harbors and Navigation Code Sec. 655)
- It is illegal to present any form of false identification to purchase, order or attempt to purchase any alcoholic beverage or to possess false evidence of age and identity. (California Business & Professions Code Sec. 25661.)
- It is illegal to sell or provide false evidence of age or identity and to anyone under age 21. (California Business & Professions Code Sec. 25661.)
- It is illegal for anyone under age 21 to enter or stay in a place licensed to sell liquor without a lawful reason to be there. (California Business & Professions Code Sec. 26665.)
- It is illegal to be found in a public place under the influence of liquor, drugs or controlled substances if you are unable to care for your own safety or interfere with the use of a public way. (California Penal Code Sec. 647(f), City of Claremont Municipal Code 9.23.010)

Legal Penalties

In general, a misdemeanor is punishable by fines up to \$1,000 and/or imprisonment in the county jail for up to six months (Cal. Penal Code Sec. 19). A felony is punishable by imprisonment in state prison for more than one year. Other penalties stated below for a particular offense may be in addition to those stated for misdemeanors and felonies.

- Anyone who sells or gives any alcoholic beverage to a person under age 21 is guilty of a misdemeanor. Punishment may include a fine of \$1,000, which may not be suspended and performance of not less than 24 hours of community service in addition to penalties provided for misdemeanor violations.
- Anyone under age 21 who purchases any alcoholic beverage or consumes an alcoholic beverage in any on-sale premises is guilty of a misdemeanor.
- Anyone under 21 who attempts to purchase any alcoholic beverage is guilty of an infraction and shall be punished by a fine of not more than \$250 or at least 24 hours of community service.. Any subsequent violation shall be punished by a fine of not more than \$500 or at least 36 hours of community service. (California Business & Professions Code Sec. 25658.5.)

- Anyone under 21 who is in possession of an alcoholic beverage in a public place or street or highway is guilty of a misdemeanor. (California Vehicle Code Sec. 23224.)
- Anyone under 21 who presents false evidence of age and identity to order or obtain any alcoholic beverage or who possesses false evidence of age and identity is guilty of a misdemeanor. Punishment shall include a fine of \$250 which may not be suspended or performance of not less than 24 hours nor more than 32 hours of community service. (California Business & Professions Code Sec. 25658.5.)

Penalties for drunk driving:

- First Offense: Imprisonment in the county jail for not less than 96 hours, at least 48 hours of which shall be continuous, nor more than six months and by a fine of not less than three hundred ninety dollars (\$390), nor more than one thousand dollars (\$1000) and completion of a driving under the influence education program (at least 30 hours if blood alcohol was less than .20% and at least 45 hours if more than .20%). If under 21, suspension of driver's license for one year, over 21, suspension for six months. In addition, a period of probation from three to five years may be imposed. If registered to the driver, the vehicle may be impounded for 1 to 30 days.
- Second Offense (within 10 years): Fines from \$390 to \$1000, imprisonment in the county jail for not less than 90 days nor more than one year, driver's license suspension of 24 months, and must complete an 18 or 30 month DUI program. If registered to the driver, the vehicle will be impounded for 1 to 30 days.
- Third Offense: Fines from \$390 to \$1000, imprisonment in the county jail for not less than 120 days nor more than one year, driver's license revocation for three years, and must complete a 30 month DUI program. If registered to the driver, the vehicle may be impounded for 1 to 90 days or may be sold.
- Fourth Offense or greater: Fines from \$390 to \$1000, imprisonment in the county jail for not less than 180 days to three years in state prison, driver's license revocation for four years. If registered to the driver, the vehicle may be impounded for 1 to 90 days or may be sold.
- For all offenses: participation in an alcohol or drug program may be required and vehicles registered to the driver may be sold or impounded for periods up to three years.
- Driving privileges are suspended for one year for refusing to submit to a blood alcohol test. The suspension is for two years if there has been a prior conviction within ten years, and for three years if there have been two or more convictions within ten years.

No student will be sanctioned for seeking alcohol counseling or assistance for themselves and/or other students. Any information the deans receive will remain confidential unless it appears that the life or safety of a student is at stake.

Pomona College encourages its students to discuss safe alcohol use and/or the issues and problems associated with alcohol abuse with any one of the individuals listed below. Students are encouraged to approach a resource they feel comfortable with if they suspect that they or one of their fellow students has an alcohol abuse problem.

- Jasa Cocke, Pomona College Drug and Alcohol Counselor, Wig Hall 1A, ext. 78763
- On-Call Administrators, available after-hours, call ext. 72000, and have Campus Safety page the administrator on-call
- Student Residence Hall Staff (RHS) — (909) 607-2000, ext. 21 and 22 for North Campus, 23 and 24 for South Campus.
- The Claremont Alcoholics Anonymous meetings are available as indicated below.

DAY	TIME	GROUP	ADDRESS (Click for Map)	NOTES
Sunday	8:00 AM	11th Step Discussion	<u>509 S. College Ave., Church of Religious Science</u>	
Sunday	7:00 PM	Big Book Study	<u>233 Harrison Ave, United Church of Christ</u>	(bb)
Tuesday	10:10 AM	11th Step Discussion	<u>727 Harrison Ave., 727 Harrison Ave., Friends Church</u>	(c)
Tuesday	7:30 PM	College Group	<u>233 W. Harrison (at Harvard), Church</u>	(c) (ns)
Wednesday	6:30 PM	Book Study	<u>1111 N. Mountain Ave., church, room 7</u>	(bs)
Wednesday	7:30 PM	Step Study	<u>233 W. Harrison (at Harvard), Church</u>	(c) (ns) (ss)
Thursday	10:30 AM	Women's Stag	<u>233 W. Harrison (at Harvard), Church</u>	(c) (w)
Thursday	8:00 PM	Men's Stag	<u>830 W. Bonita (at Mountain), St. Ambrose Church</u>	(m)

Saturday	3:00 PM	Meeting	<u>830 W. Bonita (at Mountain), St. Ambrose Church</u>	
(bb & bs) = Big Book Study; (c) = Closed (alcoholics only); (m) = Men's meeting; (ns) = No Smoking; (ss) = Step Study (w) = Women's meeting				

POMONA COLLEGE DRUG POLICY

STATEMENT OF PURPOSE

Pomona College believes that students have the right to live and work in an environment free from the effects of drugs and drug abuse. Accountability and shared responsibility serve as the overarching principles that shape this policy. In that spirit the policy aims to clarify the responsibilities of community members, define appropriate behaviors, describe the College's response to hazardous, illegal or disruptive behavior, and inform community members about the resources available for addressing drug-related concerns and problems.

In accordance with state and federal laws, Pomona College has established these priorities:

- To provide an atmosphere free from the manufacture, sale, distribution, use or abuse of illegal or prescription drugs
- To stress safety, and individual accountability for all Pomona College students
- To establish clear penalties for violating the College's drug policy
- To provide students with information about confidential on- and off-campus resources to address issues related to drug use and abuse.

All Pomona College students are expected to comply with federal, state, and local laws, to follow the requirements of the College's drug policy and to respect the right to a drug free environment shared by all members of the campus community. Violations of the Pomona College Drug Policy or of any of the state laws of California are subject to disciplinary action.

Pomona College operates under a **Good Samaritan Policy**. Each Pomona student shares responsibility for the safety and well-being of his or her fellow students. Failing to seek assistance for a student who seems dangerously ill from the effects of drugs will result in sanctions. In medical emergencies, students should always seek help from college officials (Resident Advisors, Deans or Campus Safety). Sanctions will not be imposed on students who seek or receive medical attention.

DRUG POLICY VIOLATIONS

It is a violation of the Pomona College Drug Policy for students to:

- Possess, manufacture, sell, provide, distribute or use, or participate in the use of illegal drugs. Prohibited drugs include all illegal drugs such as marijuana, cocaine, heroin, LSD and other hallucinogens, designer drugs and prescription drugs (not including personally prescribed drugs) or other illegal drugs.
- Have drug paraphernalia in their residence hall rooms, on their person, or in any area under their immediate control.
- Violate state, federal or local laws concerning drug use, distribution, sale or manufacture.
- Pomona College complies with Federal law regarding the use and possession of marijuana; therefore, marijuana use on campus is prohibited even though Proposition 64 (legalization of marijuana) passed in California in 2016, and even if the student has documentation of medically prescribed marijuana. A student with documentation of medically prescribed marijuana may speak with the Dean of Campus Life or the Disability Coordinator regarding the application process to live off campus.

SANCTIONS

Violation of the drug policy will subject students to disciplinary actions that may range from probation, fines, loss of housing and up to suspension or expulsion. The College may also require a student who possesses or uses illicit drugs or is found with drug paraphernalia to participate in an approved drug rehabilitation program (at the expense of the student) and to provide the College satisfactory evidence of successful completion of the program and of being drug free.

When it is not possible to determine who within a group of students is responsible for the use, possession, manufacture, sale or distribution of drugs, responsibility for the offense will fall on the occupant in whose room or automobile or social gathering the violation occurs unless another individual within the group accepts responsibility.

Possession of liquor (under 21); providing liquor to students under 21; hosting an unregistered party OR possessing keg/party ball/common container/multiple cases or bottles; using or possessing marijuana (not including distribution or intent to distribute):

- First offense – Warning letter and meeting with Student Code Administrator
- Second offense – Warning and meeting with Dean and the AOD counselor
- Third offense – Probation for one semester, meeting with Dean , meeting with AOD counselor, AOD education
- Fourth offense (or more) – Judicial Council

All student conduct administrators and Deans may include additional educational sanctions (ex. Apology letter, community service) and will

be discussed with the respondent during the meeting.

Using or possessing cocaine, heroin, methamphetamine, LSD or other hallucinogens, designer drugs or other illegal drugs

- First offense - Judicial Board, likely sanctions: probation, scheduled meetings with the Pomona College AOD counselor; parental notification
- Second offense - Judicial Board, likely sanctions: suspension from the College, off-campus treatment, additional educational sanctions

Manufacturing, selling, distributing, or intent to distribute any illegal or prescription drug

- First offense - Judicial Board, likely sanctions: interim suspension from the College until a hearing is held, suspension from the College, off-campus treatment, additional educational sanctions
- Second offense - Judicial Board, likely sanctions: interim suspension until the hearing has occurred, expulsion from the College

Responding to Drug Policy Violations

Residence hall rooms are Pomona College property. The College respects the student's right to privacy and college officials will not enter residence hall rooms without reasonable suspicion that college policies or regulations have been violated. When a credible report of drug use or drug sale exists or when a hazardous or disruptive situation occurs, the College reserves the right of access to student rooms. For health, safety or security reasons or to determine compliance with Pomona College policies, access to students' rooms by staff may occur without notice. The College reserves the right to remove items that violate college policies. Failure to comply with the directions of College officials (including RAs) is a violation of the Student Code and will result in disciplinary action. When a student is charged with a violation of Federal, State or Local Law, a College disciplinary action may be taken if the action also violates College policies. Local, State and Federal laws apply to the Pomona College campus and law enforcement officials do patrol and police the Pomona campus.

GENERAL OVERVIEW OF LOCAL, STATE AND FEDERAL DRUG LAWS

It is a crime to possess, use, sell, manufacture, or distribute illegal drugs. Both federal and state laws impose criminal sanctions including imprisonment, on persons violating criminal drug laws.

California State Law

Simple possession of marijuana

California law sets forth the rules for personal possession of marijuana (Health and Safety Code 11357). Possession for personal use of not more than 28.5 grams (a bit more than an ounce) of marijuana is legal in California as of November 9, 2016, for people age 21 and older, as is possession of up to 4 grams of concentrated cannabis (hashish).

The following, however, are crimes (either misdemeanors or infractions):

- Possession of marijuana by anyone under 21
- Possession of more than 28.5 grams of marijuana or more than 4 grams of concentrated cannabis
- Possession of marijuana or concentrated cannabis on the grounds of any K-12 school while school is in session

Complete California laws on marijuana possession, cultivation, sale, and transportation; possession of and possession for sale of controlled substances; and possession with intent to manufacture may be found at: <https://leginfo.legislature.ca.gov>

THE HEALTH RISKS OF DRUGS

The use of drugs poses significant health risks. Drugs can create psychological dependence, which is defined as a need or craving for the substance and can produce feelings of restlessness, tension or anxiety when the substance is withdrawn. Prolonged use can lead to tolerance, characterized by the need for increasing amounts of the substance to achieve the same effect. As tolerance and psychological dependence develop, judgment becomes impaired. People do not realize that they are losing control over the use of the substance and that they need help. Drugs such as LSD, amphetamines, and marijuana alter emotion, cognition, perception, physiology and behavior in a variety of ways. Serious health risks include depression, apathy, hallucination, paranoia, and impaired judgment among other things. LSD has caused psychotic breaks in a number of students. All these substances have adverse effects on pregnancy. When two or more substances are combined, there is often an effect that is stronger than their additive sum.

Students find that drug use is incompatible with high-level academic performance. The depression, apathy, and distraction that accompany drug use have resulted in poor academic performance (failing grades) and the need to take a leave from Pomona in order to receive adequate treatment for substance abuse problems.

POLICY AND ANNUAL NOTIFICATION

In compliance with the *Drug-Free Workplace and Drug-Free Schools and Campuses Regulations of the Drug-Free Schools and Communities Act* (DFSCA), Pomona College electronically provides each staff member a copy of the *Staff Handbook*, each faculty member a copy of the *Faculty Handbook*, (staff and faculty are hereafter referred to as “employees”) and each student has access to an online copy of the *Student Handbook*, both containing full descriptions of the *Alcohol and Other Drug Policy* on campus. Hard copies of the handbooks and policy are available upon

request. The College's *Drug-Free Workplace Policy* describes standards of conduct by employees and students on campus or as part of any of its activities.

The policy also includes: 1) a description of the applicable legal sanctions under federal and state laws for the unlawful possession or distribution of illicit drugs and alcohol, 2) a description of the health risks associated with the use of illicit drugs and abuse of alcohol, 3) a description of drug and alcohol programs (i.e., counseling, treatment, and rehabilitation) that are available to employees and students, and 4) a clear statement that the College will impose disciplinary sanctions on employees and students for violations of the standard of conduct.

DRUG AND ALCOHOL ABUSE EDUCATION, PROGRAMS, RESOURCES AND GOALS

Policy regarding Student Financial Aid and Scholarships

A federal or state drug conviction cannot disqualify a student for Federal Student Aid and state funds. The Free Application for Federal Student Aid (FAFSA) includes a question that reads: "Have you been convicted for the possession or sale of illegal drugs for an offense that occurred while you were receiving federal student aid?" However, having a drug conviction while receiving federal Title IV aid will no longer impact a student's state or Title IV aid eligibility.

Policy and Resources Regarding Accommodations

The College's Alcohol and Other Drug counselor along with the Assistant Vice President of Student Affairs and the Director of Accessibility Resources and Services, can provide referrals to confidential counseling services, psychological assessment, and consultation to students who self-identify as needing help with drug and alcohol issues. The Director of Accessibility Resources and Services also provides students with academic and/or housing accommodations with the appropriate documentation.

Resources for Employees

An *Employee Assistance Program* (EAP) is available at no cost to all benefits-eligible employees. This employee benefit includes, among other features, counseling sessions on alcohol and drug dependency for adults, adolescents, and children at no cost. The system is accessed by calling

the toll-free number: 1-800-234-5465. A clinical coordinator evaluates the problem and offers choice of providers. All records are treated confidentially. Additional information is available from the College's Human Resources Department.

Resources for Students

The College encourages students to discuss safe alcohol use and/or the problems associated with alcohol abuse and provides a number of educational and outreach resources. These include:

- Required on-line educational course for all incoming students (*Alcohol.Edu*)
- Annual substance-free opening, and residence hall programming

- All first-year students are required to participate in two training sessions in the first eight weeks of classes: a bystander education workshop (Teal Dot) and an alcohol education and abuse prevention program, Training Alcohol Abuse Prevention (TAAP).
- The College employs a certified Alcohol and Other Drug Counselor, with office hours five days a week. Services include group meetings, individual counseling (utilizing *AUDIT* and *BASICS*), crisis intervention, assessment and referral, as well as providing resource information.
- The College sends a letter to all parents and guardians of incoming students to encourage them to discuss alcohol and other substance use with their students; has a standing Working Group to provide guidance on issues related to alcohol and other substances; and belongs to the national *Alcohol Coalition*, a research consortium that provides additional technical assistance and analysis of campus alcohol use and abuse trends along with opportunities for professional development. In addition, as part of the The Claremont Colleges, resources available include health education, outreach office, student health services and counseling and psychological services.

AOD Program Goals (Biennial Review - Alcohol Report)

Under the direction of the Vice President for Student Affairs, the Alcohol and Other Drugs (AOD) Working Group meets regularly and examines policy and explores issues and trends surrounding alcohol culture at Pomona and at the Claremont Colleges as a whole.

Trustee Taskforce on Alcohol Culture. The basis for thinking about AOD issues has revolved around the following priorities: 1) The goal of alcohol policy and practice should continue to be focused on harm reduction and education, empowering students to make healthy, mature choices around alcohol. 2) The academic mission of the college should be what drives decisions around policy and practice. Alcohol education and abuse prevention is a campus-wide effort. Faculty, staff and students all play key roles as this issue affects the entire college community.

Each year, the Alcohol Working Group reviews trends on campus and makes recommendations about new or continuing initiatives and programs. Current projects of the AOD Working Group include: Review of the “points” system, under the umbrella and process of the Student Affairs Committee, for sanctions as alternate to fines in policy violations related to alcohol and other drugs. Review of alcohol transport data from fall semester, compared to longitudinal numbers, with an eye for identifying trends and informing continued programming and education for Orientation and the first six weeks of the fall semester (“Red Zone”).

AOD Program Elements

The *AOD Working Group* is comprised of faculty, staff, and students from across college departments and organizations. Other recent programs and services that the Working Group, Student Affairs offices, or the Student Affairs Committee enacted or provide include:

- Requirement that all incoming new students complete an online *Alcohol.Edu* course prior to their arrival on campus, with the third part of Alcohol.Edu taking place after students have been on campus approximately 6 weeks. Alcohol.Edu incorporates the latest evidence-based prevention methods to create a highly personalized user experience that inspires students to reflect on and consider changing their drinking behaviors.

- Annual Substance-Free Opening Period: The College maintains a “dry” or substance-free period on campus for all students at the beginning of each fall semester. This period is accompanied by talks to new students about college policies and resources.
- The Alcohol and Other Drug Counselor conducts meetings with all new students in their residence hall cohort groups. The AOD Counselor is also available for individual meetings and confidential counseling.
- Ongoing administration of the *Alcohol Use Disorders Identification Test (AUDIT)* for all referrals to the Alcohol and Drug Counselor on campus. *AUDIT* is a student questionnaire and is a simple way to screen and identify students who are at risk of developing alcohol-related problems.
- The *Brief Alcohol Screening Intervention for College Students (BASICS)* program was expanded to assess students who are identified as high-risk drinkers on campus and are referred to the Alcohol and Drug Counselor. Beginning with the 2016-17 academic year, the College expanded BASICS to marijuana use.
- *Training for Intervention ProcedureS (TIPS)* training sessions were offered to campus clubs and organizational leaders who sponsor alcohol events on campus. *TIPS* is a dynamic, skills- based training program designed to prevent intoxication, drunk driving, and underage drinking by enhancing the fundamental “people skills” of servers and consumers of alcohol. The program on campus is designed to promote responsibility among student leaders at campus events.
- Provide an option for students to live in substance-free areas on campus. Substance-free housing arrangements are an important option for students, particularly first-year students. Approximately a quarter or more of first year students choose substance-free housing. It provides a social community for those who do not want to drink and guarantees that the effects of alcohol are excluded from the residence halls areas.
- *Teal Dot* bystander engagement training is based on the nationally known *Green Dot* bystander program, *Teal Dot* is a required, 1.5 hour training program for new students. Trainings are conducted between mid-September and mid-November and give participants practical tools for stepping-in when they observe dangerous or potentially dangerous behavior connected to alcohol use and/or sexual violence.
- Periodic Messaging from Student Affairs leadership and Student Government around alcohol safety, policies, and alcohol culture on campus.

Enforcement Consistency

Enforcement consistency is effectively documented. All campus departments involved in enforcement of alcohol and other drugs policies and

sanctions have procedures in place to ensure consistent enforcement. The following highlights enforcement policy and practice in primary campus departments.

ANNUAL FIRE SAFETY REPORT

The Higher Education Opportunity Act enacted on August 14, 2008, requires institutions that maintain on-campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution. The report contains the information required by the HEOA for Pomona College including, Pomona College's fire safety practices and a fire log with statistics regarding on-campus fires. The annual Fire Safety Report is available to all students, prospective students, faculty, and staff. The report is posted on the [HEOA page on the Pomona College website](#). An email notice of its availability is sent to all current students and employees each fall.

DEFINITIONS

The following terms are used within this report. Definitions have been obtained from the Higher Education Opportunity Act.

- **On-Campus Student Housing** – A student housing facility that is owned or controlled by the institution or is located on property that is owned or controlled by the institution and is within a reasonable contiguous area that makes up the campus.
- **Fire** – Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

All of Pomona College's residence halls have emergency evacuation plans and conduct fire drills during the school year to allow occupants to become familiar with and practice their evacuation skills. Automatic sprinkler systems and fire alarm systems are recognized engineered building features that help to provide for a fire safe living environment. All Pomona College residence halls and apartments are provided with automatic sprinkler systems, smoke detectors and building fire alarm systems to provide early detection and warning of a possible fire emergency. Additionally, Dining and Catering staff members are trained annually on hands-on use of fire extinguishers and emergency procedures in the event of a fire.

Fire Alarm Systems

The purpose of our fire alarm system is to signal the need for the evacuation of a building and to notify Campus Safety automatically. False alarms and tampering with fire safety equipment is unlawful. The penal code provides that any person who sets off a false alarm is guilty of a misdemeanor punishable by a fine and/or imprisonment.

Fire Safety Equipment

Students who tamper with fire-fighting or safety equipment (including fire extinguishers and smoke detectors) are subject to a fine of \$200, students who pull fire alarms when there is no incident are subject to a fine of \$100, students who create false alarms are subject to a fine of \$300, plus possible expenses for necessary repairs of equipment, and/or judicial action.

Fire Sprinkler Systems

Fire sprinklers have been installed in all residential buildings. The addition of these sprinklers brings additional responsibilities to the student. Students must refrain from hanging anything from the sprinkler heads. This includes, but is not limited to, banners, flags, clothes, and hammocks. If the sprinklers are tampered with, this may activate them, and the room will flood. Tampering with the fire sprinklers is a fire code violation. Any and all damages associated with the sprinkler heads will result in vandalism charges to the student including the replacement of sprinkler heads, any water damage due to flooding, and the fire department response. Keep in mind that flooding may not be limited to your room and you could be responsible for damages to numerous rooms.

Explosives

State law, as well as Pomona College policy, 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. Furthermore, gasoline-powered scooters and motorcycles cannot be stored in individual rooms or elsewhere in the residence halls at any time. Vehicles found to be stored in unauthorized areas will be towed and stored at the owner's expense.

Fire Safety Education

The RAs and Sponsors receive fire prevention and response training each semester. The training consists of a classroom instruction followed by hands on application of fire extinguishers. In addition, evacuation drills are conducted each semester to test the Resident Advisor's ability to facilitate evacuation in the event of an emergency.

On-Campus Housing Fire Safety Systems

Pomona College complies with all local, state and national fire regulations. All of Pomona College's residential buildings have fire alarms and have redundant suppression equipment that includes automatic sprinkler systems and manual fire extinguishers. Evacuation drills of all residential buildings are conducted each semester. Fire safety systems are routinely inspected and monitored as mandated by the County of Los Angeles. A log of these inspections is maintained by the Facilities Department.

1. Calmly alert people in the area of the fire and activate the nearest fire alarm.
2. Do not try to retrieve items in another area of the building.
3. Evacuate the building using the stairs. Do not use elevators!
4. Close as many doors behind you as possible. Touch doors with the back of your hand to see if they are hot. Do not open hot doors.
6. Call Campus Safety at **909-607-2000**.
7. Report to the building's designated evacuation area and wait for further instructions.

If trapped in a building:

1. Close all windows and doors.
2. Wet and place cloth material around and under door to prevent smoke from entering.
3. Call Campus Safety at **909-607-2000** for help and tell them your location.

EVACUATION

- To be prepared, you should know the nearest exits and the evacuation site for each building you visit frequently.
- When you hear a bullhorn or fire alarm, immediately stop what you are doing and exit the building.
- While leaving, take note of any hazards and any remaining occupants.
- If requested, assist anyone who appears to need direction or assistance.
- Take with you ONLY essential personal items (wallet, keys, etc.).
- Shut all doors behind you but do not lock. Closed doors can slow the spread of fire, smoke and water.
- Once outside, proceed directly to the building evacuation site
- Do not leave the evacuation site unless directed to do so by Pomona College emergency personnel.

GENERAL SAFETY

- Be aware of your surroundings and if something appears to be wrong or out of place.

- Stay in well-lighted areas and walk mid-point between curbs and buildings and away from alleys and bushes when possible.
- At night, work or study only in occupied buildings.
- Don't carry extra credit cards or large sums of money.
- Lock your valuables securely, even in your room.
- Walk with someone whenever possible.
- Do not risk personal injury if someone forcibly attempts to take your wallet, purse or property.
- Do carry a whistle or personal alarm and use it when you feel threatened. The sound won't hurt anybody.
- Keep an inventory of personal property and mark items with your driver's license number and the state.
- Distance yourself from the misuse of alcohol / drugs; it can be far worse than a bad headache the next morning.
- Do not attach your ID to your key chain or mark your keys with your name and address.
- Get to know your neighbors and share information about suspicious activities.
- **Call Campus Safety at extension 72000 in an emergency or to report any crime or suspicious activity.**

OFFICE SAFETY

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

CAR SAFETY

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

BIKE SAFETY

- State law, as well as county and city ordinances and codes mandate adherence to bicycle "Rules of the road" as well as specific equipment guidelines. Learn the laws for your own safety.
- Ride defensively, with the traffic, and use hand signals.
- Please be considerate of pedestrians and drivers in vehicles.
- You can be given a "ticket" for sidewalk driving, speeding, etc. in Claremont.
- Keep your bike maintained - especially the brakes.
- Register your bike on-line at National Bike Registry www.bikeregistry.com/
- Use a U-LOCK to secure your bicycle frame and wheels to a rack. Bikes locked with cables and small chains are frequently stolen.
- Report suspicious activity or loitering around bike racks. Thieves usually carry a hidden bolt cutter or other cutting tool.
- Do not impede free use of the handicapped ramps or other access points with bikes locked to handrails, etc.

Environmental Health and Safety (EHS), in coordination with Housing and Residential Life and Food Service, provides annual training to Resident Assistants (RA), Sponsors, and Residence Life Coordinators.

Topics addressed during this training include:

- Fire prevention in the residence hall
- What to do in the event of a fire
- How to report a fire or other emergency
- How residence hall fire safety systems operate

Resident Assistants coordinate additional fire safety training and education programs for residence hall students.

Other general safety and fire safety information is available to students, faculty and staff on the Environmental Health and Safety web site at: <https://www.cuc.claremont.edu/ehs/>

FIRE INCIDENT REPORTING

Students, faculty and staff are instructed to call 911 to report a fire emergency and TCCS Campus Safety at 909-607-2000.

Non-emergency notifications (e.g. evidence that something burned) are made to:

Students, faculty and staff are instructed to call the maintenance office during working hours at 909- 607-3304, or after hours, call TCCS Campus Safety at 909-607-2000 and speak to the on-call maintenance person or use the [maintenance work order form](#).

PLANS FOR FUTURE IMPROVEMENTS IN FIRE SAFETY

Pomona College continues to monitor trends related to residence hall fire incidents and alarms to provide a fire safe living environment for all students. New programs and policies are developed as needed to help ensure the safety of all students, faculty and staff.

RESIDENCE HALLS FIRE SAFETY SYSTEMS

RESIDENCE HALL FIRE SAFETY SYSTEMS

Description of on-campus student housing fire safety systems

Building Name	Year Built/ Renovated	Fireproof Frame	Sq Fr Protected	Wet/Dry	Fire Alarm
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Blaisdell	1936	Yes	37,398	Wet	Yes
Clark I	1981	Yes	116,600	Wet	Yes
Clark III	2009	Yes		Wet	Yes
Clark V	1999	Yes		Wet	Yes
Harwood	1974	Yes		63,100	Wet
Lawry	1993	Yes	18,200	Wet	Yes
Lyon	1993	Yes	24,238	Wet	Yes
Mudd	1993	Yes	40,630	Wet	Yes
Norton	2009	Yes	9000	Wet	Yes
Oldenborg	1989	Yes	71,000	Wet	Yes
Dialynas	2011	Yes	40,000	Wet	Yes
Sontag	2011	Yes	38,000	Wet	Yes
Smiley	1957	Yes	15,547	Wet	Yes
Walker	1986	Yes	49,000	Wet	Yes
Wig	1993	Yes	25,200	Wet	Yes

POMONA COLLEGE FIRE STATISTICS

POMONA COLLEGE FIRE LOG 2018

Building Name	#	Date	Cause	Injuries Requiring Treatment	Deaths related to fire	Property Damage Value \$	Report #
Blaisdell	0	N/A	N/A	0	0	0	N/A
Clark I	0	N/A	N/A	0	0	0	N/A
Clark III	0	N/A	N/A	0	0	0	N/A
Clark V	0	N/A	N/A	0	0	0	N/A
Gibson	0	N/A	N/A	0	0	0	N/A
Harwood	0	N/A	N/A	0	0	0	N/A
Lawry	0	N/A	N/A	0	0	0	N/A
Lyon	0	N/A	N/A	0	0	0	N/A
Mudd	0	N/A	N/A	0	0	0	N/A
Norton	0	N/A	N/A	0	0	0	N/A
Oldenborg	0	N/A	N/A	0	0	0	N/A
Dialynas	0	N/A	N/A	0	0	0	N/A
Smiley	0	N/A	N/A	0	0	0	N/A
Sontag	0	N/A	N/A	0	0	0	N/A
Walker	0	N/A	N/A	0	0	0	N/A
Wig	0	N/A	N/A	0	0	0	N/A

POMONA COLLEGE FIRE LOG 2019

Building Name	#	Date	Cause	Injuries Requiring Treatment	Deaths related to fire	Property Damage Value \$	Report #
Blaisdell	0	N/A	N/A	0	0	0	N/A
Clark I	0	N/A	N/A	0	0	0	N/A
Clark III	0	N/A	N/A	0	0	0	N/A
Clark V	0	N/A	N/A	0	0	0	N/A
Gibson	0	N/A	N/A	0	0	0	N/A
Harwood	1	N/A	Clothes Dryer	0	0	Unknown	CR-19-11-0899
Lawry	0	N/A	N/A	0	0	0	N/A
Lyon	0	N/A	N/A	0	0	0	N/A
Mudd	1	11/02/19	Clothes Dryer	0	0	Unknown	CR-19-11-0829
Norton	0	N/A	N/A	0	0	0	N/A
Oldenborg	0	N/A	N/A	0	0	0	N/A
Dialynas	0	N/A	N/A	0	0	0	N/A
Smiley	0	N/A	N/A	0	0	0	N/A
Sontag	2	11/22/19 12/14/19	Arson Arson	0 0	0 0	Unknown \$15.00	CR- 19-11-0891 CR-19-12-0967
Walker	0	N/A	N/A	0	0	0	N/A
Wig	0	N/A	N/A	0	0	0	N/A

110219 Mudd Hall smoke from dryer, clothes wrecked, embers. CR-19-11-0829

112329 Harwood Hall smoke from dryer, clothes wrecked, embers CR-19-11-0899

102719 burnt paper plate in garbage, no fire, blaisdell

POMONA COLLEGE FIRE LOG 2020

Building Name	#	Date	Cause	Injuries Requiring Treatment	Deaths related to fire	Property Damage Value \$	Report #
Blaisdell	0	N/A	N/A	0	0	0	N/A
Clark I	0	N/A	N/A	0	0	0	N/A
Clark III	0	N/A	N/A	0	0	0	N/A
Clark V	0	N/A	N/A	0	0	0	N/A
Gibson	0	N/A	N/A	0	0	0	N/A
Harwood	0	N/A	N/A	0	0	0	N/A
Lawry	0	N/A	N/A	0	0	0	N/A
Lyon	0	N/A	N/A	0	0	0	N/A
Mudd	0	N/A	N/A	0	0	0	N/A
Norton	0	N/A	N/A	0	0	0	N/A
Oldenborg	0	N/A	N/A	0	0	0	N/A
Dialynas	0	N/A	N/A	0	0	0	N/A
Smiley	0	N/A	N/A	0	0	0	N/A
Sontag	0	N/A	N/A	0	0	0	N/A
Walker	0	N/A	N/A	0	0	0	N/A
Wig	0	N/A	N/A	0	0	0	N/A

ANNUAL DISCLOSURE OF 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. TCCS Campus Safety maintains a close relationship with the Claremont police department to ensure that crimes reported directly to the police department that involve Pomona College are brought to the attention of TCCS Campus Safety.

TCCS Campus Safety collects the crime statistics disclosed in the charts through a number of methods. Dispatch 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 TCCS 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 represent the number of people arrested or referred to campus judicial authorities for respective violations, not the number of offenses documented.

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.
- 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.
- 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.
- 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.
- 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.
- Illegal Weapons Possession 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.
- 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, type of relationship, and 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; or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.
- 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.
- 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. Although there are many possible categories of bias, under the Clery Act, only the following eight categories are reported: race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, and disability.

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.

Hate Crime Definitions

The Crimes of Larceny

Theft, Simple Assault, Intimidation, Destruction/Damage/Vandalism of Property are also reported under Clery Act requirements if it is determined the victim was intentionally selected because of the perpetrators' bias against the victim.

Larceny-Theft (Except Motor Vehicle Theft)

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

Simple Assault

An unlawful physical attack by one person upon 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 other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.

Destruction/Damage/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 it.

POMONA COLLEGE CRIME STATISTICS CHART

Note: *Residential Facility statistics are a subset of the on-campus totals

Note: Statistics were requested from the local police department and are included in the charts below.

Offense	Year	On-Campus	Residential Facility*	Non-campus Building or Property	Public Property
Criminal Homicide					
<i>Murder and Non-negligent Manslaughter</i>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
<i>Negligent Manslaughter</i>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Sex Offenses					
<i>Rape</i>	2018	7	5	0	0
	2019	5	5	0	0
	2020	2	2	0	0
<i>Fondling</i>	2018	2	2	0	0
	2019	1	1	0	0
	2020	1	0	1	0
<i>Incest</i>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
<i>Statutory Rape</i>	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Robbery	2018	1	0	0	0
	2019	1	0	0	1
	2020	0	0	0	0
Aggravated Assault	2018	1	1	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Burglary	2018	15	12	1	0
	2019	17	16	0	0
	2020	1	0	0	0
Motor Vehicle Theft	2018	6	0	0	0
	2019	5	0	0	0
	2020	2	0	0	0

Arson	2018	0	0	0	0
	2019	2	2	0	0
	2020	0	0	0	0

		Arrest				Judicial Referral			
		On-campus	Residential Facility	Non-campus building/property	Public Property	On-campus	Residential Facility	Non-campus building/property	Public Property
Liquor Law Violations	2018	0	0	0	0	52	45	1	0
	2019	0	0	0	0	41	41	0	0
	2020	0	0	0	0	19	19	0	0
Drug Abuse Violations	2018	0	0	0	0	28	19	0	0
	2019	0	0	0	0	16	16	0	0
	2020	1	1	0	0	3	3	0	0
Illegal Weapons Possession	2018	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0
	2020	0	0	0	0	0	0	0	0

VAWA Amendment Offenses

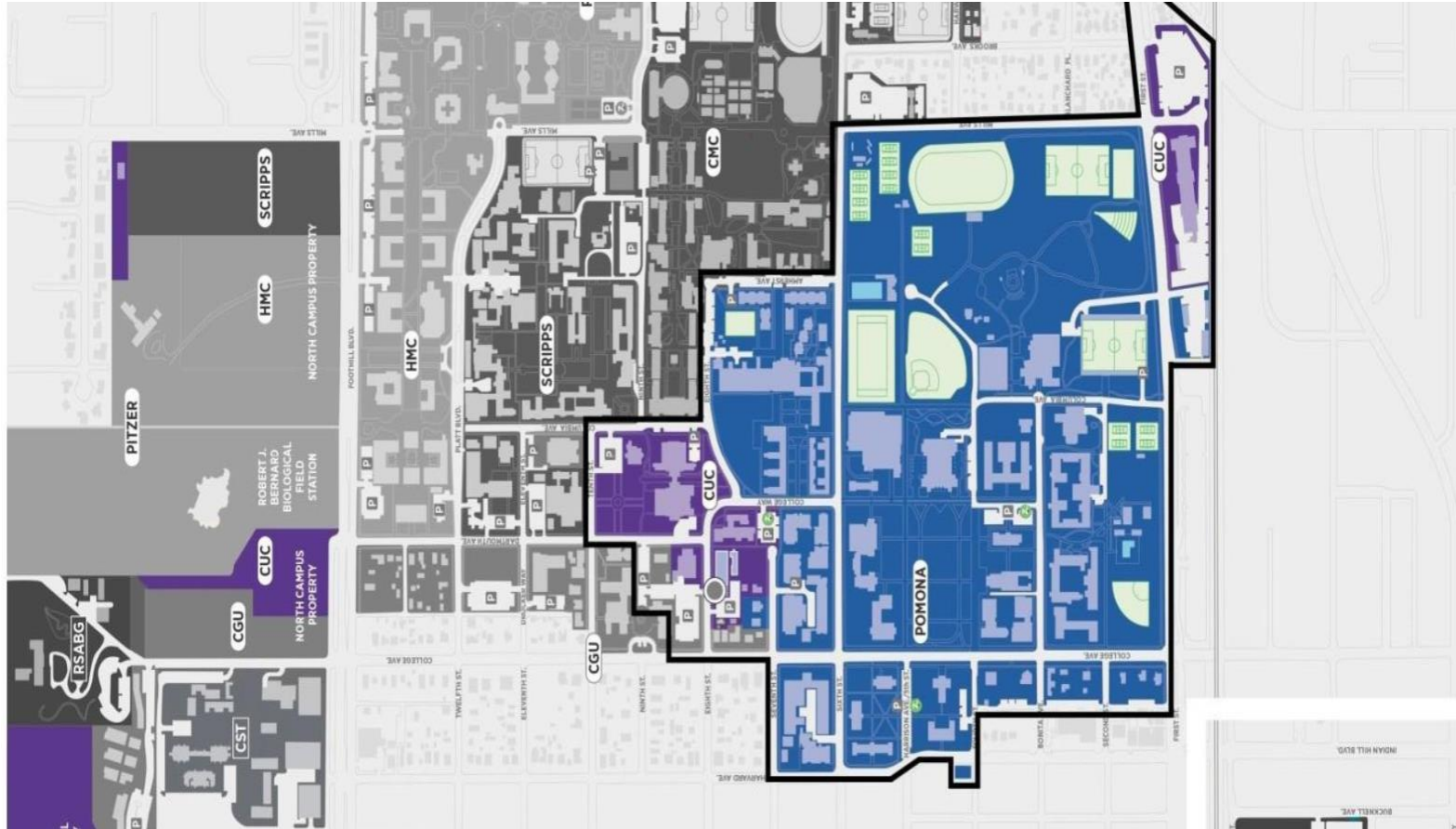
Offense	Year	On-Campus	Residential Facility*	Non-campus building or property	Public property
Dating Violence	2018	2	2	0	0
	2019	2	2	0	0
	2020	0	0	0	0
Domestic Violence	2018	0	0	0	0
	2019	0	0	0	0
	2020	0	0	0	0
Stalking	2018	4	4	0	0
	2019	2	1	0	0
	2020	0	0	0	0

Hate Crimes

Year	Reported Hate Crimes
2018	There were no reportable hate crimes
2019	There was one reported hate crime
2020	There were no reportable hate crimes

Pomona College had no unfounded crime reports for 2018, 2019 and 2020.

POMONA COLLEGE MAP AND BOUNDARIES



IMPORTANT PHONE NUMBERS AND OTHER CONTACT INFORMATION

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