

**HARVEY MUDD COLLEGE**  
**ANNUAL FIRE SAFETY AND SECURITY REPORT**  
**2019**

**January 1, 2018 – December 31, 2018**

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## **I. INTRODUCTION**

### **From President Klawe**

It is up to each one of us to help foster a secure and supportive environment at Harvey Mudd College—an environment where individuals can feel safe to visit, learn, work and live. Primary to this goal are the principles of responsibility and respect. These values are essential to any community and serve as the foundation for the success and productivity of our students, faculty and staff. Safety on campus is one of the highest concerns. A truly safe campus can only be achieved through everyone’s cooperation. This publication contains information about campus safety measures and reports statistics about crime in our College community. It also describes our efforts to combat alcohol and drug abuse. Please take the time to read it and to help foster a more caring and safer environment.

*Maria Klawe*  
*President, Harvey Mudd College*

### **From The Assistant Vice President For Campus Safety**

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

Harvey Mudd 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, including descriptions of services that we provide.

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

As a significant part of our campus-oriented public safety programming, we join Harvey Mudd College in the commitment to foster a secure and supportive environment at The Claremont Colleges. Campus safety and security indeed requires a collaborative effort at The Claremont Colleges, and so we proudly partner with the many departments at Harvey Mudd College that have a critical role in fostering campus safety, including: the Dean of Students Office, the senior administrators, Campus and Residential Life, Facilities and Maintenance, 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

## **Accessibility to Information and Non-Discrimination Statement**

Harvey Mudd College seeks to maintain an environment of mutual respect among all members of its community. All forms of harassment and discrimination on the basis of sex, gender identity and expression, pregnancy, religion, creed, color, race, national or ethnic origin, ancestry, sexual orientation, medical condition, physical or mental disability, age, marital status, veteran status, family care leave status or any other basis described in Harvey Mudd College's Nondiscrimination Policy or otherwise prohibited by state or federal law destroy the foundation for such respect and violate the sense of community vital to the College's educational enterprise. Sexual misconduct offenses are a form of sexual harassment and are strictly prohibited by the College. Retaliation against a person who reports, complains about, or participates in the investigation of a complaint of discrimination, harassment, and/or sexual misconduct is likewise prohibited.

This policy strictly prohibits discrimination against, or the harassment of, any individual at the College or at College activities occurring away from campus, including but not limited to all individuals regularly or temporarily employed, studying or with an official capacity at Harvey Mudd College (such as trustees, guest lecturers, volunteers and contractors). Persons violating this policy will be subject to disciplinary action up to and including discharge from employment or expulsion from the College. It is the responsibility of all faculty, staff and students at the College to ensure compliance with this policy. Accordingly, faculty, staff or students who believe they are being harassed or discriminated against, have observed harassment of, or discrimination against, another person at the College in violation of this policy, or who believe such conduct has occurred, should immediately report the incident following the complaint reporting procedures below.

Because harassment and discrimination can also constitute violations of federal and state law (Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, and/or Section 12940 of the State of California Government Code), individuals who feel that they have been subjected to harassment or discrimination may, in addition to notifying the College by using the complaint reporting procedures below, file a complaint with the appropriate state or federal agencies. Such complaints may be filed with the California Department of Fair Employment and Housing (DFEH) or the comparable federal agency, the Equal Employment Opportunity Commission (EEOC). Complaints may also be filed with the federal government's Office of Civil Rights (OCR).

As an educational institution, Harvey Mudd College is committed to the principle of free expression and the exploration of ideas in an atmosphere of civility and mutual respect. Thus, in keeping with the principles of academic freedom, there can be no forbidden ideas. Harvey Mudd College also recognizes that the educational process can often be disturbing and unsettling, particularly when one's current ideas or values

are being challenged. This means that the learning, working, and living environments might not always be comfortable for all members of the College community. The College does not proscribe speech simply because it is offensive, even gravely so. In determining whether an act constitutes discrimination or harassment, the context must be carefully reviewed, and full consideration must be given to protection of individual rights, freedom of speech and academic freedom. In addition, consistent with California Education Code Section 94367, the definition of harassment contained in this policy and its application to student speech shall be subject to the limitations of the First Amendment to the United States Constitution and Article 1, Section 2 of the California Constitution.

## **Preparation of the Annual Security Report and Disclosure of Crime Statistics**

Campus Safety and Dr. Leslie Hughes, Assistant Vice President for Student Affairs at Harvey Mudd College, prepare this report to comply with the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act using information maintained by Campus Safety, information provided by other offices such as the Harvey Mudd Division of Student Affairs, the Title IX Coordinator, other campus security authorities, online reporting, as well as information provided by local law enforcement agencies surrounding the main campus. Each of these offices provides updated policy information and crime data.

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 Harvey Mudd College. This report also includes institutional policies concerning campus security, such as policies regarding sexual assault, alcohol and other drugs.

The College distributes a notice of the availability of this Annual Security and Fire Safety Report by October 1 of each year to every member of the College community. Anyone, including prospective students and employees, may obtain a paper copy of this report by contacting Dr. Leslie Hughes at [lhughes@hmc.edu](mailto:lhughes@hmc.edu) at Harvey Mudd College or download a copy by visiting the Campus Safety website: <https://services.claremont.edu/campus-safety>.

## **II. ANNUAL SECURITY REPORT**

### **Reporting Crimes and Other Emergencies**

Harvey Mudd College has a number of ways for campus community members and visitors to report crimes, serious incidents and other emergencies to appropriate Harvey Mudd College and Campus Safety officials. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire Harvey Mudd College community that you immediately report all crimes/emergencies to 911 and Campus Safety at 909.607.2000. When crimes, serious incidents and other

emergencies are reported, Campus Safety and Harvey Mudd College will conduct investigations and initiate appropriate follow-up actions, including issuing a Crime Alert or emergency notification.

### **Voluntary, Confidential Reporting**

If crimes are never reported, little can be done to help other members of the community from also being victims. We encourage College community members to report crimes promptly and to participate in and support crime prevention efforts. The College community will be much safer when all community members participate in safety and security initiatives.

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. We also highly recommend this method for the accurate and prompt reporting of crimes to campus police and appropriate police agencies when the victim of a crime elects to or is unable to make such a report. Depending upon the circumstances of the crime you are reporting, you may be able to file a report while maintaining your confidentiality. The purpose of a confidential report is to comply with your wish to keep your personally identifying information confidential, while taking steps to ensure your safety and the safety of others. The confidential reports allow the College to compile accurate records on the number and types of incidents occurring on campus. Reports filed in this manner are counted and disclosed in the Annual Security and Fire Safety Report. In limited circumstances, the College may not be able to assure confidentiality, and you will be informed in those cases.

Anyone may call Campus Safety at 909.621.8170 or 909.607.2000 to report concerning information. A caller's information may remain confidential.

Another step the College has made toward making reporting crimes easy and accessible is the "LiveSafe" app for smartphones. The LiveSafe app allows Harvey Mudd students to submit tips and reports quickly and discreetly, access essential safety resources and information, and to use the "SafeWalk" feature that includes a location sharing option so friends can track your travel between points to ensure your safe arrival. LiveSafe is available for download on Android and iPhone for free at the app store.

### **Reporting to Campus Safety**

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 twenty-four hours a day at the Pendleton Business Building, 150 East 8th St., Claremont, CA 91711. Though there are many resources available, Campus Safety

should be notified of any crime, whether or not an investigation continues, to assure the College can assess any and all security concerns and inform the community if there is a significant threat to the College community.

All crimes can be called in to the Claremont Colleges Services Office of Campus Safety at 909.607.2000 or 909.621.8170. Callers who wish to remain confidential should share with the Dispatcher who answered the call that they wish to keep their name private. Campus Safety Dispatch will honor that request and not press the caller for their information. However, please note that the Cisco IP Phones often times still records a phone number that Dispatch may call back if additional information is necessary. Should a Campus Safety Incident Report result from the phone call, the caller information will be written as “Jane Doe” or “John Doe”.

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

### **Anonymous Reporting**

If you are interested in reporting a crime anonymously, you can utilize the Campus Safety’s Silent Witness program that can be accessed through the department’s website: [https://cuc.formstack.com/forms/silent\\_witness\\_incident\\_report](https://cuc.formstack.com/forms/silent_witness_incident_report). By policy, we do not attempt to trace the origin of the person who submits this form, unless such is deemed necessary for public safety.

Anyone may share information anonymously through Campus Safety’s Silent Witness Form available on the Campus Safety website at [https://cuc.formstack.com/forms/silent\\_witness\\_incident\\_report](https://cuc.formstack.com/forms/silent_witness_incident_report). The form provides a user the opportunity to communicate directly with the Assistant Vice President of Campus Safety. It is not intended for reporting emergencies or crimes-in-progress. The user will submit a description of the event, date, time and location of the event. Contact information is optional. Once all pertinent information has been disclosed, the user will click the ‘submit’ button which in turn sends it directly to the Assistant Vice President of Campus Safety.

Students, faculty and staff can download the LiveSafe app from their mobile device for free. The app is available in the Apple app store <https://itunes.apple.com/us/app/livesafe/id653666211> and in Google Play <https://play.google.com/store/apps/details?id=com.livesafe.activities>. Once downloaded, the user will find their institution by clicking on ‘Manage Organizations’ in Settings. LiveSafe provides users the opportunity to do something when they see something. Users can send an email, make a phone call, and send pictures to Campus Safety in real time from the convenience of their mobile device. It also provides the user with updated information regarding: Emergency Procedures, Sexual Assault Assistance, Health and Wellness Assistance, Student Life Resources,

and Local Resources. All messages sent to Campus Safety through the LiveSafe app give the user the option to send the transmission anonymously by simply clicking the box that asks the user if they wish to remain anonymous.

**Reporting to Other Campus Security Authorities**

Harvey Mudd College is very concerned about the safety and welfare of all students, employees and guests, and is committed to providing a safe and secure environment. Harvey Mudd College works with Campus Safety, the Claremont Police Department, an Emergency Preparedness Consultant and private security groups to maintain the safety of the College community. All members of the Harvey Mudd College community are encouraged to report crime to one or more of the following offices: The Division of Student Affairs, Human Resources, Campus Safety and the Claremont Police Department.

While Harvey Mudd 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).” The Act defines these individuals as an “official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.”

While the College has identified over 100 CSAs (including all staff in the Division of Student Affairs, all faculty, some academic affairs staff, coaches and proctors), we officially designate the following offices as places where campus community members should report crimes:

<b>Official</b>	<b>Campus</b>	<b>Phone</b>
Campus Safety	150 E. 8 <sup>th</sup> St.	909.607.2000
Assistant VP for Student Affairs	301 Platt Blvd.	909.621.8125
Assistant VP for Human	301 Platt Blvd.	909.607.9700
Title IX Coordinator	301 Platt Blvd.	909.621.8125

**Pastoral and Professional Counselors**

According the Clery Act, pastoral and professional counselors who are appropriately credentialed and hired by The Claremont Colleges Services (TCCS) to serve in a counseling role are not considered Campus Security Authorities when they are acting in the counseling role. As a matter of policy, Harvey Mudd College and TCCS encourages pastoral and professional counselors to notify those whom they are counseling of the voluntary, confidential reporting options available to them. The Claremont Colleges Chaplains work out of McAlister Center. McAlister Center is

located at 919 N. Columbia Ave., and the Chaplains can be reached at 909.621.8685. As a matter of policy, the College encourages pastoral and professional counselors to notify those whom they are counseling of the voluntary, confidential reporting options available to them. Monsour Counseling and Psychological Services counselors work out of Tranquada Center at 757 College Way and can be reached by calling 909.621.8000.

## **It's Up to Each of Us**

Harvey Mudd College takes great pride in its 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, Harvey Mudd College has taken progressive measures to create and maintain a reasonably safe environment on campus. In addition to the services provided by Campus Safety, Harvey Mudd 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 on Security of and Access to College Facilities).

Harvey Mudd 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.

## **About The Claremont Colleges Services Department Of Campus Safety**

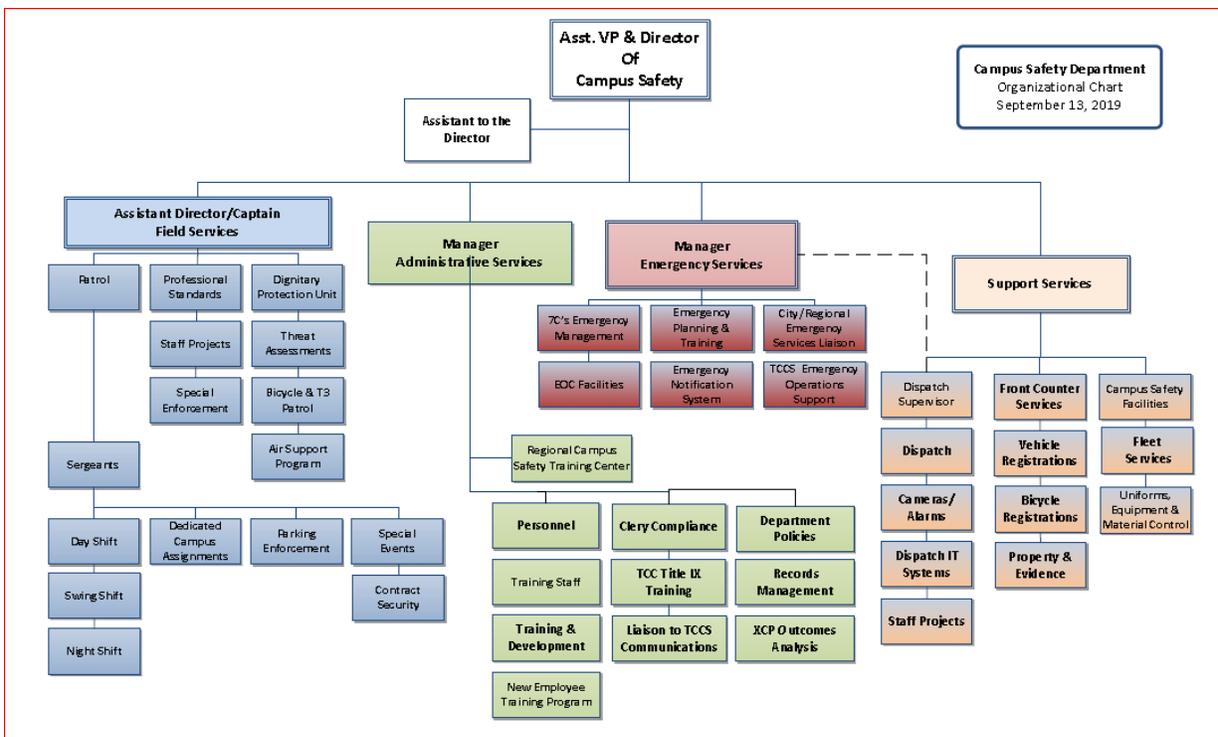
### **Role, Authority, Training and Jurisdiction**

TCCS Campus Safety protects and serves The Claremont Colleges community 24 hours a day, 365 days a year. The department is responsible for a number of campus safety and security programs that includes Emergency Management, Community Safety and Security Education, 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 Dept. 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, six (6) Sergeants, a Dispatch Supervisor, seven (7) Dispatchers, 23 full-time uniformed Campus Safety Officers, an Assistant to the Director/Assistant Vice President, an Emergency Services Manager and Clerly Compliance Coordinator.



Campus Safety officers are unarmed and have no police powers. Their arrest powers are identical to those of a private person, as provided in the California Penal Code section 837. Current certification requirements for the officers include: Guard Registration, Basic Life Support for Health Care Providers, which includes CPR, First-Aid and AED. Officers are also trained in Blood Borne Pathogens, Baton usage, the administration of Oleoresin Capsicum (Pepper Spray), Auto Epinephrine Pen, Narcan (Naloxone), and receive various FEMA training. Select officers and supervisors receive Rape Aggression Defense (RAD) training and Dignity Protection. Employees undergo continuous education and training to upgrade their skills. Campus Safety is not a police department but is responsible for law enforcement, security and emergency response protocols at The

Claremont Colleges. Campus Safety also provides support services tailored to meet the needs of the Colleges including, high visibility patrols to prevent and detect crime, responding to suspicious activity and crime reports, as well as respond to: medical emergencies, fire and intrusion alarms, traffic accidents, parking enforcement, and enforcement of college rules and regulations as outlined by each of the seven Claremont Colleges.

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.

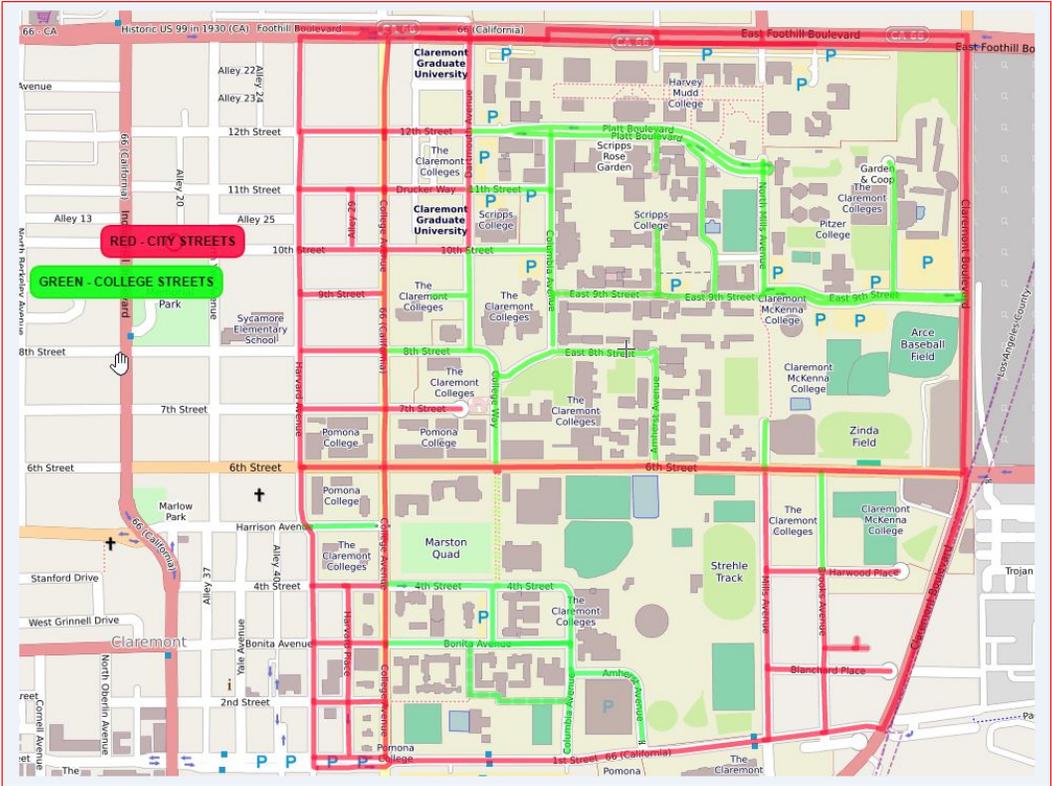
Set back off of Foothill Boulevard: Claremont Graduate University, Harvey Mudd College, Pomona College, Scripps College and TCCS own parcels of undeveloped land known as the North Campus Property. One specific parcel of North Campus Property is Pitzer College's Robert Redford Conservancy. All this land 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.

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 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 Memorandums of Understanding (MOUs) with both agencies, our local law enforcement partners ensure effective operational roles and responsibilities that directly support the mission of the Campus Safety Department and the safety and security of The Claremont Colleges. The police are notified immediately and respond to: crimes against persons, including violent crimes, major felonies, crimes involving a known or identified suspect, all private persons arrests on campus, and are called when police presence and/or assistance is deemed appropriate for the situation. As appropriate, and in accordance with Uniform Crime Reporting (UCR) standards, crime reports initiated by Campus Safety may be forwarded to the police agencies for investigation and mandated reporting. An MOU with these law

enforcement agencies 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.

### **Timely Warning Reports**

**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. TCCS are comprised of Claremont Graduate University, Claremont McKenna College, Harvey Mudd College, Keck Graduate Institute, Pitzer College, Pomona College, Scripps College and The Claremont Colleges Services (TCCS).

**Procedures:** A Timely Warning Notice will be issued in the event any of TCCS 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 TCCS, or in or on non-campus buildings or property controlled by any of TCCSs, where the College determines, in its judgment, that the allegations present a serious or continuing threat to the TCCS 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; Emergency Services Manager; and the on-duty Captain, or Watch Commanders.

Whether to issue a Timely Warning Notice is determined on a case-by-case basis for Clery Act reportable crimes: arson, criminal homicide, burglary, robbery, sex offenses, aggravated assault, motor vehicle theft, domestic violence, dating violence, stalking and hate crimes, as defined by the Clery Act.<sup>1</sup> Timely Warning Notices also may be issued for other crimes as determined necessary by the director of Campus Safety, dean on-call or senior administrator.

Timely Warning Notices aid in the prevention of similar occurrences and will be issued even if insufficient information is available if it is likely that there is an ongoing threat to the community.

The above individuals determine if an alert should be sent and are the senders of the notices. In determining whether to issue a Timely Warning Notice, the responsible individuals described above will consider any factors reflecting on whether the reported crime represents a serious or continuing threat to the TCCS 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 the TCCS community; and (f) the amount of information known by TCCS and Campus Safety. TCCS 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 TCCS. 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 TCCS for a seven-year period. Timely Warning Notices will be distributed via email to all TCCS students and employees.

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

Anyone with information about a serious crime or incident is encouraged to report the circumstances to Campus Safety by phone at 909.607.2000 or from campus phones at ext. 72000 and in person at the Campus Safety Office, Pendleton Business Building, 150 East 8th St., Claremont, CA 91711. If a report is made to other TCCS official, those officials will immediately notify TCCS Campus Safety.

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

## **Emergency Response and Evacuation Procedures**

The Harvey Mudd College—Campus Emergency Response Team, HMC-CERT, was developed out of a need to have a well-trained volunteer emergency work force to assist the college during a disaster or other emergency on campus. HMC-CERT is modeled after the Federal Emergency Management Agency (FEMA) Community Emergency Response Team (CERT).

When emergencies happen, HMC-CERT members may be counted on to provide critical support to the HMC community and first responders such as the Incident Management Team and Campus Safety. In the immediate aftermath of a disaster, needs may be greater than professional emergency services personnel can provide. In these instances, HMC-CERT become a vital link in the emergency service chain.

After completing training, team members may assist with HMC Damage Assessment, Light Search and Rescue, First Aid, Communications, including functioning as the HMC Incident Management Team. Members meet regularly to practice their skills and refresh their knowledge.

### **Emergency Management**

#### Incident Management Team

The Incident Management Team is the lead emergency response team for Harvey Mudd College. This team uses the Incident Command System and assigns Command and Section Leaders to lead the campus emergency response effort. These members work to gather incident information, create emergency actions plans and respond to events. HMC-CERT groups and members work under the direction of the IMT. Training for these members may include: Incident Command System (ICS) and the California Standardized Emergency Management System and National Incident Management System (SEMS/NIMS) courses, periodic drills and other training as appropriate. Duties during an emergency may include:

- Activation of the Emergency Operations Center
- Notification and activation of response team members
- Deployment of response efforts on campus
- Verification and release of incident information
- Update HMC community regarding emergency or incident
- Activation of Emergency Plans (e.g. Shelter-in-Place, Evacuate)
- Coordination of additional resources needed for incident

#### Damage Assessment

Members assigned to damage assessment may be comprised of facilities and maintenance staff. Routine training for members may include damage assessment, HAZMAT spill response, advanced PPE, safety and other training specific to the needs of the campus. Members meet regularly to discuss emergency procedures and

review action plans with additional training conducted throughout the year. Duties during an emergency may include:

- Damage assessment of facilities and buildings
- Turning on/off utilities
- Repair and recovery of building heating and cooling systems
- Spill response
- Moving, lifting of heavy objects
- Debris clean up

#### Light Search and Rescue

Members assigned to the Light Search and Rescue may be activated after an emergency when there is a possibility that someone is trapped or stuck in a building or under debris. Members would include trained volunteers and where appropriate based on their skill level search buildings and assist victims who are unable to evacuate on their own.

Additional training for the members may include First Aid, CPR and use of an AED. Members meet regularly to practice their skills. Duties during an emergency may include:

- Damage assessment
- Building search
- Victim assistance
- First aid treatment

#### First Aid Team

First Aid Team members may assist those in need of minor medical treatment during an emergency in the event local emergency personnel are delayed. Members would include volunteers trained in First Aid, CPR and the use of an AED. Duties of First Aid Team members during an emergency may include:

- Conduct and record initial medical assessments
- Administer first aid
- Conduct rapid assessment (triage)
- Set up and manage First aid treatment area(s)
- Maintain records of treatment

### **Emergency Response Plans, Drills, Exercises and Training**

Each member of TCCS is responsible for the overall direction and planning for emergency situations on their campus or those that occur in the local or regional area affecting TCCS. Coordinating with the TCCS Emergency Services Manager, each of TCCS develop comprehensive, all-hazards Emergency Response Plans which outline the steps the institution will take to prevent and mitigate, prepare for, respond to, and recover from a full range of likely hazards TCCS community may face.

Information pertaining to HMC Emergency Response Information can be found at the following link: <https://www.hmc.edu/emergency-preparedness/>

Included on the Harvey Mudd College emergency web page is detailed information regarding Harvey Mudd College's Emergency Notification Policy, including how to enroll in Harvey Mudd College's mass notification system, to ensure you receive emergency notices pertaining to TCCS's via your personal mobile or electronic devices. Registering your mobile or electronic device to receive a text or voice message is optional and highly recommended. Every Harvey Mudd College community member is encouraged to add her/his cell phone to the system and to participate in regular Harvey Mudd emergency preparedness exercises.

To ensure these plans remain current and actionable, each TCCS conducts emergency management exercises. These exercises may include tabletop drills, emergency operations center exercises, or full-scale emergency response exercises. After-action reviews of all emergency management exercises can be used to document the exercise.

In conjunction with emergency management exercises, each of TCCS will notify their community of the exercise(s) and remind the community of the information included in each colleges' TCCS publicly available information regarding Emergency Response Procedures.

Preparedness and emergency response exercises help reinforce skills and knowledge needed during an actual emergency. Harvey Mudd College conducts the following exercises:

- Fire, Life Safety Evacuation Exercise
  - Residence halls – twice annually
  - Academic and administrative buildings – annually
- Mass Notification System Test and Exercise – campus wide, twice annually
- Tabletop Emergency Response Exercises – In addition to their routine training the HMC Incident Management Team and HMC-CERT routinely
  
- Earthquake Exercise – campus wide annually

Information pertaining to HMC Emergency Response and Procedures can be found at the following link: <https://www.hmc.edu/emergency-preparedness/>

## **Emergency Notification**

This policy statement summarizes Harvey Mudd College's emergency response and evacuation procedures, including protocols for sending Emergency Notifications.

An Emergency Notification will be issued in the event that Harvey Mudd College or Campus Safety receives notice of a situation that presents a significant emergency or dangerous situation at Harvey Mudd College or in the local area affecting the health and/or safety of Harvey Mudd College community, in whole or in part. Harvey Mudd

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

The Claremont Colleges are committed to ensuring TCCS community receives timely, accurate, and useful information in the event of an Emergency. To support this commitment, TCCS has invested in several multi-modal forms of communications that allow administrators to distribute notices in the event of a critical incident or dangerous situation. The system used by TCCS to integrate the mass notification process consisting of email, and text messaging is Everbridge.

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

Campus Safety and/or other Harvey Mudd College staff may become aware of a critical incident or other emergency situation that potentially affects the health and/or safety of TCCS campus community. Generally, TCCS become aware of these situations when they are reported to Campus Safety Dispatch or upon discovery during patrol or other assignments.

The 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 the greater college community. It is also tasked with promptly summoning the appropriate resources to mitigate and investigate such incidents. Either on its own or with the input from these external agencies, (Claremont Police Department, Los Angeles Fire Department, and/or Los Angeles County Emergency Management), the Department of Campus Safety 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 immediately notify the campus community or the appropriate segments of the community that may be affected by the situation. The College communicates and works closely with local police, regularly requesting their cooperation in informing the College about reported situations that may warrant an emergency response.

In determining whether to issue an Emergency Notification, individuals may use a variety of notification methods to alert Campus Safety to an emergency, such as personal/office phones, emergency ring down phones, email, or in person. The Department of Campus Safety will consider all known factors reflecting on whether the situation represents an immediate threat to the health or safety of the College community, including, but not limited to, (a) the nature of the significant emergency or

dangerous situation; (b) when and where the incident occurred; (c) when it was reported; (d) the continuing danger to the campus community; and (e) the amount of information known by the Department of Campus Safety.

### **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 Harvey Mudd 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.

The Assistant Vice President of Campus Safety; Emergency Services Manager; and the on-duty Captain, or Watch Commanders, 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.

### **Determining the Appropriate Segment or Segments of TCCS Community to Receive an Emergency Notification**

The Claremont Colleges are a consortium of seven separate and distinct colleges that share a multitude of social, residential, dining and academic programs, to name a few. Due to the nature of our configuration, once a significant emergency or dangerous situation occurring on one of the campuses has been established, and an emergency notification is deemed necessary, it is disseminated via text message to all seven-college students and employees enrolled in the Everbridge emergency management system. Depending on the nature of the emergency situation, Campus Safety may work with TCCS Communications and the Claremont Police Department to issue subsequent notifications to a wider group of local community members. Harvey Mudd 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 Harvey Mudd 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. Those issuing the notification 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 TCCS 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 TCCS 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 TCCS community that TCCS 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.

### **Procedures Used to Notify TCCS Community and Larger Community**

In the event of an emergency, TCCS 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 TCCS community. These methods of communication at Harvey Mudd College include the mass notification system, Everbridge (Mudd Alert), Harvey Mudd College email system, campus PA system and/or emergency messages that scroll across computer screens. Harvey Mudd College will post updates during a critical incident on our emergency page: <http://www.hmc.edu/emergency/>.

HMC 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.

Individuals may also call the TCCS Campus Safety emergency line 909.607.2000 for information about the emergency situation. If the situation warrants, TCCS may

establish a telephone call-in center to communicate with the campus community during the emergency.

### **Security of and Access to Harvey Mudd College Facilities**

At HMC administrative buildings are open from 8 a.m. until 5 p.m., Monday through Friday. Some academic and administrative spaces are open longer for student, faculty and staff use. Access to individual classrooms and laboratories is limited to those who have an educational purpose to use those spaces after normal business hours. Similarly, access to most programs is limited to those enrolled in the program or otherwise authorized access. Only those who have a demonstrated need and approved by the Vice President for Student Affairs and Dean of Students or Dean of Faculty are issued keys or door access cards to a building.

Many events held in HMC facilities are open to the public. Other facilities such as Huntley Bookstore and Honnold-Mudd Library are also open to the public.

### **Special Considerations for Residence Hall Access**

F&M issues each resident a key to their room at the beginning of the year. Residents of rooms that open directly to the exterior of the residence halls and are not equipped with card swipes are required to return keys to F&M at the beginning of winter break. Campus offices and academic areas are completely closed to students living on campus during winter break (except authorized intercollegiate athletes, approved off-campus winter housing petitioners and students approved to return early). Since these rooms have direct access to the outdoors, the return of keys is necessary to ensure the security of everyone's possessions during break. All residents are required to return keys to F&M at the end of the academic year. For the safety of each resident, no exceptions will be made. Students should carry their keys with them at all times and report lost or stolen keys immediately to F&M. These keys may not be copied or transferred. Proctors have master keys to all residence hall rooms in case of accidental lockouts or for emergencies. Summer residents are subject to the same regulations as during the regular academic year.

Card readers have been installed on all doors in East; suite entrances in Linde, Sontag, Drinkward and South; and the interior entries in Case. These provide greater security for student living areas, along with 24-hour access to residence hall common areas, the Linde Activities Center computer room, the Platt Campus Center and the academic complex (via Parsons and Keck doors). Swipe and proximity authorization are coded on student ID cards, along with dining plan and library access. Only assigned residents of rooms/suites will be coded to have access.

Students are expected to carry their ID cards at all times. If a student loses her or his ID card, she or he must notify F&M as soon as possible. The lost ID card will be deactivated. The student will need to get a new ID card from the Claremont Card

Center as soon as possible. If an ID card is broken or damaged, a student may take the damaged card to the Card Center to replace the ID card at no cost.

## **Campus Security Policies, Crime Prevention & Safety Awareness Programs**

In addition to the information and programs offered by Campus Safety and other College offices during new student and employee orientation, HMC has established a number of policies and programs related to ensuring a reasonably safe campus. These policies and programs include:

### **Behavioral Intervention by the On-Call Deans**

In order to extend our efforts on emergency preparedness and prevention, HMC evaluates behavioral threats through the on-call deans, which consists of staff members who have been trained in emergency response. The objective of the on-call deans is to evaluate and mitigate potentially threatening situations that may occur at HMC. Depending on the nature of the concern, the on-call deans may include other stakeholders from different offices at the Colleges who have more direct knowledge of a situation. For more information about the on-call deans and behavioral interventions, please contact the Assistant Vice President for Student Affairs at [lhughes@hmc.edu](mailto:lhughes@hmc.edu).

### **Live Safe App**

Live Safe is a free personal safety mobile application for students, staff, and faculty to engage in a two-way conversation with Campus Safety. It allows users to directly access Campus Safety and 911 emergency services. This service can create greater situational awareness and safety preparedness by educating the user

### **Teal Dot Interpersonal Violence Bystander Intervention Program**

In 2013 The Claremont Colleges partnered to implement a bystander intervention training program that demonstrates a way for all campus constituents to contribute to a safer environment, regardless of campus, affiliation, commitments, interests. Teal Dot was created specifically for the Claremont College community and adapted from Green Dot, a national model out of the University of Kentucky. The mission of Teal Dot is to engage a critical mass of community members and empower them to take action when they see potentially dangerous behavior. Teal Dot is about culture change – harnessing the power of individual choices to shift our current norms. Teal Dot is offered to faculty, staff, and students every semester, including summers, on every campus. Trainees also have the opportunity to learn how to lead future sessions for peers.

## **Weapons and All Forms of Explosives Policy**

Harvey Mudd College is committed to providing a living and learning environment as free from violence or threats of violence as it possibly can, and to taking reasonable and appropriate steps to provide for the safety of the College's students, faculty, staff, and visitors. Toward this end, this policy prohibits all forms of violence or threats of violence and also generally prohibits the possession, use, or storage of any weapons or other dangerous items on the HMC campus.

- A. **Weapons** Possessing, using, or storing weapons on campus or at off-campus, College-sponsored activities, including storing or transporting weapons or dangerous items in private cars or storage containers located on College property, is prohibited. Weapons include, but are not limited to: all firearms, BB guns, pellet guns, projectile weapons, tasers and stun devices, slingshots, illegal knives (those with blades longer than 2.5 inches), switchblades, and display or collectable weapons. It is also a violation of this policy to use an item with a lawful purpose (i.e. scissors, kitchen knives, baseball bat) in a manner which could or does result in an act of violence or a threat of violence against another person.

This policy does not apply to the ROTC or P.E. departments, which may use otherwise-prohibited items as part of their courses. A student using a weapon or replica weapon will not be in violation of this policy so long as the student is doing so as instructed by and under the supervision of their instructor. Use of a prohibited item not in compliance with an instructor's directives violates this policy. Moreover, no prohibited item may be stored inside a Residence Hall regardless of whether the item is used for ROTC or P.E.

- B. **Artificial Weapons** Artificial, toy, or handmade play items resembling weapons must be decorated with bright colors so they can be identified from a distance as safe. Use of these items is limited to recreation in the residences and dorm courtyards. They are not permitted in academic or administrative areas of campus without advance approval from DSA. If one of these items is perceived as dangerous or intimidating by a member of the community, the vice president for student affairs/dean of students will ask the owner to remove it from public areas on campus.
- C. **Explosives** Fireworks and all forms of explosives shall not be used or possessed anywhere on campus, except for the approved use of potentially explosive materials in campus laboratories. These prohibited materials include combustibles in containers, such as gasoline in cans and dry ice bombs. Students are reminded that California laws, Sections

12303.2 and 12312 of the Penal Code, establish stringent restrictions on these items.

## **Personal Safety**

Theft, disorderly conduct, and alcohol related offenses are very common on College campuses. It is important to report any suspicious incidents to police and always remain alert and vigilant. One of the more serious crimes that is too often unreported is sexual assault. It is important to know what these crimes are, because in many cases, victims do not realize that have been victimized. Additionally, crimes of this nature are very difficult for victims to report for a number of very complex reasons. We provide the following information to assist those who may have been survivors of sexual assault or who have a friend who has been sexually assaulted.

These policies may be found at the Emergency Preparedness web page (<https://www.hmc.edu/emergency-preparedness/>), the Policies, Procedures and Guidelines page (<https://www.hmc.edu/human-resources/policies-procedures-and-guidelines/>), and the Student Handbook (<https://www.hmc.edu/student-life/student-handbook/>).

## **Crime Prevention and Safety Awareness Programs**

In addition to the services provided by Campus Safety, Harvey Mudd 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. Harvey Mudd 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.

The following are precautionary measures in place for the safety of students, staff and faculty:

- A dean or professional staff member of the Division of Student Affairs is on-call at all times, 24 hours a day, seven days a week, throughout the academic year and summer.
- All residence halls are served by live-in proctors who are available and on-call throughout the school year to supervise and help govern residential life.
- Security alerts are distributed campus-wide in a timely manner to inform the campus community of crimes or suspected crimes that may threaten the safety of Harvey Mudd students and employees.
- Safety escort services are available through Campus Safety.
- Exterior emergency telephones linked directly to Campus Safety are located throughout the campus.

- An electronic alarm system connected directly to Campus Safety monitors a comprehensive network of intrusion and fire alarms campus wide.
- Campus Safety and campus maintenance and facilities staff conduct regular inspections of exterior lighting, doors, windows, hardware and grounds.
- Fire extinguishers are located in every building. Fire sprinklers are in many buildings and smoke detectors are in each residence hall.
- The entire campus is secured with high security keyways not reproducible outside of the College's system. Lost keys may result in a lock re-keying and new key issue. Dorm keys are collected at the end of each semester or academic year to identify unreported lost keys. A lost building master key may result in the entire building being re-keyed.
- Administrative and academic buildings are locked and unlocked electronically and where appropriate by custodial staff on a daily schedule.
- The Office of Facilities and Maintenance controls key access. Sign-in and sign-out procedures are closely monitored and stored in a database system. Access to key lock boxes is restricted.
- All students, faculty and staff are enrolled in at least one means of instant notification through the Everbridge (Mudd Alert) emergency notification system. Emergency messages can be sent from Campus Safety and/or other College officials utilizing email, cell phones, landline phones and text messaging.
- All residential exterior doors are equipped with automatic lock mechanisms. A swipe card lock system has been installed where feasible—in campus residences. The system administrator in the Office of Facilities and Maintenance can customize access and update the system. The swipe card system prohibits residential access when students are not in residence.
- Exterior public address speakers are installed in areas of heaviest pedestrian traffic.
- A preventative maintenance program including scheduled checks for battery back-up systems, generator operations and other devices needed to preserve security is in place.
- Laundry room doors, windows and dorm room doors have peepholes.
- Campus-wide Emergency Evacuation Drills are held each semester.
- The Campus Emergency Response Plan is continually updated. Student, staff and faculty volunteers are continuously being trained for their emergency roles.
- Maps of below-grade utilities are kept updated.

- Exterior-mounted key safes (Knox Boxes) are installed for Campus Safety and Fire Department use.
- Student mailroom and music practice rooms are locked and secured facilities.
- Key staff members are trained to use AED devices, which are located in the Linde Activity Center, Galileo Auditorium Foyer, Platt Campus Center, Shanahan Center for Teaching and Learning, Olin Science Building, Kingston Hall, Hoch Shanahan Dining Commons and North Residence Hall.
- Facilities and maintenance staff members utilize hand-held radios to enhance rapid response to campus needs.
- The College uses LiveSafe, a personal safety mobile application that can be used to engage in two-way conversation with Campus Safety. It allows students, staff, and faculty direct access to Campus Safety and 911 emergency services and creates greater situational awareness and safety preparedness by educating the user on daily safety-related updates and statistics.

### **Parental Notification Policy**

The College reserves the right to report student discipline information to the parents or legal guardians of students. Federal legislation authorizes Harvey Mudd 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.

### **Student Conduct**

The Division of Student Affairs (DSA) serves as co-educators in support of the mission of Harvey Mudd College while cultivating student's life skills. Through collaboration and partnerships, DSA fosters an inclusive community while creating innovative programs that provide leadership and developmental opportunities. DSA prepares students for their futures beyond HMC as scholars and global citizens who impact their communities in significant ways.

DSA provides resources and opportunities for students to foster resilience, exercise accountability, and engage in community. DSA fosters a welcoming environment by educating across identities and celebrating communities through awareness, allyship and action. DSA provides opportunities that support and increase awareness of diverse leadership styles through involvement, collaboration, and cultivation of strengths for transformational change. Finally, DSA engages students to learn, understand, and practice the 9 dimensions of wellness to strive for a balanced sense of

DSA is responsible for administering the Student Handbook that articulates the College's Honor Code and Standards of Conduct, and for overseeing the Student Conduct Process in collaboration with the student conduct chairs. The HMC Honor Code and Standards of Conduct state:

All members of ASHMC are responsible for maintaining their integrity and the integrity of the College community in all academic matters and in all affairs concerning the community. Harvey Mudd College is an inclusive community of faculty, staff and students. Students entering the community are assumed to have an earnest purpose. Diligent pursuit of this purpose is enhanced by standards of conduct agreed upon by the community. These standards are:

1. Thoughtful respect for the rights of others;
2. Honesty and integrity in both academic and personal matters;
3. Responsible behavior both on and off campus;
4. Appropriate use of campus buildings and equipment, and;
5. Compliance with College regulations and policies.

Any student with visiting guests accepts responsibility for those guests' behavior, and the guests are responsible for observing the regulations of HMC and other colleges in the Claremont community. Any person who has been invited, either explicitly or implicitly, to one of the colleges in the Claremont community by a member of ASHMC is defined to be a guest of that member.

When students visit another Claremont college, they are responsible for observing the regulations of both that college and HMC. Students are reminded that they are at all times subject to federal, state and local laws. Students believed to violate these standards of conduct shall be reported to the Judiciary Board or Disciplinary Board Chair, who will initiate the procedures stated in the Student Conduct Process. A list of sanctions can be found in the Honor Code Section of the Student Handbook.

HMC uses an anonymous reporting system called Mudders Care for Mudders those who wish to report concerns or misconduct anonymously. This is an option for our community to report issues or ask questions in a confidential, safe way.

### **Faculty and Staff Conduct**

Harvey Mudd College is committed to promoting and maintaining a working, learning and living environment that is free from discrimination, harassment and sexual misconduct. The College's Discrimination, Harassment and Sexual Misconduct Policy states that all faculty, staff, students and other members of the Harvey Mudd College community are responsible for ensuring that their conduct does not violate the policy. The Appropriate Behavior policies address the College's stance regarding

Employees of HMC who are not students (generally “Faculty and Staff”) are expected to abide by the rules of conduct presented in the **Staff Handbook** and **Faculty Notebook**.

## **Harvey Mudd College Sexual Misconduct and Complaint Resolution Policy**

### **I. Introduction: Institutional Values and Community Expectations**

Harvey Mudd College (“College” or “HMC”) is committed to providing a non-discriminatory and harassment-free educational, living, and working environment for all members of the HMC community, including students, faculty, administrators, staff, and visitors. The College will not tolerate sexual harassment or other forms of prohibited conduct. This Sexual Misconduct and Complaint Resolution Policy (“Policy”) prohibits all forms of sexual or gender-based harassment, discrimination, and other misconduct, including non-consensual sexual contact, non-consensual sexual penetration, sexual exploitation, intimate partner violence, and stalking. Misconduct of this nature is contrary to HMC's institutional values and is prohibited by state and federal law.

HMC encourages the prompt reporting of any incident of sexual or gender-based misconduct to the College and to local law enforcement or civil rights enforcement agencies. Upon receipt of a report, the College will take prompt and effective action by: supporting the individual who makes a report or seeks assistance under this Policy (“Reporting Party”); conducting a review of the reported conduct under Title IX of the Education Amendments of 1972 (“Title IX”); addressing the safety of individuals and the campus community; and as warranted, taking disciplinary action against the accused individual (“Responding Party”). The College’s process for investigating and responding to reported Prohibited Conduct by students are contained in the Appendix A (Procedures for Resolving Complaints Against Students).

Retaliation (defined in Section VII.F. of this Policy) should be reported promptly to the Title IX Coordinator for investigation, which may result in disciplinary action independent of any sanction or interim measures imposed in response to the underlying allegations of discrimination and/or harassment.

The College encourages all members of our community to participate in the process of creating a safe, welcoming, and respectful environment on campus. In particular, the College expects that all HMC community members will take reasonable and prudent actions to prevent or stop an act of sexual misconduct. Taking action may include directly intervening when safe to do so, enlisting the assistance of friends, contacting law enforcement, or seeking assistance from a person in authority. Community members who chose to exercise this positive moral obligation will be supported by the

### **II. Policy Statement: Scope of Policy**

### **A. Policy**

All forms of sexual or gender-based discrimination, harassment or other misconduct, including non-consensual sexual contact, non-consensual sexual penetration, sexual exploitation, intimate partner violence, and stalking, are prohibited conduct. Retaliation against any person or group who makes a complaint, cooperates with an investigation, or participates in a grievance procedure is also a violation of this Policy. Misconduct of this nature (“Prohibited Conduct”) is contrary to HMC’s institutional values, is a violation of College policy, and will not be tolerated. Any individual who is found to have violated this Policy may face disciplinary sanctions up to and including expulsion and/or termination of employment.

### **B. Scope of Policy**

This Policy applies to all faculty, staff, and students of the College. It also applies to third parties (including but not limited to trustees, applicants, volunteers, campus visitors, and vendors) who may have contact with members of the HMC community either on the HMC campus or at off-campus HMC events, programs, and activities.

For purposes of this Policy, the Reporting Party is the person who is the subject or target of the reported misconduct. The Responding Party is the person, group, or organization alleged to be responsible for the reported misconduct. A third party refers to any other participant in the process, including a witness or an individual who makes a report of conduct prohibited by this Policy. A witness may include an individual who observed behavior that is alleged to constitute a violation of policy or who communicated with one of the parties subsequent to an alleged incident of prohibited conduct.

This Policy applies to conduct occurring on campus or in connection with College-related off-campus events, programs, and activities, such as College functions hosted in private homes, off-site conferences and meetings, and College-sponsored study-abroad, internship, research, and other programs. The Policy also may apply to conduct that occurred off-campus, but not at HMC-sponsored events, program or activities, if both parties are members of the HMC community, and if the conduct could have a substantial adverse effect on or poses a threat to members of the HMC community.

A Reporting Party is encouraged to report misconduct regardless of where the incident occurred or who committed it. Even if the College does not have jurisdiction over the Responding Party, the College will still take prompt action to attempt to provide for the safety and well-being of the Reporting Party and the broader campus community. Under the Clery Act and the Campus SaVE Act, the College will record and report all violations of this Policy.

### **III. Oversight and Enforcement Responsibility**

The administration and enforcement of this Policy is the responsibility of the College’s

*“No person in the United States shall on the basis of sex be excluded from participation in, or denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.”*

The Title IX Coordinator oversees the College’s centralized review, investigation, and resolution of reports of Prohibited Conduct. The Title IX Coordinator also oversees the College’s overall compliance with Title IX.

The Title IX Coordinator is:

- Responsible for oversight of the investigation and resolution of all reports of all forms of Prohibited Conduct involving students, staff, administrators, faculty, vendors, and visitors;
- Assisted by designated Deputy Title IX Coordinators in student affairs, human resources, and the faculty, and by a Title IX team as detailed in this Policy. These Deputy Title IX Coordinators have a shared responsibility for supporting the Title IX Coordinator and are accessible to any member of the community for consultation and guidance;
- Knowledgeable and trained in College policies and procedures and relevant state and federal laws;
- Available to advise any individual, including a Reporting Party, a Responding Party, or a third party, about the formal and informal courses of action available at the College and the courses of action available in the community;
- Available to provide assistance to any College employee regarding how to respond appropriately to a report of Prohibited Conduct;
- Responsible for monitoring full compliance with all procedural requirements and timeframes outlined in this Policy; and
- Responsible for training, prevention, and education efforts and periodic reviews of climate and culture.

The Title IX team supports the Title IX Coordinator. Members of this interdepartmental team include the Title IX Coordinator and the Deputy Title IX Coordinators. In addition, depending on the roles of the Reporting Party and the Responding Party, the Title IX team could include the Assistant Vice President for Human Resources, the Dean of the Faculty, and/or a representative from the Division of Student Affairs. Composition of the team will be limited to a small circle of individuals who “need to know” to implement procedures under this Policy.

The College’s Title IX Coordinator, Jennifer Alanis, can be reached in person at Platt Campus Center, by phone at 909.621.8301, or by email at [TitleIX@hmc.edu](mailto:TitleIX@hmc.edu). The names and contact information of HMC’s Deputy Title IX Coordinators can be found at <https://www.hmc.edu/student-life/title-ix-sexual-misconduct/>.

Inquiries or complaints concerning the application of Title IX may be directed to the College’s Title IX Coordinator, to the Deputy Title IX Coordinators, and/or to the U.S.

Office of Civil Rights  
50 United Nations Plaza, Room 1545  
San Francisco, CA 94102  
Telephone: 415.486.5555  
Email: ocr.SanFrancisco@ed.gov

#### **IV. Privacy vs. Confidentiality**

The College is committed to protecting the privacy of all individuals who are involved in a report of Prohibited Conduct. All College employees who are involved in the College's Title IX response, including the Title IX Coordinator, investigators, and hearing panel members, receive specific instruction about respecting and safeguarding private information. Throughout the process, every effort will be made to protect the privacy interests of all individuals involved in a manner consistent with the need for a thorough review of the report.

Privacy and confidentiality have distinct meanings under this Policy.

##### **A. Privacy**

Privacy generally means that information related to a report of misconduct will only be shared with a limited circle of individuals. The use of this information is limited to those College employees who "need to know" to assist in the active review, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.

##### **B. Confidentiality**

Reports concerning conduct prohibited under this Policy will be addressed confidentially to the extent possible. Such reports will be disclosed only to individuals who, in the interests of fairness and resolution, have a need to know, and as otherwise required by law. Persons involved in the administration of this Policy are required to maintain confidentiality.

In certain circumstances identified in California Education Code section 67383, the College is required to forward information concerning reports of violent crimes, including reports of sexual assaults, to a local law enforcement agency. Such information is forwarded without identifying the Reporting Party and Responding Party, unless explicit consent is provided by the Reporting Party allowing for the sharing of personally identifying information. If the Reporting Party is under the age of 18, the College is required to comply with child abuse reporting laws.

Members of the HMC community who wish to seek advice or assistance concerning, or to discuss options for dealing with, sexual misconduct on a strictly confidential basis may speak with licensed counselors, clergy, medical providers in the context of seeking medical treatment, and rape crisis counselors, who, except in very narrow

Students who wish to speak to a licensed counselor on a confidential basis may contact the Claremont Colleges Services Monsour Counseling Center or EmPOWER Center. The Employee Assistance Program is a resource for faculty and staff. The Chaplains of The Claremont Colleges are also available to counsel students, faculty, and staff on a confidential basis.

All participants in a complaint resolution process involving an alleged violation of this Policy will be informed that confidentiality helps enhance the integrity of the process, protect the privacy interests of the parties, and protect the participants from statements that might be interpreted to be retaliatory or defamatory. At the beginning of the process, the Reporting Party and Responding Party will be asked to keep information related to the process private during the pendency of the process. This does not preclude the Reporting Party or Responding Party from sharing information with family, legal counsel, advisors/support persons, or others as necessary in connection with the marshalling and presentation of evidence in connection with the process. Witnesses and support persons will, similarly, be asked to respect the privacy of the process.

### **C. Responsible Employees**

Under Title IX, HMC is required to take immediate and corrective action if a “responsible employee” knew or, in the exercise of reasonable care, should have known about Prohibited Conduct. A “responsible employee” includes any employee who:

- Has the authority to take action to redress the harassment;
- Has the duty to report to appropriate school officials sexual harassment or any other misconduct by students or employees; or
- A student could reasonably believe has the authority or responsibility to take action.

Using this lens, employees with supervisory and leadership responsibilities on campus are considered “responsible employees.” This may include, for example, faculty, coaches, administrators, proctors, mentors, and student leaders with a responsibility for student welfare.

The College requires that all “responsible employees” share a report of Prohibited Conduct or suspected Prohibited Conduct with the Title IX Coordinator or a member of the Title IX team.

The College also encourages all employees, even those who are not obligated to do so by this Policy, to report information regarding any incident of Prohibited Conduct directly to the Title IX Coordinator, a member of the Title IX team, a “responsible employee,” or Campus Safety. The College cannot take appropriate action unless an

The Title IX team, under the guidance of the Title IX Coordinator, will conduct an initial assessment of the conduct, the Reporting Party's expressed preferences, if any, as to course of action, and the necessity of any interim measures to protect the safety of the Reporting Party or the community.

#### **D. Request for Confidentiality**

Where a Reporting Party requests that their name or other identifiable information not be shared with the Responding Party or that no formal action be taken, the College will balance the request with HMC's obligation to provide a safe and non-discriminatory environment for all College community members and to remain true to principles of fundamental fairness which require notice and an opportunity to respond before action is taken against a Responding Party. In making this determination, the College may consider the seriousness of the conduct, the respective ages and roles of the Reporting Party and Responding Party, whether there have been other complaints or reports of harassment or misconduct against the Responding Party, and the rights of the Responding Party to receive notice and relevant information before disciplinary action is sought. In some cases, the Title IX Coordinator, in consultation with appropriate administrators, may determine that the College needs to proceed with an investigation based on concern for the safety or well-being of the broader HMC community (e.g., concern about the risk of future acts of sexual violence or a pattern of

circumstances, including in cases where the individual reporting the Prohibited Conduct is reluctant to proceed.

The College will take all reasonable steps to investigate and respond to a report consistent with a Reporting Party's request for confidentiality or request not to take any action in response to the report, but HMC's ability to do so may be limited based on the nature of the Reporting Party's request. Where the College is unable to act in a manner consistent with a Reporting Party's request, the Title IX Coordinator or a member of the Title IX team will inform the Reporting Party about the chosen course of action, which may include the College's seeking disciplinary action against a Responding Party. The chosen course of action may, alternatively, include steps to limit the effects of the alleged misconduct and prevent its recurrence without taking formal disciplinary action against or revealing the identity of the Responding Party.

#### **E. Timely Warnings**

If a report of misconduct discloses a serious or continuing threat to the HMC community, the College may issue a campus-wide timely warning (which may take the form of an email to campus) to protect the health or safety of the community. The timely warning will not include any identifying information about the Reporting Party. Even where there is no imminent threat, the College may send campus-wide email

At no time will the College release the name of the Reporting Party to the general public without the express consent of the Reporting Party. The release of the

Responding Party's name to the general public is guided by the Family Educational Rights and Privacy Act (FERPA) and the Clery Act.

All College proceedings are conducted in compliance with the requirements of FERPA, the Clery Act, Title IX, and state and federal law. No information shall be released from such proceedings except as required or permitted by law and College Policy. For more information on timely warnings and FERPA, please see "Appendix F: Harvey Mudd College's External Reporting, Timely Warning, and FERPA Disclosure Obligations."

## **V. Definitions of Consent and Prohibited Conduct**

The College prohibits all forms of sexual and gender-based harassment, including sexual violence and intimate partner violence. Each of these terms encompasses a broad range of behavior. In general, sexual violence refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to incapacitation. Intimate partner violence refers to any act of violence or threatened act of violence, sexual or otherwise, against a person with whom one is or has been involved in a sexual, dating, domestic, or other intimate relationship.

### **A. Affirmative Consent: Force, Coercion, Incapacitation, Drugs and Alcohol**

#### **Affirmative Consent**

Consent consists of an affirmative, conscious decision by each participant to engage in mutually agreed-upon sexual activity. *In the state of California, sexual activity with a minor (under the age of 18) is never consensual, because a minor is considered incapable of giving consent due to age.*

The following are essential elements of effective consent:

*Informed and reciprocal:* All parties must demonstrate a clear and mutual understanding of the nature and scope of the act to which they are consenting and a willingness to do the same thing, at the same time, in the same way.

*Freely and actively given:* Consent cannot be obtained through the use of force, coercion, threats, intimidation or pressuring, or by taking advantage of the incapacitation of another individual.

*Mutually understandable:* Communication regarding consent consists of mutually

engage in sexual activity. In the absence of clear communication or outward demonstration, there is no consent. Consent may not be inferred from silence, passivity, lack of resistance, or lack of active response. An individual who does not physically resist or verbally refuse sexual activity is not necessarily giving consent. Relying solely upon non-verbal communication can lead to a false conclusion as to whether consent was sought or given.

*Not indefinite:* Consent can be withdrawn by any party at any time. Recognizing

activity must evaluate consent in an ongoing manner and communicate clearly

throughout all stages of sexual activity. Withdrawal of consent can be an expressed “no” or can be based on an outward demonstration that conveys that an individual is hesitant, confused, uncertain, or no longer a mutual participant. Once consent is withdrawn, the sexual activity must cease immediately, and all parties must obtain mutually expressed or clearly stated consent before continuing further sexual activity.

*Not unlimited:* Consent to one form of sexual contact does not constitute consent to all forms of sexual contact, nor does consent to sexual activity with one person constitute consent to activity with any other person. Each participant in a sexual encounter must consent to each form of sexual contact with each participant.

Even in the context of a current or previous intimate relationship, each party must consent to each instance of sexual contact each time. The consent must be based on mutually understandable communication that clearly indicates a willingness to engage in sexual activity. The mere fact that there has been prior intimacy or sexual activity does not, by itself, imply consent to future acts.

### **Force**

Consent is not valid if obtained through force. Force is the use or threat of physical violence or intimidation to overcome an individual’s freedom of will to choose whether or not to participate in sexual activity. For the use of force to be demonstrated, there is no requirement that a Reporting Party resists the sexual advance or request. However, resistance by the Reporting Party will be viewed as a clear demonstration of non-consent.

### **Coercion**

Consent obtained through coercion is not valid consent. Coercion is the improper use of pressure to compel another individual to initiate or continue sexual activity against their will. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. A person’s words or conduct are sufficient to constitute coercion if they wrongfully impair another individual’s freedom of will and ability to choose whether or not to engage in sexual activity. Coercion includes, but is not limited to: threatening to “out” someone based on sexual orientation, gender identity, or gender expression, and threatening to harm oneself if the other party does not engage in the sexual activity.

### **Incapacitation**

Incapacitation is a state in which an individual cannot make an informed and rational decision to engage in sexual activity because they lack conscious knowledge of the nature of the act (*i.e.*, the ability to understand the who, what, when, where, why, or

otherwise unaware that sexual activity is occurring.

Incapacitation may result from the use of alcohol and/or drugs. Consumption of alcohol or other drugs alone is insufficient to establish incapacitation. The impact of

alcohol and drugs varies from person to person, and evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs impacts an individual's:

- decision-making ability;
- awareness of consequences;
- ability to make informed judgments; or
- capacity to appreciate the nature and quality of the act.

Evaluating incapacitation also requires an assessment of whether a Responding Party knew or should have known that the Reporting Party was incapacitated.

### **Alcohol and Other Drugs**

In general, sexual contact while under the influence of alcohol or other drugs poses a risk to all parties. Alcohol and drugs impair a person's decision-making capacity, awareness of consequences, and ability to make informed judgments. It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person's level of intoxication or impairment. If there is any doubt as to the level or extent of the other individual's intoxication or impairment, the prudent course of action is to forgo or cease any sexual contact or activity.

Being intoxicated or impaired by drugs or alcohol is never an excuse for Prohibited

## **B. Forms of Prohibited Conduct**

### **1. Sex or Gender-Based Discrimination**

Sex or gender-based discrimination refers to the disparate treatment of a person or group because of that person's or group's sex, sexual orientation, gender identity, or gender expression.

### **2. Sexual and Gender-Based Harassment**

"Harassment" is conduct that creates an intimidating, offensive, or hostile working or learning environment or which unreasonably interferes with work or academic performance based on a person's protected status, including sex, sexual orientation, gender identity, or gender expression. All such conduct is prohibited.

"Sexual Harassment" is any unwelcome sexual advance, request for sexual favors, or other unwelcome conduct of a sexual nature, whether verbal, physical, graphic, or otherwise.

"Gender-Based Harassment" is harassment based on sex, sexual orientation, gender identity, or gender expression, which may include acts of aggression, intimidation, or hostility, whether verbal, physical, graphic, or otherwise. To qualify as Gender-Based Harassment, the conduct need not involve conduct of a sexual nature.

Generally speaking, harassment can be divided into two types of conduct:

**Quid Pro Quo Harassment.** Submission to or rejection of such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment, academic standing, or participation in any aspect of a College program or activity or is used as the basis for the College's decisions affecting the individual.

**Hostile Environment.** A hostile environment exists when the conduct is sufficiently severe, pervasive, or persistent that it unreasonably interferes with, limits, or deprives an individual from participating in or benefiting from the College's education or employment programs and/or activities. Whether conduct is sufficiently severe, pervasive, or persistent is determined both from a subjective and objective perspective.

Harassing conduct can take many forms. The determination of whether an environment is hostile is based on the totality of the circumstances, including but not limited to: (1) the frequency of the conduct; (2) the nature and severity of the conduct; (3) whether the conduct was physically threatening; (4) the effect of the conduct on the Reporting Party's mental or emotional state, with consideration of whether the conduct unreasonably interfered with the Reporting Party's educational or work performance and/or College programs or activities; (5) whether the conduct was directed at more than one person; (6) whether the conduct arose in the context of other discriminatory conduct; and (7) whether the conduct implicates concerns related to academic freedom or protected speech.

A single isolated incident may create a hostile environment if the incident is sufficiently severe, particularly if the conduct is physical. A single incident of sexual assault, for example, may be sufficiently severe to constitute a hostile environment. In contrast, the perceived offensiveness of a single verbal or written expression is typically not sufficient to constitute a hostile environment.

Examples of harassment may include such conduct as: direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades, or letters of recommendation; direct unwelcome propositions of a sexual nature; unwelcome subtle pressure for sexual activity, an element of which may be repeated requests for private meetings without an academic or employment purpose; and patterns of conduct which would discomfort and/or humiliate a reasonable person at whom the conduct was directed and which include one or more of the following: (1) unnecessary touching, patting, hugging, or brushing against a person's body; (2) remarks of a sexual nature about a person's clothing or body, whether or not intended to be complimentary; (3) remarks about sexual activity or speculations about previous sexual experience; or (4) other unwelcome offensive comments of a sexual nature, including sexually explicit statements, questions, jokes

or anecdotes or certain unwelcome and offensive visual displays of sexually oriented images outside the educational context, including letters, notes, or electronic mail. Harassment may be committed by anyone, regardless of gender, age, position or authority. While there is often a power differential between two persons, perhaps due to differences in age, social, educational, or employment relationships, harassment can occur in any context. Harassment includes harassment of women by men, of men by women, and of any gender or identification by the same gender and/or identification. It may affect the Reporting Party and/or third parties who witness or observe harassment and are affected by it.

### 3. Non-Consensual Sexual Contact

Non-Consensual Sexual Contact is:

- any intentional sexual touching,
- with any object or body part,
- by any person upon any person,
- without consent.

Sexual Contact includes but is not limited to: intentional contact with intimate parts of another, causing another to touch one's intimate parts, or disrobing or exposure of another without permission. Intimate parts may include the breasts, genitals, buttocks, groin, mouth, or any other part of the body that is touched in a sexual manner.

### 4. Non-Consensual Sexual Penetration

Non-Consensual Sexual Penetration is:

- any sexual penetration,
- with any object or body part,
- by any person upon any person,
- without consent.

Sexual penetration includes but is not limited to: vaginal penetration by a penis, object, tongue or finger; anal penetration by a penis, object, tongue, or finger; and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

### 5. Sexual Exploitation

Sexual Exploitation is:

- taking non-consensual or abusive sexual advantage of another,
- for one's own advantage or benefit,
- or to benefit or advantage anyone other than the one being exploited.

Sexual Exploitation includes, but is not limited to: invasion of sexual privacy; prostitution of another person; non-consensual video or audio-recording of sexual activity; sharing private sexual materials, such as video or pictures, without the consent of all involved parties; engaging in voyeurism; knowingly transmitting an STI or HIV to another person; exposing one's genitals in non-consensual circumstances; inducing

another to expose their genitals; or inducing incapacitation with the intent to make one vulnerable to non-consensual sexual activity.

## 6. Intimate Partner Violence

Intimate partner violence is often referred to as dating violence, domestic violence, or relationship violence. Intimate partner violence is:

- any act of violence or threatened act of violence against a person who,
- is, or has been, involved in a sexual, dating, domestic, or other intimate relationship with the Responding Party.

Intimate partner violence includes but is not limited to: physical violence, sexual violence, emotional violence, and economic abuse. It may involve one act or an ongoing pattern of behavior. Intimate partner violence may take the form of threats, assault, property damage, or violence or threat of violence to one's self, to one's sexual or romantic partner, or to the family members or friends of the sexual or romantic partner. Intimate partner violence affects individuals of all genders, gender identities, gender expressions, and sexual orientation and does not discriminate by racial, social, or economic background.

Verbal abuse is the extreme or excessive use of language, often in the form of insults, name-calling, and criticism, designed to mock, shame, embarrass, or humiliate the other intimate partner. Verbal abuse often has the aim of diminishing the reporting party's self-esteem, dignity, or security. Like other forms of verbal sexual harassment, the alleged verbal behavior must be: (1) objectively offensive and (2) sufficiently severe, persistent, or pervasive. Physical violence or abuse occurs when one intentionally or recklessly (1) causes bodily harm; (2) attempts to cause another bodily harm; or (3) puts another in fear of imminent bodily harm. Other forms of physical abuse include keeping an intimate partner captive, preventing them from leaving, or otherwise

Emotional and psychological abuse involves a persistent pattern or prolonged climate of dominating or controlling behavior, often involving some type of power imbalance. The abuser's behavior is often intended to terrorize, intimidate, isolate, or exclude an intimate partner, and can often result in measurable psychological harm, such as depression, anxiety, or post-traumatic stress symptoms. Common forms include gaslighting, double binds, body shaming, dominating, emotional blackmail, hidden daggers, baiting, infantilization, and dozens of other commonly recognized tactics

## 7. Stalking

Stalking is governed by this Policy when it is sex or gender-based. Stalking is:

- a course of physical or verbal conduct directed at another individual,
- which could reasonably be regarded as likely to alarm, harass, or cause fear of harm or injury to that person or to a third party.

A course of conduct consists of at least two acts. The feared harm or injury may be physical, emotional, or psychological or related to one's personal safety, property, education, or employment. Stalking includes cyber-stalking, a particular form of stalking in which electronic media such as the Internet, social networks, blogs, cell phones, texts, or other similar devices or forms of contact are used to pursue, harass, or make unwelcome contact with another person in an unsolicited fashion. Stalking may include but is not limited to pursuing, following, waiting for, surveilling/monitoring, or showing up uninvited at or near a residence, workplace, classroom, or other place frequented by the individual. Other examples of tactics and actions that could constitute stalking include unwelcome cards, letters, flowers, or presents; watching or following from a distance or spying with a listening device, camera, or global positioning system (GPS); installing tracking apps or keystroke recorders on electronic devices; approaching or showing up in places such as the target's home, workplace, or school when unwelcome; leaving strange or potentially threatening items for the target to find; sneaking into the target's home or car; and doing things to scare the target or let the target know the stalker has been there.

## **VI. Resources**

The College is committed to treating all members of the community with dignity, care, and respect. Any individual who experiences or is affected by Prohibited Conduct, whether as a Reporting Party, a Responding Party, or a third party, will have equal access to support and counseling services through the College. Interim measures (supportive and protective) are also available to all parties (see Section VIII of this Policy).

The College recognizes that deciding whether and how to make a report to the College or law enforcement can be difficult decisions. Making a report means telling someone in authority what happened, whether in person, by telephone, in writing, or by email. All individuals are encouraged to seek the support of campus and community resources. These trained professionals can provide guidance in making decisions, information about available resources and procedural options, and assistance to either party in the event that a report and/or resolution under this Policy is pursued. Individuals are encouraged to use all available resources on and off campus, regardless of when or where the incident occurred. Following a report of dating violence, domestic violence, sexual assault, or stalking whether the offense occurred on or off campus, HMC will provide the student or employee a written explanation of the student's or employee's rights and options.

There are many resources available on campus and in the surrounding community. As detailed below, there are Confidential Resources that by law cannot share information without the consent of the individual seeking assistance. There are also a variety of College resources that will be discreet and private but are not considered confidential. These resources will maintain the privacy of an individual's information within the

more information about the difference between privacy and confidentiality, see Section IV of this Policy.

### **A. Confidential Resources**

HMC encourages all community members to make a prompt report of any incident of Prohibited Conduct to the College and, in the case of incidents involving sexual violence, to law enforcement as well. For individuals who are not prepared to make a report, or who may be unsure what happened but are still seeking information and support, there are several legally protected, confidential resources available as designated below. These confidential resources will not share information with the College or anyone else without the individual's permission.

#### **On Campus Confidential Resources:**

##### **Monsour Counseling and Psychological Services**

Phone: 909.621.8202

Office: Tranquada Student Services Center, 1st Floor

Hours: Monday–Friday, 8 a.m.–5 p.m. (for after-hours emergencies, call Campus Safety)

Website: [Monsour Counseling and Psychological Services](#)

##### **EmPOWER Center Sexual Assault & Intimate Partner Violence Resource Center**

Phone: 909.607.2689

Office: 1030 Dartmouth Ave.

Hours: Monday–Friday, 8 a.m.–5 p.m.

Contact: Rima Shah at RShahEmPOWER@cuc.claremont.edu or 909.607.0690

##### **McAlister Center Office of the Chaplains**

Phone: 909.621.8685

Office: McAlister Center for Religious Activities

Hours: Monday–Friday, 8 a.m.–5 p.m.

Website: [Chaplains](#)

#### **Off Campus Confidential Resources:**

##### **Project Sister Family Services Crisis Hotline\***

Hotline: 909.626.HELP (4357)

Hours: 24/7

Website: [Project Sister](#)

##### **Project Sister Family Services Walk-in Counseling\***

Phone: 909.966.4155

Email: [info@projectsister.org](mailto:info@projectsister.org)

Hours: Monday–Thursday, 5–7 p.m.

Website: [Project Sister walk-in clinic](#)

**House of Ruth Hotline\* (Dating violence)**

Hotline: 877.988.5559

Hours: 24/7

Website: [House of Ruth](#)

**Love is Respect National Dating Abuse Hotline\***

Hotline: 866.331.9497

Text: “loveis” to 22522

Online: [Love is Respect: Chat With Us](#)

Website: [Love is Respect](#)

**National Domestic Violence Hotline\***

Hotline: 800.799.7233

Hours: 24/7

Website: [National Domestic Violence Hotline](#)

**RAINN National Sexual Assault Crisis Hotline\***

Hotline: 800.656.4673

Hours: 24/7

(This hotline will transfer you to a local crisis hotline based on your phone’s area code.)

Website: [RAINN](#)

RAINN National Sexual Assault Crisis Online Chat\*

Website: [RAINN Online Chat](#)

Hours: 24/7

**Love is Respect National Dating Abuse Hotline\***

Hotline: 866.331.9497

Text: “loveis” to 22522

Online: [Love is Respect: Chat With Us](#)

Website: [Love is Respect](#)

**B. Medical Resources**

A medical provider can provide emergency and/or follow-up medical services. A medical exam has two goals: first, to diagnose and treat the full extent of any injury or physical effect (including prevention of sexually transmitted illnesses and pregnancy) and second, to properly collect and preserve evidence. There is a limited window of time following an incident of sexual assault to preserve physical and other forms of evidence. See Appendix C (What to Do If You Experience a Sexual Assault or Other Forms of Sexual/Gender Violence), to this Policy for additional information.

Taking the step to gather evidence immediately does not commit an individual to any

any evidence will, however, preserve the full range of options to seek resolution under this Policy or through the pursuit of criminal prosecution.

On campus, the Student Health Service can provide medical care but is not equipped for forensic examinations.

The medical facility closest to HMC which is equipped to provide emergency care and provide sexual assault exams is:

**Pomona Valley Hospital Medical Center (“PVHMC”)**

1798 North Garey Avenue  
Pomona, CA 91767  
Phone: 909.865.9500  
Emergency Room: 909.865.9600

PVHMC is also a Los Angeles County designated Sexual Assault Team Center (“SART”). A SART is a trauma informed/survivor sensitive program designed to provide a team approach to responding to sexual assaults.

**C. Additional Campus Resources**

In addition to the Title IX team and the resources listed above, HMC community members have access to a variety of other resources provided by the College. The staff members listed below are trained to support individuals affected by sexual violence and to coordinate with the Title IX Coordinator consistent with the College’s commitment to a safe and healthy educational environment.

**HMC On-Call Dean**

An on-call dean is available for assistance outside of normal business hours by contacting Campus Safety and asking to be connected to the HMC on-call dean at 909.607.2000.

**Campus Safety**

Phone 909.621.8170  
Office: Pendleton Business Building  
Hours: 24/7  
Website: [Campus Safety](#)

**Health Education Outreach, The Claremont Colleges Services**

Phone: 909.607.3602  
Office: Tranquada Student Services Center, 1st Floor  
Hours: Monday–Friday, 10 a.m.–5 p.m. Wednesday, 10 a.m.–7:30 p.m. (for after-hours emergencies, call Campus Safety)  
Special services: free, anonymous HIV testing (Tuesdays, 11 a.m.–12:40 p.m.)

### **Student Health Services**

Phone: 909.621.8222

Office: Tranquada Student Services Center, 1st Floor

Hours: Monday, Tuesday, Friday, 8 a.m.–5 p.m.

Wednesday, 8 a.m.–7 p.m.

Thursday, 9 a.m.–5 p.m.

(for after-hours emergencies, call Campus Safety)

Special services: STI testing, confidential HIV testing, contraception and counseling, emergency contraception/Plan B, pregnancy testing and counseling

Website: Student Health Services

### **HMC Employee Assistance Program, Optum (for eligible faculty and staff)**

800.234.5465

Live and Work Well (access code claremontcolleges)

If you are a victim or survivor of sexual misconduct, the sooner you seek help, the more options you have available to you. The following steps are important to take as soon as possible.

### **VII. Reporting**

The College encourages all individuals to seek assistance from a medical provider and/or law enforcement immediately after an incident of sexual violence. This is the best option to ensure preservation of evidence and to begin a timely investigative and remedial response.

The College also encourages all individuals to make a report to the College and law enforcement. The College will provide assistance in notifying law enforcement if the individual so chooses. An individual who experiences sexual violence also has the right to decline to notify law enforcement.

Making a report to the College and law enforcement are not mutually exclusive. Both internal and criminal reports may be pursued simultaneously. The College has a strong interest in supporting individuals who have been subjected to sexual violence and other forms of Prohibited Conduct.

Making a report means telling someone in authority what happened, whether in person, by telephone, in writing, or by email. At the time a report is made, a Reporting Party does not have to decide whether or not to request any particular course of action, nor does a Reporting Party need to know how to label what happened. Choosing to make a report, and deciding how to proceed after making the report, can be a process that unfolds over time.

The College provides support that can assist each individual in making these important

deciding how to proceed. In this process, the College will balance the individual's interest with its obligation to provide a safe and non-discriminatory environment for all members of the College community.

Any individual who reports Prohibited Conduct can be assured that all reports will be investigated and resolved in a prompt, fair and impartial manner. A Reporting Party, a Responding Party, and all individuals involved can expect to be treated with dignity and respect. Upon any report under this Policy, the College will make an immediate assessment of any risk of harm to the Reporting Party or to the broader campus community and will take reasonable steps necessary to address those risks. Such

campus community.

#### **A. Emergency and External Reporting Options**

HMC strongly encourages all individuals who experience any form of sexual or intimate partner violence to contact the **Claremont Police Department** immediately. The Claremont Police Department can be reached by calling Campus Safety if one is on campus (909-607-2000) or by dialing 911 if one is off campus.

An on-call dean is also available to respond to calls for assistance outside of normal business hours and can be reached by calling Campus Safety (909.607.2000) and requesting to be connected to the HMC on-call dean.

As indicated above, the medical facility nearest to HMC which is equipped to provide emergency care is Pomona Valley Hospital Medical Center.

Reporting Parties may also pursue civil remedies (including a temporary restraining order or injunctive relief) from a court of law or file an administrative complaint with a government agency. For more information concerning external complaint resolution options, see Appendix B to this Policy for more information concerning External Complaint Resolution Options.

#### **B. Campus Reporting Options**

Reports concerning conduct prohibited under this Policy should be submitted to the Title IX Coordinator, a Deputy Title IX Coordinator, or a "responsible employee" by telephone, by e-mail, or in person as soon as possible after an incident. Reports may be submitted to the Title IX Team online at:

[https://cm.maxient.com/reportingform.php?HarveyMuddCollege&layout\\_id=2](https://cm.maxient.com/reportingform.php?HarveyMuddCollege&layout_id=2).

Reports may also be submitted to:

Campus Safety  
Phone 909.621.8170  
Office: Pendleton Business Building  
Hours: 24/7  
Website: Campus Safety

### **C. Anonymous Reporting**

Any individual may make an anonymous report concerning an act of Prohibited Conduct. An individual may report the incident without disclosing their name, identifying the Responding Party, or requesting any action. The College's ability to respond to an anonymous report may, however, be limited depending on the extent of information available about the incident or the individuals involved. All reports go to the Title IX Coordinator or Campus Safety. The links to these reporting pages are respectively (1) Title IX Incident Report Form – Sexual Harassment and/or Sexual Misconduct and (2) Silent Witness Incident Reporting.

Upon receiving an anonymous report, the Title IX Coordinator will determine any appropriate steps, including individual or community remedies as appropriate, in consultation with the Assistant Vice President of Campus Safety and in compliance with all Clery Act obligations.

### **D. Reporting Considerations: Timeliness and Location of Incident**

Reporting Parties and third parties are encouraged to report Prohibited Conduct as soon as possible to maximize the College's ability to respond promptly and effectively.

There is no time limit for making a report involving Prohibited Conduct, but HMC's ability to respond may diminish over time, as evidence may erode, memories may fade, and Responding Parties may no longer be affiliated with HMC.

An incident need not occur on campus to be reported to the College. Off-campus conduct that is likely to have a substantial effect on the Reporting Party's on-campus life and activities, or which poses a threat or danger to members of the HMC community, may also be addressed under this Policy.

If the Responding Party is not a member of the HMC community, the College will still seek to take steps to end the harassment, prevent its recurrence, and address its effects, though HMC's ability to take disciplinary action against the Responding Party may be limited.

### **E. Amnesty for Alcohol or Other Drug Use**

HMC encourages the reporting of prohibited conduct under this Policy. It is in the best interest of the College community that as many Reporting Parties as possible choose to report to College officials, and that witnesses come forward to share what they know. To encourage reporting, an individual who reports Prohibited Conduct, either as

College for their own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not and will not place the health or safety of any other person at risk. The College may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs.

#### **F. Coordination with Law Enforcement**

As explained above, the College will assist a person who experiences sexual or intimate partner violence, or other forms of Prohibited Conduct which may constitute a crime, in making a criminal report and will cooperate with law enforcement agencies if an individual decides to make a criminal complaint.

The burden of proof to establish a violation of this Policy differs from California criminal law. An individual may seek recourse under this Policy and/or pursue criminal action. Neither law enforcement's determination whether or not to prosecute a Responding Party, nor the outcome of any criminal prosecution, are determinative of whether a violation of this Policy has occurred. Proceedings under this Policy may be carried out prior to, simultaneously with, or following off-campus civil or criminal proceedings.

At the request of law enforcement, the College may agree to defer its complaint resolution process until after the initial stages of a criminal investigation. The College will, nevertheless, communicate with the Reporting Party regarding Title IX rights, procedural options, and the implementation of interim measures to assure the safety and well-being of the Reporting Party. The College will promptly resume its complaint resolution process as soon as it is informed that law enforcement has completed its initial investigation.

#### **G. Statement Against Retaliation**

It is a violation of College policy to retaliate in any way against an individual because they raised allegations of Prohibited Conduct. The College recognizes that retaliation can take many forms, including threats, intimidation, pressuring, continued abuse, violence, or other forms of harm to others; that retaliation may be committed by or against an individual or a group; and that a Reporting Party, Responding Party, or third party may commit or be the subject of retaliation.

The College will take immediate action in response to any report of retaliation and will pursue disciplinary action as appropriate. An individual reporting Prohibited Conduct is entitled to protection from any form of retaliation following a report that is made in good faith, even if the reported Prohibited Conduct is later not proven.

#### **H. False Reports**

The College will not tolerate intentional false reporting of incidents. The College takes the accuracy of information very seriously, as a charge of Prohibited Conduct may have severe consequences. A good-faith complaint that results in a finding of not responsible is not considered a false or fabricated accusation of sexual misconduct.

allegations or given false information with malicious intent or in bad faith, the individual may be subject to disciplinary action. Intentionally making a false report of any policy violation constitutes a violation of the Code of Conduct and may also constitute a violation of state criminal statutes and civil defamation laws.

### **I. Reports Involving Minors or Suspected Child Abuse**

Under California law, all College employees are required to promptly report suspected child abuse and/or neglect, including sexual assault, when they know or reasonably suspect that a minor under the age of 18 has been the victim of child abuse or neglect. This duty exists regardless of whether the abuse or neglect is observed at work or in our private lives.

All College employees are required to immediately report any suspected child abuse and neglect to one of the numbers set forth below. If the abuse or neglect involves a

incident to the Title IX Coordinator or a member of the Title IX team. The source of abuse does not need to be known in order to file a report.

It is not the responsibility of any employee, student, or volunteer to investigate suspected child abuse. This is the role of Child Protective Services and law enforcement authorities.

In addition to notifying the Title IX Coordinator or member of the Title IX team, any individual is required to make a direct report as follows:

- If a child is in immediate danger, call 911.

If there is no immediate danger, contact the Los Angeles County Department of Children and Family Services' Child Protection Hotline, 800.540.4000, or website, <https://mandreptla.org/>.

## **VIII. Interim Measures (Supportive & Protective)**

### **A. Overview**

Upon receipt of a report, the College will impose reasonable and appropriate supportive and protective measures ("interim measures") designed to eliminate the hostile environment and protect the parties involved. The College will make reasonable efforts to communicate with the parties to ensure that all safety, emotional, and physical-well-being concerns are being addressed. Interim measures may be imposed regardless of whether the crime is reported to campus police or local law enforcement formal disciplinary action is sought by the Reporting Party or the College. The College will consider reasonable requests for remedies by the parties, as evaluated by the Title

designed to minimize the impact on the parties.

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

## **B. Range of Measures**

Interim measures will be implemented at the discretion of the College. Potential remedies, which may be applied to the Reporting Party and/or the Responding Party, include:

- Access to on-campus counseling services and assistance with referrals to off-campus care
- Imposition of a no-contact directive
- Rescheduling of exams and assignments (in conjunction with appropriate faculty)
- Providing alternative course completion options (with the agreement of the appropriate faculty)
- Change in class schedule, including the ability to take an “incomplete,” to drop a course without penalty, or to transfer sections (with the agreement of the appropriate faculty)
- Change in work schedule or job assignment
- Change in on-campus housing
- Arranging to cancel a housing contract and pro-rating a refund in accordance with HMC housing policies
- Assistance from College support staff in completing housing relocation
- Limiting an individual or organization’s access to certain College facilities or activities pending resolution of the matter
- Voluntary leave of absence
- Providing an escort to ensure safe movement between classes, activities, and employment responsibilities
- Providing student health services
- Providing academic support services, such as tutoring
- Interim suspension or College-imposed leave
- Any other remedy that can be tailored to the involved individuals to achieve the goals of this Policy

## **C. Interim Suspension or Separation**

Where the report of Prohibited Conduct poses a substantial and immediate threat of harm to the safety or well-being of an individual, members of the campus community, or the performance of normal College functions, the College may place a student or student organization on interim suspension, or may impose leave for an employee. Pending resolution of the report, the individual or organization may be denied access to the campus, to specific campus facilities, and/or to any College activities or privileges for which they might otherwise be eligible, as the College determines

reasonable efforts to complete the investigation and resolution within an expedited time frame.

Procedures governing the interim suspension of students are contained in the Student Handbook. Provisions for suspension of faculty members are contained in the Faculty Notebook. Staff may be placed on leave at the discretion of the College.

## **IX. Complaint Resolution Procedures**

### **A. Overview**

Resolving a complaint against a student, a faculty member, or a staff member will involve the same stages: an initial assessment, and if there is reasonable cause to believe that a violation of this Policy has occurred, either informal or formal resolution. Different resolution procedures are used depending on whether the Responding party is a student, a faculty member, or a staff member.

### **B. The Role of the Title IX Team**

The Title IX team, led by the Title IX Coordinator, assists in assessing and resolving reports involving violations of this Policy.

Although there are many reporting channels, all reports must be referred to the Title IX team to ensure the consistent application of this Policy and to enable the College to promptly eliminate, prevent the recurrence of, and address the effects of Prohibited Conduct.

The Title IX team's members are available to both students and employees, and to both Reporting Parties or Responding Parties, to provide guidance throughout the complaint resolution process.

### **C. Initial Title IX Assessment**

Upon every report of Prohibited Conduct, the College will make an immediate assessment of any risk of harm to individuals or to the campus community and will take steps necessary to address such risks. These steps may include interim protective measures to provide for the safety of the individual and the campus community.

The initial review will proceed to the point where a reasonable assessment of the safety of the individual and of the campus community can be made. Thereafter, if there is reasonable cause to believe that a violation of the Policy has occurred, the matter will be referred for either informal or formal resolution, depending on a variety of factors, such as the nature of the allegation, the Reporting Party's wish to pursue disciplinary action, and the risk posed to any individual or to the campus community by proceeding

### **D. Informal Resolution**

Informal resolution is a remedy-based, non-judicial approach designed to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects in a manner that meets the needs of the Reporting Party and campus community without taking disciplinary action against a Responding Party. In determining whether a matter is appropriate for informal 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.

Where the Title IX Coordinator concludes that informal resolution may be appropriate, the College will take immediate and corrective action through the imposition of individual and community remedies designed to maximize the Reporting Party's access to the educational and extracurricular activities at the College and to eliminate a hostile environment. Examples of supportive and protective remedies are provided in Section VIII of this Policy, Interim Measures (Supportive and Protective). Other potential remedies include educational programming or training, direct confrontation of the Responding Party, and/or indirect action by the Title IX Coordinator or the College. Depending on the form of informal resolution used, it may be possible to maintain anonymity.

The College will not compel a Reporting Party to engage in mediation, to directly confront the Responding Party, or to participate in any particular form of informal resolution. Mediation, even if voluntary, may not be used in cases involving sexual violence or assault. The decision to pursue informal resolution will be made when the College has sufficient information about the nature and scope of the conduct, which may occur at any time. Participation in informal resolution is voluntary, and a Reporting Party can request to end early resolution at any time.

The Title IX Coordinator will maintain records of all reports and conduct referred for early resolution. Early resolution will typically be completed within thirty (30) business days of the initial report.

#### **E. Formal Resolution**

Disciplinary action against a Responding Party may only be taken through formal resolution procedures. Different resolution procedures apply depending on whether the Responding Party is a student, faculty member, or staff member, but all procedures are guided by the same principles of fundamental fairness and respect for all parties, which require notice, an equitable opportunity to be heard, and an equitable opportunity to respond to a report under this Policy.

The following formal resolution procedures apply based upon the role of the Responding Party:

- Where an allegation is made against a student Responding Party, complaints

- Where the Responding Party is a faculty member, teaching/research assistant, or staff member, complaints are handled in accordance with HMC's Prohibited Discrimination and Harassment Policy; and
- Where there are multiple Responding Parties or a Responding Party with varying statuses, the Title IX Coordinator, in consultation with appropriate administrators, shall determine which procedure(s) will apply.
- Where the Responding Party is an employee or student from one of the other Claremont Colleges, the Claremont Colleges Services or affiliates (RSABG), HMC will investigate the matter and take steps to stop the conduct and remedy its effects to the extent reasonably possible. Procedures that may lead to the imposition of discipline against the Responding Party will, however, be those of the Responding Party's home institution.

To determine whether a Responding Party is responsible for a violation of this Policy, HMC applies a preponderance-of-the-evidence standard, meaning that HMC determines whether it is "more likely than not," based upon all of the evidence, that the Responding Party is responsible for the alleged violation.

#### **F. Time Frame for Resolution**

The College seeks to resolve all reports within sixty (60) business days of the initial report. All time frames expressed in this Policy are meant to be guidelines rather than rigid requirements. Extenuating circumstances may arise which require the extension of time frames, including extension beyond 60 days. Extenuating circumstances may include the complexity and scope of the allegations, the number of witnesses involved, the availability of the parties or witnesses, the effect of a concurrent criminal investigation, any intervening school break or vacation, or other unforeseen circumstances.

In general, a Reporting Party and Responding Party can expect that the process will proceed according to the time frames provided in this Policy. In the event that the investigation and resolution exceed such time frames, the College will notify all parties of the reason(s) for the delay and the expected adjustment in time frames. Best efforts will be made to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness.

### **X. Miscellaneous & Special Provisions**

#### **A. Application of Policy**

This Policy applies to all reports of Prohibited Conduct occurring on or after the effective date of this Policy. Where the date of the reported Prohibited Conduct precedes the effective date of this Policy, the definitions of Prohibited Conduct in existence at the time of the report will be used. The complaint resolution process under this Policy will be used to investigate and resolve all reports made or pending on or

## **B. Advisor/Support Person**

The Reporting Party and Responding Party may be assisted and supported, in any meeting or other aspect of the processes and procedures outlined in this Policy, by an advisor/support person (including legal counsel) of her/his choice.

## **C. Academic Freedom**

HMC adheres to principles of academic and expressive freedom. Nothing in this Policy shall be construed to limit the legitimate exercise of academic and expressive freedom, including but not limited to written, graphic, or verbal expression that can reasonably be demonstrated to serve a legitimate educational purpose. Nor shall this Policy be interpreted or applied in a manner that is inconsistent with California Education Code

## **D. Consensual Relationships**

### **1. Staff**

The College discourages consensual intimate, amorous, or sexual relationships between students and staff and prohibits such relationships whenever a staff member assigned to an instructional, research, administrative, or other College employment responsibility is involved in a relationship with a student whom he or she supervises or evaluates or over whom he or she exercises authority.

### **2. Faculty**

The College discourages consensual intimate, amorous, or sexual relationships between students and faculty. A sexual relationship between a faculty member and a student for whom the faculty member has, or should reasonably expect to have, academic responsibility entails a conflict of interest and, therefore, a breach of professional integrity. Accordingly, such relationships are prohibited even if consensual. Academic responsibility includes responsibility for teaching, advising, evaluating, or supervising a student in any aspect of the College's academic programs or the academic programs of other institutions of the Claremont Colleges Services.

## **E. Modification of Procedures and Processes**

The College retains the authority to adapt or modify the complaint resolution process, for good cause and absent substantial conflict with the procedures and processes contained in this Policy, as part of the responsibility to ensure an equitable and prompt process for all parties. Certain modifications may, for example, be necessary to allow for the fair and prompt resolution of a complaint when it is received at the end of a term or during a break in the College's academic schedule.

## **F. Records and Record Retention**

Record of all reports involving a violation of this Policy, and of the outcomes of such reports, shall be maintained by the Title IX Coordinator for the period of time mandated by applicable law and HMC's Record Retention Policy.

Should a student or employee be found to have violated this Policy, a record of the complaint and of any disciplinary action taken shall be made part of the student's conduct record or the employee's personnel file. Such records shall be used in

reviewing any further conduct, or developing sanctions, and shall remain a part of a student's conduct record or an employee's personnel record.

When a student is permanently separated from HMC through a disciplinary dismissal, this is noted on the student's academic transcript. The Division of Student Affairs maintains indefinitely the conduct files of students who have been suspended or dismissed for disciplinary reasons. The conduct files of students who have not been disciplinarily suspended or dismissed are maintained by the Division of Student Affairs for no fewer than seven years from the date of the incident.

#### **G. Policy Dissemination**

The Title IX Coordinator, Dean of Students, and Human Resources Office are responsible for distributing copies of this Policy to members of the HMC community. A notice of nondiscrimination which makes specific reference to this Policy and the College's Prohibited Discrimination, Harassment & Retaliation Policy shall also be provided to individuals employed by contract to perform services at HMC and to volunteers. References to this Policy are included in faculty, staff, and student orientation materials and handbooks. In addition, this Policy is continuously available at appropriate campus locations and on the HMC website.

#### **H. Policy Sources**

California Education Code (Cal. Ed. Code §§ 200, *et seq.*; 66250, *et seq.*; 94385); California Fair Employment and Housing Act (Cal. Gov't Code §§ 12900, *et seq.*); Title VII of the Civil Rights Act of 1964 (42 U.S.C. §§ 2000e, *et seq.*); Title IX of the Education Amendments of 1972 (20 U.S.C. §§ 1681, *et seq.*); Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 U.S.C. §§ 1092(f), *et seq.*); Violence Against Women Reauthorization Act of 2013 (Pub. Law 113-4).

### **Procedures for Resolving Complaints Against Students**

#### **Overview**

Harvey Mudd College ("HMC" or "College") will take prompt and appropriate action to address all student reports of Prohibited Conduct (as defined in section II.A of the HMC Sexual Misconduct and Complaint Resolution Policy ("Policy")) in violation of the Policy. The Reporting Party (as defined in section II.B of the Policy), Responding Party treated with dignity, care, and respect.

#### **Advisor/Support Person**

A Reporting Party, Responding Party, or witness may have an advisor/support person of their choice with them at all meetings and any hearing that they attend in connection with the procedures outlined below.

The advisor/support person may be a friend, mentor, family member, attorney, member of the Claremont Colleges community, or any other person, as long as they are not also a witness or otherwise a participant in the complaint resolution proceedings.

An advisor/support person may not make a presentation or represent the Reporting Party or Responding Party during any meeting or proceeding, except as otherwise provided herein. During any meeting or proceeding, the advisor/support person is present to observe and provide support and counsel to the party.

Although reasonable attempts will be made to schedule proceedings consistent with the advisor/support person's availability, the process will not be delayed to schedule the proceedings at the convenience of the support person. The Title IX Coordinator has the right at all times to determine what constitutes appropriate behavior on the part of an advisor/support person and to take appropriate steps to ensure compliance with the Policy and these procedures.

### **Initial Assessment**

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

- Assess the immediate physical safety and emotional well-being of the Reporting Party or any other individual involved, and make medical referrals as appropriate;
- Inform the Reporting Party of the right to notify (or decline to notify) law enforcement if the conduct is potentially criminal in nature, and the importance of the preservation of evidence;
- Make inquiries to understand the key facts upon which the Reporting Party bases the report (*i.e.*, the who, what, where, and when) to appropriately assess how to proceed;
- Assess the reported conduct to determine whether, under applicable federal law, the campus community should be notified;
- Discuss the range of interim measures (support and protective) available to the Responding Party, including changes to academic, living, transportation, and/or working situations, regardless of whether the Reporting Party files a formal complaint with HMC or local law enforcement;
- Provide the Reporting Party with written information about on- and off-campus resources and about the options for resolution, including informal and formal resolution procedures under the Policy;
- Discuss the Reporting Party's expressed preference for a manner of resolution and wishes with regard to protecting privacy;
- Explain to the Reporting Party the College's policy prohibiting retaliation;
- Notify the Reporting Party of the right to be accompanied to any meeting by an advisor/support person of choice;

- Determine the respective ages of the Reporting Party and Responding Party, and if one is a minor, make the appropriate notifications under California’s child abuse and neglect reporting requirements; and
- If the conduct is potentially criminal in nature, arrange to enter non-identifying information about the report into the College’s daily crime log.

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

At the conclusion of the intake process, the Title IX Coordinator, or the Deputy Title IX Coordinator in consultation with the Title IX Coordinator, will make two threshold determinations: (1) whether the Reporting Party alleges conduct that, if true, could constitute a violation of this Policy, and (2) if so, whether the College should proceed through informal or formal resolution procedures.

If the first threshold is not met, the Reporting Party will be so advised, and the College will not proceed further. The College will, however, maintain a record of the report which may be considered in connection with any future complaint or investigation. If new evidence is provided at a later date, the Title IX Coordinator may reopen the complaint resolution process.

If the Reporting Party wishes to appeal a determination that the first threshold is not met, the Reporting Party may do so by submitting a written request for review to the

(5) business days of receiving notification of the determination. The Dean of Students

the request for review. The decision of the Dean of Students (or designee) is final.

**Notice to the Responding Party**

When a decision is made to initiate complaint resolution procedures, to impose interim measures (as defined in Section VIII of the Policy), or to take any other action that impacts a Responding Party, the Title IX Coordinator will ensure that the Responding Party is promptly notified in writing and is provided with information concerning the Responding Party’s rights and options under the Policy and these procedures, and with written materials about the availability and contact information of on- and off-campus support resources.

The written notice will state facts sufficient to apprise the Responding Party of the nature of the allegations, including the Reporting Party’s name; the nature of the alleged policy violation(s) (e.g., sexual assault, harassment, exploitation, retaliation); 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 Responding Party is found to have violated the Policy.

The notice will also include a statement that the Responding Party is presumed not responsible for the alleged conduct, and that a determination regarding responsibility will be made at the conclusion of the process.

The Reporting Party will also receive a copy of the notice.

### **Informal Resolution**

If, following the initial assessment, the first threshold is met, the Title IX Coordinator will determine whether informal resolution is an option for dealing with the matter. Informal resolution is a remedy-based, non-judicial approach designed to eliminate Prohibited Conduct, prevent its recurrence, and remedy its effects in a manner that meets the needs of the Reporting Party and campus community without disciplinary action against a Responding Party. In determining whether the matter is appropriate for informal 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.

Where the Title IX Coordinator concludes that informal resolution may be appropriate, the College will take immediate corrective action through the imposition of individual and community remedies designed to eliminate a hostile environment and maximize the Reporting Party's access to educational and extracurricular activities at the College. Examples of supportive and protective remedies are provided in Section VIII of the Policy, Interim Measures (Supportive and Protective). Further potential remedies include targeted or broad-based educational programming or training, direct confrontation of the Responding Party, and/or indirect action by the Title IX Coordinator or the College. Depending on the form of informal resolution used, it may be possible to maintain anonymity.

The College will not compel a Reporting Party to engage in mediation, to directly confront the Responding Party, or to participate in any particular form of informal resolution. Mediation, even if voluntary, may not be used in cases involving sexual violence or assault. The decision to pursue informal resolution will be made whenever the College has sufficient information about the nature and scope of the conduct, which may occur at any time. Participation in informal resolution is voluntary, and a Reporting Party can request to end early resolution at any time.

The Title IX Coordinator will maintain records of all reports and conduct referred for early resolution. Early resolution will typically be completed within thirty (30) business days of the initial report.

### **Formal Resolution**

If, following the initial assessment, the first threshold is met, the Reporting Party

resolution include a conduct conference resolution or an investigative resolution (which involves an investigation, a hearing, sanctions if applicable, and appeal).

### **Conduct Conference Resolution**

A conduct conference provides an opportunity for the Responding Party to accept responsibility for their alleged conduct and proceed to a resolution without a formal investigation or hearing. If the Responding Party agrees to a conduct conference, the Title IX Coordinator will meet with the Responding Party to review the allegations. The Title IX Coordinator will provide the Responding Party with information about the Responding Party's rights, information about options under the Policy and these procedures, and written materials about the availability and contact information of campus resources and services. The Title IX Coordinator will offer the Responding Party the opportunity to resolve the complaint through an administrative resolution by accepting responsibility for the alleged conduct. If the Responding Party elects to acknowledge that the alleged conduct occurred and takes responsibility for the alleged conduct, the Responding Party will sign a written acknowledgement, and the matter will be referred to the Dean of Students (or designee) for a decision concerning sanctions and any other remedial action that may be appropriate. The Reporting Party and Responding Party will be notified of the resolution and any sanctions against the Responding Party simultaneously, in writing. Additionally, a written notice that either party may appeal the sanctions imposed.

If the Responding Party contests responsibility for the alleged conduct, the conduct conference process will be concluded, and the matter will be referred for investigative resolution.

### **Investigative Resolution**

As noted above, investigative resolution involves an investigation, a hearing, sanctions

#### **Investigation**

- a. The Title IX Coordinator will either undertake an investigation of the complaint or select an internal or external investigator, or two-person investigative team (which may include two internal investigators, two external investigators, or a combination of one internal and one external investigator), to conduct an investigation. The investigator shall have specific training and experience investigating allegations of sexual harassment and sexual misconduct. The parties will have three (3) business days after being notified of the investigator's identity to object to the investigator's selection on the basis of perceived conflict of interest, bias, or prejudice. If either of the parties objects to the investigator selected, the Title IX Coordinator will evaluate whether the objection is substantiated, and if so, the Title IX Coordinator will remove and replace the investigator.

- b. The investigator typically will meet separately with the parties and pertinent witnesses; offer the parties equal opportunity to submit and/or identify relevant information or evidence and to suggest questions to be posed to the other party or witnesses; and gather other relevant information or evidence reasonably available to the investigator and College, including documents, photographs, disciplinary history, social media, communications between the parties, medical records (with appropriate consent), and other electronic records as appropriate. Following the interview, each person will be provided with a draft summary of their statement so that they have the opportunity to comment on the summary and ensure its accuracy and completeness.

The investigator will review all information identified or provided by the parties and any other evidence obtained, and will determine the relevance and probative value of the information developed or received during the investigation. Witnesses must have observed the acts in question or have information relevant to the incident and may not participate solely to speak about an individual's character.

The Responding Party will be informed in writing if, during the investigation, conduct is disclosed which may constitute a further violation of this Policy, and will be afforded an opportunity to respond before the investigation is concluded. All evidence obtained as part of the investigation will be shared with the parties for their review and comment as described below.

- c. The preliminary investigation report shall include the investigator's summary of the investigation, the allegations at issue, disputed and undisputed facts, and all evidence including witness statements. The investigator will not state an ultimate finding of whether the Responding Party has or has not violated the Policy. The investigator shall submit the preliminary investigation report to the Title IX Coordinator. Once the Title IX Coordinator has agreed that the preliminary investigation is complete, the Title IX Coordinator will make the preliminary investigation report available to the parties simultaneously for review.
- d. Within ten (10) calendar days after receiving the preliminary investigation report, both parties may provide written comments on the report, which may include proposing any follow-up questions for the other party or any witness, requesting a follow-up interview with the investigator to clarify or provide any additional information that such party believes is relevant to the investigation, identifying any new witnesses who should be interviewed, identifying any additional evidentiary materials that should be collected and reviewed to the extent that such items are reasonably available, and/or identifying and objecting to any information that such party believes was inappropriately included in the preliminary investigation report. The parties' comments will be attached to the final report. If the comments suggest that additional interviews or the consideration of additional material evidence is needed, the investigator, in

consultation with the Title IX Coordinator, may determine that the investigation process will be extended.

- e. After addressing any timely comments and updating the preliminary investigation report as necessary, or after the comment period has elapsed without comment, the Investigator will prepare a final investigation report that will contain all information from the preliminary report, supplemented by any additional information gathered. The final investigation report will not include an ultimate finding of whether the Responding Party has or has not violated the Policy; if, however, if the Responding Party admits responsibility for a violation of the Policy, the investigator's final investigation report will so indicate.
- f. The investigator shall submit the final investigation report to the Title IX Coordinator. Once the Title IX Coordinator has agreed that the final investigation report is complete, the Title IX Coordinator will make the final investigation report available simultaneously to the parties. The parties will also be provided with information concerning next steps in writing.
- g. Given the sensitive nature of the information provided in the preliminary and final investigation reports, the Title IX Coordinator may elect to provide the parties access to the preliminary and/or final investigation reports in a secure manner (e.g., by providing hard-copy materials in an office designated by the Title IX Coordinator, by providing digital copies of the materials through a protected "read-only" web portal). Neither the Reporting Party nor the Responding Party (nor the advisor/support person of either, including but not limited to family members and/or legal counsel) may copy, remove, photograph, print, image, videotape, record, or in any other manner duplicate or remove the information provided.
- h. HMC will strive to complete the investigation (meaning the period from commencement of an investigation through completion of the final investigation report) within thirty (30) calendar days. This time frame may be extended as necessary to ensure the integrity and completeness of the investigation, depending on the availability of witnesses and/or the complexity of the circumstances.
- i. At the request of law enforcement, the College may agree to defer its complaint resolution process until after the initial stages of a criminal investigation. The College will, nevertheless, communicate with the parties, consistent with law enforcement's request and the College's obligations, about resources and support, procedural options, anticipated timing, and the implementation of any necessary interim measures for the safety and well-being of all affected individuals. The College will promptly resume its complaint resolution process as soon as the College is informed that law enforcement has completed its initial investigation.

## Hearing

- a. If a hearing is requested or required, the parties will have ten (10) calendar days after receiving the final investigation report to review the final investigation report and provide a response to the Title IX Coordinator. The Title IX Coordinator will ensure that each of the parties receives any response submitted by the other party.
- b. The hearing is an opportunity for the parties to address a hearing panel or hearing officer in person and to question the other party and/or witnesses, and for the hearing panel or hearing officer to obtain information following the investigation which is necessary for a determination of whether a violation of the Policy occurred. The hearing is not intended to be a repeat of the investigation. The hearing panel or hearing officer will be well-versed in the facts of the case based upon the final investigation report and the Parties' responses to the report, if any.
- c. The Dean of Students, in consultation with the Title IX coordinator, shall appoint a three-person hearing panel and shall appoint one of the hearing panel's members to serve as the panel chair. The panel shall be drawn from a pool of faculty and campus administrators who participate in annual training that protects the safety of victims and promotes accountability, non-discrimination, the dynamics of sexual harassment, sexual violence and other forms of Prohibited Conduct, the factors relevant to a determination of credibility, the appropriate manner in which to receive and evaluate sensitive information, the manner of deliberation, evaluation of consent and incapacitation, the application of the preponderance of the evidence standard, the College's policies and procedures, and such other subject matter as may be required by law. The Title IX Coordinator will coordinate the training in conjunction with campus and external partners.
- d. The Dean of Students, in consultation with the Title IX Coordinator and appropriate administrators, may elect to engage a qualified external hearing officer either to assist the hearing panel in the conduct of the hearing or to serve as the hearing officer in lieu of a panel. In determining whether to select a hearing officer, the Dean of Students will consider the nature of the allegations, the complexity of the case, whether there is any issue of conflict of interest, the availability of trained panel members, whether the College is in session or on break, and any other relevant factors.
- e. The Title IX Coordinator will schedule a hearing date, time, and location and provide the Parties with at least ten (10) calendar days' prior written notice of the hearing. The parties will also be provided with the names of the panel members and/or of any hearing officer. The parties will have three (3) business days after being notified of the identity of the panel and/or hearing officer to object to such person(s) on the basis of actual or perceived conflict of interest, bias, or

prejudice. The Title IX Coordinator will evaluate whether the objection is substantiated, and if so, the Dean of Students, in consultation with the Title IX Coordinator, will remove and replace the panel member(s) and/or hearing officer.

- f. In advance of the hearing, the Title IX Coordinator will contact the Reporting Party and Responding Party to schedule a separate pre-hearing meeting with each party. At the pre-hearing meeting, each party will receive an explanation of the hearing process and have the opportunity to ask any questions. If the Reporting Party and/or Responding Party have elected to have advisors/support persons throughout the hearing process, the advisor/support person is encouraged to accompany the Reporting Party/Responding Party to the pre-hearing meeting.
- g. The hearing panel/officer has broad discretion to determine the hearing format. However, in all instances where a Responding Party faces severe disciplinary sanctions (*i.e.*, expulsion or suspension) and the credibility of a witness (whether the Reporting Party, another witness, or both) is central to the adjudication of the allegation, the hearing panel/officer shall permit cross-examination of the parties and witnesses. Neither party shall be allowed to directly question or cross-examine the other during the hearing.
- h. At least five (5) calendar days prior to the hearing, both parties shall submit in writing to the hearing panel/officer any questions that a party would like the hearing panel/officer to ask of the other party or of witnesses. The hearing panel/officer will decide whether the submitted questions are relevant to the matter and otherwise appropriate. This does not preclude either party from submitting questions during the hearing for the hearing panel/officer to ask of a party or witness.

The hearing panel/officer shall have the discretion to permit the parties' advisor/support person to cross-examine the other party and witnesses. Any request to permit a party's advisor/support person to cross-examine parties and/or witnesses should be submitted to the hearing panel/officer at least five (5) calendar days prior to the hearing.

In addition, five (5) calendar days prior to the hearing, the parties shall provide, for consideration by the hearing panel/officer, the names of any witnesses the parties suggest be called. Witnesses must have observed the conduct in question or have information relevant to the incident and may not be called solely to speak about an individual's character. In general, neither party will be permitted to call as a witness anyone who was not interviewed by the investigator as part of the investigation. The hearing panel/officer shall decide the appropriateness of the potential identified witnesses and shall notify the parties prior to the hearing of the reasoning why any proffered witness would not be appropriate to call as a witness.

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

- i. A typical hearing may include brief opening remarks by the hearing panel chair or hearing officer; questions posed by the hearing panel/officer to one or both of the parties; follow-up questions by one party to the other (typically with the Responding Party questioning the Reporting Party first); questions by the hearing panel/officer to any witness including the investigator; and follow-up questions by either party (typically with the Responding Party questioning the witness first). The hearing panel/officer also will afford either Party an opportunity to offer closing remarks at the end of the hearing. Offering closing remarks is completely voluntary.
- j. The hearing is closed to all persons except the parties, the parties' respective advisors/support persons, appropriate witnesses while they are testifying, the Title IX Coordinator, and any person designated by HMC to serve as a hearing coordinator and/or note taker. Other than cross-examining the witnesses and the other party with the consent of the hearing panel/officer, advisors/support persons may not participate directly in, or interfere with, the proceedings. A record of the hearing, ordinarily in the form of a tape recording, will be made. Any such recording is College property. No other recording of the hearing is permitted.
- k. As reasonable and appropriate, and based on the requests of the parties, the Title IX Coordinator will structure the hearing format to minimize or avoid any undue stress or burden on each party and to allow each party to hear the other's statement (such as participation by Skype, teleconference, or other means).
- l. At any time prior to the close of the hearing, the parties may submit an impact or mitigation statement, no longer than 1,500 words, which will be considered by the hearing panel/officer and the Dean of Students (or designee) only upon a finding of responsibility for the alleged Policy violation. An impact statement is a written statement from the Reporting Party in which the Reporting Party describes the impact of the alleged Policy violation on the Reporting Party, expresses the Reporting Party's preferences regarding appropriate sanctions, and identifies any aggravating circumstances that the Reporting Party wishes the hearing panel/officer to consider. A mitigation statement is a written statement from the Responding Party in which the Responding Party explains any factors that the Responding Party believes should mitigate, or otherwise be

considered in determining, the sanctions imposed. Impact and mitigation statements should be sent to the Title IX Coordinator, who will forward the submissions to the hearing panel/officer and ensure that each of the parties receives any statement submitted by the other party.

- m. Following the close of the hearing, the hearing panel/officer will adjourn to executive session to consider all of the evidence and make a determination, by a preponderance of the evidence (and in the case of a hearing panel, by a majority vote), whether the Responding Party has violated the Policy. This means that the hearing panel/officer will decide whether it is “more likely than not,” based upon all of the evidence, that the Responding Party is responsible for the alleged Policy violation. If the Responding Party is found responsible for a violation of the Policy, the hearing panel/officer will also make a recommendation to the Dean of Students concerning the imposition of sanctions.
- n. The hearing panel/officer will issue a written notice of hearing outcome which will contain the hearing panel/officer’s factual findings, determination of whether a Policy violation occurred, rationale in support of the hearing outcome, and recommendations concerning sanctions if there is a finding of responsibility. The hearing panel/officer will strive to deliver the written notice of hearing outcome to the Dean of Students and the Title IX Coordinator within seven (7) calendar days of the hearing. Once the Dean of Students has acted on any sanction recommendation, the parties shall be provided simultaneous written notice of the hearing panel/officer’s decision, the sanctions imposed by the Dean (if there is a Policy violation finding), and the appeal process.

### **Sanctions**

If the Responding Party is found responsible for a Policy violation, the hearing panel/officer shall make a recommendation to the Dean of Students (or designee) concerning the imposition of sanctions, who may accept, reject or modify the recommended sanctions. The recommendation/imposition of sanctions should be guided by the following considerations: the interests of the community, the impact of the violation on the Reporting Party, documented student conduct history, and any mitigating or aggravating circumstances.

In connection with the recommendation/imposition of sanctions, the hearing panel/officer and/or Dean of Students (or designee) may also consider restorative justice outcomes that, taking into account the safety of the community as a whole, allow a Responding Party to learn about the origins of their behavior, their responsibility for the behavior, and how they can change the behavior.

- **Warning:** For minor infractions, the Responding Party may be issued a sanctions in the event of any further violation of behavioral standards.

- **Conduct Probation:** The Responding Party may be placed on conduct probation for a designated period of time and required to meet certain requirements during the probation. When a student is on conduct probation, they are subject to suspension or expulsion in the event of further violations of conduct standards. The student's academic advisor shall be advised of the student's probationary status.
- **Loss of Privileges:** The Responding Party may be denied specific privilege(s) for a defined period of time. Privileges include, but are not limited to, participating in extra-curricular activities and events (e.g., social events, intercollegiate athletics, intramural programs, student organizations, student government); living on campus; living in a specific residence hall; participating in commencement ceremonies; and having a vehicle on campus.
- **Restricted Access:** The Responding Party's access to campus and/or participation in College-sponsored activities may be limited. Restrictions shall be clearly defined and may include, but are not limited to, exclusion from certain buildings or locations on campus and no-contact orders. In cases involving parties from different Claremont Colleges, restricted access may extend to other campuses.
- **Relocation or Removal from Residence Halls:** The Responding Party may be assigned to a different room in the same residence hall or to a room in another residence hall, or the student may no longer be permitted to reside in HMC housing.
- **Community Service:** The Responding Party may, as a sanction, be required to perform a specified number of hours of uncompensated service to the College, or to an off-campus non-profit organization, within a specified period of time. The assignment of duties must be preapproved by the Title IX Coordinator in consultation with appropriate College administrators. Students must provide appropriate documentation verifying their completed community service. Failure to complete the service satisfactorily within the specified period of time may result in further action through the student conduct process.
- **Educational Program/Project:** The Responding Party may be required to complete a project, assignment, or activity to promote the Responding Party's education and development. Such assignments are at the discretion of the hearing panel/officer. Assignments may include, but are not limited to, preparing a reflection or research paper; developing a presentation; engaging in a discussion with someone; writing an apology letter; reading specified materials; and completing an online training program dealing with sexual misconduct.
- **Referral for Counseling:** The Responding Party may be required to meet (e.g., with a drug and alcohol counselor) within a specified time frame. In such a case, the Responding Party may be required to attend the counseling session requested by the provider and to comply with any consequent

recommendation(s), such as a treatment plan or a referral to another provider.

- **Removal of Offending Cause:** The Responding Party may be required to remove the item that was the subject of the complaint.
- **Restitution:** In cases where the Responding Party is found responsible for damaging or misappropriating property, they may be required to reimburse the property owner for all or some of the cost.
- **Suspension:** The Responding Party may be separated from the College for a defined period of time. During a period of suspension, the Responding Party is neither permitted on campus nor permitted to participate in any College-sponsored or College-affiliated programs or activities. The terms of the suspension may include special conditions affecting the Responding Party's eligibility for readmission, or to take effect upon readmission, including a term of conduct probation. During the suspension, the Responding Party's transcript will bear the notation "ineligible to re-register" and the date range of the suspension. This notation will be removed upon the completion of the suspension.
- **Expulsion:** The Responding Party may be separated from the College permanently. A student who has been expelled is neither permitted on campus nor permitted to participate in any College-sponsored or College-affiliated programs or activities. The Responding Party's transcript will have the notation "ineligible to re-register."
- **Withholding of Degree:** Because a degree signifies not only successful completion of academic requirements, but also compliance with the College's standards and good standing in the HMC community, the College may, as a sanction for violation of this Policy, withhold a degree entirely or impose further conditions on the conferral of a degree (e.g., require

degree).

In the event of an appeal, sanctions will normally be held in abeyance pending the outcome of the appeal. If, however, the College determines that there may exist a threat to the safety or welfare of the HMC community, sanctions will take effect immediately.

## Appeals

### Grounds for Appeal

Either party may appeal the hearing outcome and the sanctions on the grounds set forth below ("grounds for appeal"). If, however, the Responding Party accepted determination.

1. **Significant Procedural Error:** A procedural error occurred which significantly affected the relevant decision/determination with respect to the appealing party (e.g., substantiated bias, material deviation from established procedures). A description of the error and its impact must be included in the written appeal.

2. **New Information:** New information has arisen which was not known or available to the appealing party prior to the investigation determination; or information was improperly excluded from the investigation despite a request from the party to include it, which could have substantially affected the determination. Information that was known and available to the party but which the party chose not to present is not new information. A summary of the new or excluded evidence and its potential impact on the decision or determination must be included in the written appeal.
3. **Disproportionate Sanctions:** Either party may appeal the sanction because they feel that the sanction imposed for the Policy violation was disproportionate to the conduct found to have occurred. The written appeal must convey more than simple dissatisfaction with the sanction.

### **Appeal Procedures**

1. Appeals must be submitted to the Dean of the Faculty (or designee) within five (5) business days of the date on which the person wishing to file an appeal is notified of the hearing panel/officer's decision. The Dean of the Faculty has five (5) business days from the filing of the appeal to determine whether the appeal is based on one or more of the grounds for appeal. If the appeal is not based on one or more of the grounds for appeal, the appeal will be denied. If the appeal is not denied, the Title IX Coordinator will share the appeal with the other party, who shall have three (3) business days from the date on which the party is notified of the appeal to submit a response.
2. After the other party submits a response to the appeal or the time for the other party to submit a response lapses without a response, the Title IX Coordinator shall promptly send the appeal, any response, and the underlying appeal record to the President (or designee), who shall consider the appeal and take such action as s/he deems appropriate. The appeal record will consist of the investigator's final report and any supporting documents that accompany the report; any responses to the report submitted by the parties; the hearing panel/officer's decision; impact and mitigation statements and any other documents that the Title IX Coordinator deems relevant to the appeal.
3. Appeals will be decided by the President (or the President's designee) in a timely manner. There may, however, be circumstances that necessitate additional time for the President to reach a decision. While an appeal is under review, the Title IX Coordinator will update the parties about the timeline as necessary.
4. The Title IX Coordinator shall communicate the decision of the President (or the President's designee) to the parties simultaneously. The decision of the President is final.

## **Miscellaneous and Special Provisions**

### **Time Frame for Resolution**

Typically, the student complaint resolution process (*i.e.*, assessment, investigation, following the College's receipt of a report (*i.e.*, complaint). This time frame may be extended for good cause, which may exist if there is an unavoidable delay due to academic breaks or other legitimate reasons, or if additional time is necessary to ensure the integrity and completeness of the investigation; to account for case complexities, including the number of witnesses and volume of information provided by the parties; or to accommodate the availability of witnesses and other persons integral to the complaint resolution process. In general, the parties can expect to receive periodic updates as to the status of the complaint resolution process.

### **Consolidated Investigations/Hearings**

Where the Title IX Coordinator determines that an allegation of Prohibited Conduct includes more than one Responding Party, the Title IX Coordinator may decide to investigate the allegation as a single matter and to institute a single resolution process. Similarly, where the Title IX Coordinator determines that multiple Reporting Parties have made allegations against one Responding Party, the Title IX Coordinator may decide to investigate the reported events as a single matter and institute a single resolution process. If investigations/hearings involving multiple Reporting Parties and/or multiple Responding Parties are consolidated, each party will have access to all of the information being considered (subject to FERPA and other applicable privacy laws), including the information provided by all involved Reporting Parties, all involved Responding Parties, and all involved witnesses.

### **Responding Party's Conduct History**

Generally, any prior HMC policy violation(s) by the Responding Party are not admissible as information about the present allegation. The Title IX Coordinator may, however, supply information about previous behavior and/or complaints to the investigator or hearing officer/panel if:

1. The Responding Party was previously found to be responsible for a similar violation; and
2. The information indicates a pattern of behavior by the Responding Party and substantial conformity with the present allegation.

A Responding Party's prior conduct will be taken into consideration by the Dean of Students (or designee) when determining what sanction to impose.

### **Past Sexual History**

The sexual history of a party, if offered by the other party, will not be admissible in an investigation or hearing. The parties' past sexual interactions with one another also generally will not be admissible in an investigation or hearing unless the Title IX Coordinator determines that such information is highly relevant. If a party believes the

past sexual interactions of the parties to be relevant to the investigation and/or hearing, they must submit a written request to the Title IX Coordinator explaining the nature of the information and why the information is relevant to the investigation and/or hearing. The Title IX Coordinator will review the request and render a decision within 2 business days.

### **Student Withdrawal and Notations in Academic Records**

If a Responding Party withdraws from the College while the complaint resolution process is pending, the presumption is that the College will complete the process despite the student's withdrawal. If the College elects to defer the process while the student is no longer enrolled, the student will be ineligible to re-register at the College until the process is completed. In such a case, the College will record the notation "ineligible to re-register" on the student's official transcript. The notation "ineligible to re-register" will also appear on the official transcript of a student who is suspended or expelled. When a student has withdrawn during a pending investigation, or has been suspended or expelled due to sexual misconduct, a notation of "ineligible to re-register" will be entered on their transcript.

### **Records**

The Title IX Coordinator will retain records of all reports and complaints against students, whether resolved by means of informal or formal resolution. For reports and complaints against faculty and staff, records will be maintained in the Human Resources Office. For reports or complaints against faculty, records will be maintained in the Dean of Faculty Office.

Affirmative findings of responsibility in matters resolved through formal resolution remain part of a student's conduct record and an employee's personnel record. Such records shall be used in reviewing and developing sanctions for any further conduct. When a student is permanently separated from HMC through a disciplinary dismissal, this is noted on the student's academic transcript. The conduct files of students who have been suspended or dismissed for disciplinary reasons are maintained by the Division of Student Affairs indefinitely. Conduct files of students who have not been disciplinarily suspended or dismissed are maintained by the Division of Student Affairs for no fewer than seven years from the date of the incident or the period of time mandated by applicable law and HMC's Record Retention Policy, whichever is longer. Further questions about record retention should be directed to the Division of Student Affairs.

### **Modification of Procedures and Processes**

The College retains the authority to adapt or modify the complaint resolution process, for good cause and absent substantial conflict with the Policy and these procedures, as part of the responsibility to ensure an equitable and prompt process for all parties. Certain modifications may, for example, be necessary to allow for the fair and prompt resolution of a complaint that is received at the end of a term or during an academic

## **Sexual Assault Prevention Education Programs and Awareness Campaigns**

Harvey Mudd College is committed to increasing awareness and the prevention of sexual violence. All incoming students and new employees are provided with programming and strategies intended to prevent rape, acquaintance rape, sexual assault, domestic violence, dating violence and stalking before it occurs through the changing of social norms and other approaches; that includes a clear statement that HMC 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:

- HAVEN—online sexual violence prevention education program, which all new students are required to complete before registration
- Discussion of the HMC Discrimination, Harassment and Sexual Misconduct Policy during new student orientation
- The Date, an interactive performance designed to raise awareness of sexual assault; held during new student orientation and followed by small group discussions
- Teal Dot (sexual/interpersonal violence prevention) Bystander Engagement Program, offered to all students, staff and faculty
- Review of Harassment and Discrimination Policies as part of new staff and faculty orientation
- Harassment courses (offered online and in person) required of all supervisors on a biannual basis

Harvey Mudd College takes education and prevention on sexual misconduct, intimate partner violence, and stalking seriously and has programs designed to educate the College community about these important issues. With respect to the specific area of sexual misconduct, all students participate annually in a web-based program about sexual assault that addresses issues of consent, alcohol, and sexual violence as well as bystander intervention.

In addition to this effort, Harvey Mudd is aware of research indicating that incoming students are particularly vulnerable to sexual misconduct during their first six weeks on campus. As such, all incoming students are required to participate in an interactive orientation program that relies on prevention theories and engagement strategies to help students understand the many aspects of sexual assault, alcohol issues, and violence prevention. Topics covered include common myths about sexual assault and rape culture, the definition of consent, the link between sexual assault and alcohol, warning signs of domestic violence, how to help a friend who has been affected by sexual assault or relationship violence, bystander intervention, what to do if you feel you're being stalked and other issues related to sexual and dating violence.

The College also provides in-person educational sessions and bystander intervention training to key student leaders (including, but not limited to, Proctors (resident advisors), Mentors, and student activities leaders) each year as well as providing all students the opportunity to participate in open sessions throughout the school year. Additional education and prevention programs are offered periodically during the year, including speakers and talks sponsored by the EmPOWER Center, HMC Survivor Advocates, HMC Health and Wellness, HMC Office of Institutional Diversity, as well as student groups. These organizations provide a variety of in-person educational sessions customized to specific groups and more general sessions for our general campus community.

For 2018, HMC focused on presenting a major cultural change in regard to sexual assault and intimate partner violence. This campaign is specifically responsive to our community needs based on the results of the 2018 Higher Education Data Sharing Consortium survey findings. In addition to the current prevention programs that are currently in place, the campaign increased staff and faculty trainings; focused on additional in-person and online trainings for student athletes; planned trainings geared towards transfer students specifically; coordinated monthly outreach and programming focusing on cultural change, sexual assault, healthy masculinity and intimate partner violence.

Harvey Mudd's Title IX Coordinator is responsible for ongoing development and administration of the College's various training programs related to Title IX. These trainings include but are not limited to: annual training for Responsible Employees to remind them of their role and responsibilities as a Responsible Employee, reviewing the College's policies and procedures for responding to reports of sexual violence, and reviewing the care and support resources as well as reporting options available to students. The Title IX Coordinator, Deputy Title IX Coordinators, and other Community Representatives also participate in ongoing training programs as appropriate to the individuals' respective role.

Harvey Mudd participates in public awareness events such as the EmPOWER Center's "Take Back the Night," and the HMC advocates' Consent Week. Further, on a bi-annual basis, employees with supervisory skills in their position participate in online Harassment training through Everfi designed to meet a 2-hour requirement as part of the Fair Employment and Housing Act (AB1825).

### **The EmPOWER Center**

The EmPOWER Center formally opened in late Fall of 2015 and is the Sexual Assault Prevention and Support Center of The Claremont Colleges. Directed by Rima Shah, The EmPOWER Center's mission is to create a culture where all members of The Claremont Colleges respect and look out for each other, and where students impacted by sexual violence, dating/domestic violence, and stalking receive holistic support and care. The center works closely with students and collaboratively with each of the seven institutions

confidential support to students impacted by sexual violence, dating/domestic violence, or stalking. In addition to these services, free and confidential counseling Services.

### **Bystander Intervention**

At Harvey Mudd College, administrators teach non-confrontational methods of intervening when a situation appears to be instinctually questionable.

When an incident of sexual or relationship violence is about to take place, bystanders can intervene simply and safely, often flipping the switch to change the outcome. Some positive ways to intervene include:

- Provide a distraction that interrupts an interaction
- Directly engage one or more of the involved parties
- Get police or other authorities involved
- Tell someone else and get help
- Ask someone in a potentially dangerous situation if he/she is okay and/or wants to leave
- Make sure he/she gets home safely
- Remind a potential perpetrator that incapacitated people can't give consent
- Help remove someone from the situation
- Provide options and a listening ear

Don't just hope that someone else will step in. You have the ability to stop a terrible, life-altering situation. Be part of the solution!

### **Providing A Distraction**

Sometimes all it takes is a distraction to interrupt a potentially dangerous interaction.

- Call a friend's cell repeatedly
- Spill something on purpose
- Tug on your friends' arm insistently
- Ask where the bathroom is
- Interrupt the conversation
- Turn off the music
- Say, "I think that guy wants to talk to you" to separate those involved
- Tell the potential perpetrator, "Your car is being towed!"
- Matter-of-factly pull you friend away, saying "we need to leave" —and then go

### **Being A Proactive Bystander**

There are multiple actions you can take to help prevent sexual and relationship violence proactively too, such as:

- Believe that sexual and relationship violence is unacceptable and say it out loud
- Treat people with respect

- Speak up when you hear victim-blaming statements
- Talk with friends about confronting sexual and relationship violence
- Encourage friends to trust their instincts in order to stay safe
- Be a knowledgeable resource for survivors
- Don't laugh at sexist jokes or comments
- Look out for friends at parties and bars
- Educate yourself and your friends
- Use campus resources
- Attend awareness events
- Empower survivors to tell their stories

### **Teal Dot**

The Teal Dot program originated from another, nationally known violence prevention training program, Green Dot, a program that originated at the University of Kentucky. The Green Dot training program focuses on preventing the “red dots” that are happening across the world and turning them into “green dots.” These “red dots” are circumstances when someone is using some form of power to inflict harm, violence or fear onto someone else. Examples of these situations include, but are not limited, to domestic violence, stalking, sexual assault/harassment, and so forth. The goal of Green Dot is to give bystanders who participate in this training the tools and confidence to help prevent these “red dots.” The color of the program was also changed from green to teal, a color that is associated with sexual assault awareness, one of the many areas of power violence that will be covered by the training.

The training program teaches student participants the tools they need to become effective bystanders. Students gain the skills necessary to recognize potentially dangerous situations and safely intervene to prevent violence on campus. The program will be an informative and interactive session. The program hopes to expand over the coming years to allow all students who want to take a stand against campus violence to become trained in this intervention program and gain the tools necessary to be an effective bystander who can intervene in these situations.

### **Risk Reduction**

To protect oneself and ones' friends from incidents of sexual assault, intimate partner violence, and stalking, there are preventative measures one can take to reduce the risk.

- Trust your instincts
- Don't worry about offending someone—just get out of there
- Make your limits known as early as possible
- Say “NO” clearly and firmly
- Notice when your boundaries aren't being respected
- Assert your right to have those boundaries respected
- Be “situation ally aware” by taking note of your surroundings and who is present
- Don't be afraid to ask for help in situations where you don't feel safe

- Take responsibility for your alcohol/other drug intake, and acknowledge that these substances lower your inhibitions, making you vulnerable to someone who views a drunk/high person as a sexual opportunity
- Walk with others
- Lock doors and windows in your car and living space
- Look out for your friends and ask that they look out for you, too
- Respect a friend who challenges you if you're about to make a poor decision

And NEVER blame yourself if an act of sexual or relationship violence occurs! The *only* person responsible in that situation is the perpetrator.

### **Reducing the Risk of Being an Aggressor**

To make sure you don't perpetrate a crime of sexual or relationship violence:

- Listen to your partner—note verbal and non-verbal cues
- Clearly communicate your intentions
- Only proceed with sexual activity if there is *clear* consent
- Respect your partner and his/her personal boundaries
- Watch your alcohol/other drug intake so decision-making isn't compromised
- Don't make assumptions about consent, sexual availability, attraction or limits—communicate!
- Don't take advantage of someone who is drunk or drugged—they *can't* give consent
- Don't abuse any power advantage (gender, size, etc.) to intimidate or scare your partner

### **Clery Act Definitions**

For purposes of the Clery Act, “dating violence,” “domestic violence,” and “stalking” are defined in the Department’s regulations. Dating violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition

**Dating Violence** is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purpose of this definition:

- dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse
- dating violence does not include acts covered under the definition of domestic violence

**Domestic Violence** is defined as a felony or misdemeanor crime of violence committed

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

**Stalking** is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to

- fear for the person's safety or the safety of others; or
- suffer substantial emotional distress.

**Sexual Assault** is defined as an offense that meets the definition of Rape, Fondling, Incest or Statutory Rape as used in the FBI's UCR program.

## **Medical Assistance and Confidentiality**

### **Medical Assistance (including Evidence Collection and Confidentiality)**

Individuals are encouraged to seek medical attention immediately following an incident of sexual misconduct to assess and treat any injuries, screen for pregnancy and sexually transmitted infections, and to properly collect and preserve evidence, if the patient consents to do so. Individuals may also decline to notify such authorities. Preserving evidence may be helpful in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order.

Where possible, an individual who has experienced sexual assault and is in need of medical assistance should first contact the police or local law enforcement where the incident occurred in order to get instructions as to where to go for care and evidence collection. If the incident occurs in Claremont, the Claremont Police Department is the local law enforcement and Pomona Valley Hospital is the designated Sexual Assault Response Team (SART) for this geographic area. Filing a police report is not required in order to complete the SART exam ("rape kit"). Harvey Mudd College will assist individuals in notifying law enforcement if they wish.

- **Dial 9-1-1** if you are in need of immediate medical or law enforcement assistance.
- Pomona Valley Hospital is the designated **Sexual Assault Response Team (SART)** medical provider for the City of Claremont and The Claremont Colleges.

Claremont Police Department

Emergencies: Dial 9-1-1

570 W. Bonita Ave.

Claremont, CA 91711

Lobby Hours: 7 a.m. – 10 p.m., 7 days a week

909.399.5411

Pomona Valley Hospital Medical Center

1798 N. Garey Ave.

Pomona, CA 91767

909.865.9500 Phone

909.865.9600 Emergency Room

*Confidentiality:* Although information provided to medical providers is generally protected by confidentiality, medical providers in California are required to notify law enforcement if a patient tells medical personnel that they have experienced sexual violence.

If an individual experiences sexual assault outside of Claremont, the individual should call the police in the city where the incident occurred for instructions on where to go for care and evidence collection. This is because the SART program is geographically organized based on the location of the incident.

If an individual has immediate emergency needs, or is unable to contact the local police, the individual should go to nearest the emergency room and ask that the SART protocol be initiated. You do not need to speak to anyone about the assault until the police and a support person have arrived. The emergency room will treat your immediate medical needs while the SART is being dispatched.

The disclosure of private information contained in medical records is protected by the Health Insurance Portability and Accountability Act (HIPAA). In the context of sexual violence, however, medical providers in California, including on-campus medical providers, are required to notify law enforcement if a patient tells medical personnel that they have experienced sexual violence. The patient has the right to request that a survivor advocate be present with them when they speak with the police and to request that criminal charges not be pursued. Neither on- nor off-campus medical providers will notify the College of such a report.

**Student Health Services at The Claremont Colleges**

Student Health Services can provide after-incident and follow-up medical care; however, it is not an authorized SART location, and it is not equipped to collect forensic evidence. As with off-campus medical personnel, Student Health Services staff members are required by state law to notify law enforcement if a patient tells them that they have experienced a sexual assault.

**Student Health Services**

Tranquada Student Services Center  
757 College Way  
Claremont, CA 91711  
909.621.8222  
909.607.2000 (after-hours emergency)

## **Mental Health and Counseling**

### **Licensed Counselors & Chaplains at The Claremont Colleges**

The following on-campus counseling and clergy resources provide strict confidentiality protections and are available to provide care and support. With the exception of the EAP resources, these counselors and chaplains can also provide information about pursuing a formal complaint with the College or law enforcement.

#### **Monsour Counseling and Psychological Services**

(for students without charge)  
Tranquada Student Services Center  
1<sup>st</sup> floor  
757 College Way  
Claremont, CA 91711  
909.621.8202  
909.607.2000 (after-hours emergency)

#### **McAlister Center Chaplains**

(for students without charge)  
McAlister Center for Religious Activities  
919 N. Columbia Ave.  
Claremont, CA 91711  
909.621.8685

#### **EmPOWER Center**

(for students without charge)  
1030 N. Dartmouth Ave.  
Claremont, CA 91711  
909.623.1619

## **Reporting Party Advocacy**

## **Care and Support**

#### **Employee Assistance Program (EAP)**

Confidential advice and counseling are available to faculty and staff at no cost through the EAP. Employees and their legal spouses, domestic partners, and eligible dependents receive up to five (5) counseling sessions with a licensed/certified therapist by phone or in-person, per family member, per issue, each calendar year. Access to the EAP is available 24/7, year-round.  
800.234.5465  
[www.liveandworkwell.com](http://www.liveandworkwell.com)  
Access Code: claremontcolleges

HMC will provide written notification to victims about available options and assistance, including who to contact at the institution for the following:

- Academic situations
- Living situations
- Transportation situations
- Working situations
- Existing counseling
- Health
- Mental health
- Victim advocacy
- Legal assistance
- Visa and immigration
- Student financial aid
- Community resources

There are many care and support resources available to individuals in the local community that provide strict confidentiality. All individuals are encouraged to use the resources that are best suited to their needs, whether on- or off-campus.

### **Sexual Assault and Sexual Misconduct**

*Project Sister Sexual Assault 24/7 Crisis Hotline*

Claremont, CA

800.656.4673

909.626.HELP(4357)

<http://projectsister.org>

*RAINN National Sexual Assault Crisis Hotline*

800.656.HOPE (4673)

<http://www.rainn.org/get-help/national-sexual-assault-hotline>

### **Intimate Partner Violence**

*House of Ruth*

877.988.5559 (toll-free hotline)

909.623.4364 (Pomona Outreach Office)

<http://houseofruthinc.org/home>

*National Domestic Violence Hotline*

800.799.SAFE (7233)

800.787.3224 (TTY)

<http://www.thehotline.org>

*Love is Respect -National Dating Abuse Hotline*

866.331.9474

<http://www.loveisrespect.org/>

## **Child Abuse**

*Los Angeles County Child Protective Services Hotline*

800.540.4000 (within California)

213.639.4500 (outside of California)

800.272.6699b (TDD)

*Childhelp National Child Abuse Hotline*

800.4.A.Child (800.422.4453)

<http://www.childhelp.org/pages/hotline-home>

## **Legal Assistance**

Depending on what type of legal aid is desired, the Title IX Coordinator can assist in finding low cost legal assistance near Claremont.

<https://www.justia.com/lawyers/california/claremont/legal-aid-and-pro-bono-services>

## **Visa/Immigration Assistance**

Evelyn Real, Program Manager for International Students and Scholars

Harvey Mudd College | Division of Student Affairs

909.607.7916 office | 909.621.8494 | [ereal@hmc.edu](mailto:ereal@hmc.edu)

## **Student Financial Aid**

Office of Admission and Financial Aid

Harvey Mudd College

301 Platt Blvd.

Claremont, CA 91711

909.621.8011

[admission@hmc.edu](mailto:admission@hmc.edu)

## **Other Services Available for Reporting Parties**

### **Accommodations**

In response to all reports of an alleged violation of the College's Discrimination and Harassment Policy, the College may offer such accommodations as are necessary to support and protect the health and safety of the parties and the safety of the College community (or any of its individual members) pending the outcome of the Title IX Investigation Process. Harvey Mudd College also maintains as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide accommodations or protective measures.

Accommodations generally refer to support or assistance that can be provided to either party without impacting the rights of the other party and which may be

implemented independent of the Title IX Investigation Process. Examples of such accommodations include:

- Housing assistance for the Reporting Party, such as: changes to on-campus housing, on-campus relocation, assistance with dissolving a housing contract in accordance with housing policies;
- Academic assistance such as: providing alternative course completion options, dropping a course without penalty, or transferring to a different class section;
- Rescheduling of exams and assignments (in conjunction with appropriate faculty);
- Assistance in accessing academic counseling or support services (e.g., tutoring);
- Appropriate changes in work or class schedules;
- Providing an escort to ensure safe movement on campus;
- Facilitating a voluntary leave of absence; and,
- Other reasonable accommodations as the Title IX Coordinator determines are appropriate.

The Title IX Coordinator will coordinate the implementation of any appropriate accommodations as follows:

- *Academic Accommodations* will be coordinated with the Deans of Academic Affairs.
- *Housing/Student Activities-related Accommodations* will be coordinated with the Associate Dean of Students and Director of Residential Life.
- *Financial Accommodations* will be coordinated with campus assistance.

**Interim Title IX Coordinator**

Leslie Hughes  
301 Platt Boulevard  
Claremont, CA 91711  
909.621.8301  
E-mail: TitleIX@HMC.edu

**Protecting Confidentiality of the Reporting Party**

**Privacy and Confidentiality**

The College is committed to protecting the privacy of all individuals who are involved in a report of Prohibited Conduct. All College employees who are involved in the College's Title IX response, including the Title IX Coordinator, investigators, and hearing panel members, receive specific instruction about respecting and safeguarding private information. Throughout the process, every effort will be made to protect the privacy interests of all individuals involved in a manner consistent with the need for a

HMC recognizes the sensitive nature of sexual violence and is committed to protecting the privacy of any individual who reports an incident of sexual violence. Different officials on campus are, however, able to offer varying levels of privacy protection to victims. California's "Marsy's Law" (California Constitution Article I, Section 28 (b)) provides some protections of victim's confidential information or records.

### **A. Privacy**

Privacy generally means that information related to a report of misconduct will only be shared with a limited circle of individuals. The use of this information is limited to those College employees who "need to know" to assist in the active review, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of all individuals involved in the process.

### **B. Confidentiality**

Reports concerning conduct prohibited under this Policy will be addressed confidentially to the extent possible. Such reports will be disclosed only to individuals who, in the interests of fairness and resolution, have a need to know, and as otherwise required by law. Persons involved in the administration of this Policy are required to maintain confidentiality.

In certain circumstances identified in California Education Code section 67383, the College is required to forward information concerning reports of violent crimes, including reports of sexual assaults, to a local law enforcement agency. Such information is forwarded without identifying the Reporting Party and Responding Party, unless explicit consent is provided by the Reporting Party allowing for the sharing of personally identifying information. If the Reporting Party is under the age of 18, the College is required to comply with child abuse reporting laws.

Members of the HMC community who wish to seek advice or assistance concerning, or to discuss options for dealing with, sexual misconduct on a strictly confidential basis may speak with licensed counselors, clergy, medical providers in the context of seeking medical treatment, and rape crisis counselors, who, except in very narrow circumstances specified by law, will not disclose confidential communications. Students who wish to speak to a licensed counselor on a confidential basis may contact the Claremont Colleges Services Monsour Counseling Center or EmPOWER Center. The Employee Assistance Program is a resource for faculty and staff. The Chaplains of The Claremont Colleges are also available to counsel students, faculty, and staff on a confidential basis.

All participants in a complaint resolution process involving an alleged violation of this Policy will be informed that confidentiality helps enhance the integrity of the process, protect the privacy interests of the parties, and protect the participants from statements that might be interpreted to be retaliatory or defamatory. At the beginning of the process, the Reporting Party and Responding Party will be asked to keep

does not preclude the Reporting Party or Responding Party from sharing information with family, legal counsel, advisors/support persons, or others as necessary in connection with the marshalling and presentation of evidence in connection with the process. Witnesses and support persons will, similarly, be asked to respect the privacy

### **Individuals and Resources that Provide Legally-Protected Confidentiality**

The College wants to ensure that all members of the community, including particularly those who may have suffered discrimination or harassment, aware of the following resources that provide legally-protected confidentiality. The following individuals and resources **may not reveal** private information provided to them by an individual **to anyone else without** the individual's **express permission** (unless there is an imminent threat of harm to the individual or others or the report involves abuse to a minor).

- Crisis counselors;
- Hotlines;
- Licensed mental health counselors;
- Chaplains and other ordained clergy;
- Attorneys; and
- Physicians (subject to sexual violence exception discussed below)

It is important to emphasize that these legally-protected confidentiality provisions apply whether or not the individual is a representative or employee of the College. Thus, licensed counselors at Monsour Counseling Center or Chaplains at the McAllister Center provide the same level of confidentiality as do licensed counselors and clergy unaffiliated with The Claremont Colleges.

As a result, anyone who speaks to any of these resources should understand that these communications do **NOT** represent a report to the College or to a Responsible Employee (see below) within this policy because these resources will not tell the College what you reported without your permission. This also means that the College will be unable to conduct an investigation into the particular incident, pursue disciplinary action against the Respondent, or offer accommodations or apply interim measures. Please also note, however, that a Reporting Party who first approaches a licensed counselor or chaplain within the College may later decide to request that the College activate the Grievance Process or report the incident to law enforcement, and thus have the incident fully investigated. These counselors and chaplains can provide assistance with these steps.

**Exception for Sexual Violence:** A report of sexual violence to a California medical provider, including on-campus medical providers, triggers a requirement to notify law enforcement of the disclosure.

### **Organizational Confidentiality: The College, including its Responsible Employees**

The College is a distinct legal entity recognized under the law. However, because the College as an entity can only engage in activities *through* individuals who work for or on behalf of the College, the College's responsibilities for responding to allegations of discrimination, harassment or sexual misconduct are only triggered if the allegation is made to an appropriate College official.

Consistent with relevant civil rights laws, this Policy addresses the question of distinguishing between employees or other agents who *are required* to respond to complaints or other reports of discrimination and harassment from those who *are not*.

### ***Mandatory Reporting as Required by Law***

If the circumstances in a report also indicate a potential crime or misconduct that is subject to mandatory requirements (e.g., child abuse), the College will also seek to comply with such mandatory reporting obligations as soon as it reasonably can after receiving notice of the alleged incident.

### **Responding to Crime Reports**

The College strongly encourages all individuals who are the subject of potential discrimination, harassment, hate crimes, sexual misconduct or other civil rights-related misconduct to pursue all remedies available to them, including pursuing a civil case or reporting incidents of potential criminal conduct to law enforcement. Reports, inquiries or complaints can be made to internal or external agencies (or both).

To promote timely and effective review, the College strongly encourages individuals who have experienced or who have knowledge of a possible violation of any civil rights related policies to make reports as soon as possible following an incident. A delay in reporting may impact the College's ability to gather relevant and reliable information. The College does not, however, limit the time frame for reporting alleged violations under this Policy. To the extent possible and consistent with the provisions of this Policy, the College will take prompt and appropriate action in response to all reports in order to end the conduct, prevent its recurrence, and address its effects regardless of when the alleged conduct occurred.

If the Responding Party is not a member of the HMC community, or is no longer a member of the HMC Community, the College will still seek to meet its commitment and obligation to end any discrimination or harassment, prevent its recurrence, and address its effects. However, the ability of the College to take disciplinary or other remedial action against the Responding Party will be limited. If a student Responding Party withdraws from the College while the complaint resolution process is pending, the presumption is that the College will complete the process (or any portion of the process) despite the student's withdrawal. If the College elects to defer the process while the student is no longer enrolled, the student will be ineligible to re-register at the College until the process is completed.

Depending on the crime reported, the Reporting Party may be directed immediately to either Campus Safety, the Claremont Police Department, or Medical Assistance.

### **Reporting Options: Law Enforcement, The College, And External Agencies**

- *Reporting Sexual Misconduct to Law Enforcement*
- *Reports to the College - Overview and Contact Information*
- *Reports Involving Minors or Suspected Child Abuse*
- *Reports to the College - Miscellaneous Provisions*
- *Reporting to External Agencies: OCR, EEOC, and FEHA*

The College strongly encourages all individuals who are the subject of potential misconduct to pursue all remedies available to them, including reporting incidents of potential criminal conduct to external law enforcement and incidents of civil rights violations to the appropriate external agencies.

The College also strongly encourages individuals who have experienced potential discrimination, harassment, or sexual misconduct to report the incident to the College so that the College can assist these individuals in obtaining access to the support and resources they may need, and so the College can respond appropriately. External and internal reporting options are not mutually exclusive and may be pursued concurrently.

If an incident of sexual assault, domestic violence, dating violence or stalking occurs it is important to preserve evidence to aid in the possibility of a successful investigation. The Reporting party of a sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical exam. Any clothing removed should be placed in a paper bag. Evidence of violence, such as bruising or other visible injuries, following an incident of domestic or dating violence should be documented including through the preservation of photographic evidence. Evidence of stalking including any communication, such as written notes, voice mail or other electronic communications should be saved and not altered in any way.

### **Providing for the Safety of the Reporting Party and the Community**

The College's first priority when receiving a report of discrimination, harassment, sexual misconduct, or other conduct prohibited under this Policy is to provide for the safety of the Reporting Party and the community.

As a result, whenever the College receives a report of potential misconduct under this Policy that indicates an immediate threat to the Reporting Party or other member of the community, the College will seek to notify the appropriate first responders (medical or law enforcement) as soon as reasonably possible. The College will also implement any Interim Measures as it determines are necessary and appropriate to provide for the safety of Reporting Party or the community. A complete discussion of Interim Measures is set forth in the HMC Sexual Misconduct and Complaint Resolution Policy.

### **Procedures Survivors Should Follow If Domestic Violence, Dating Violence, Sexual Assault, Or Stalking Has Occurred**

Reporting Parties have the choice to involve law enforcement and campus authorities, including Campus Safety and/or local police. Reporting Parties also have the option to be assisted by campus authorities in notifying law enforcement authorities if the Reporting Party so chooses. Reporting Parties also have the option to decline to notify such authorities.

In some circumstances, an interim measure such as an “Informal Resolution” or a “No Contact order” may be requested by the Reporting Party. In those circumstances, a “No Contact order” means that the Reporting Party and Responding Party are to have no contact with one another for a designated time period or until both parties are advised otherwise. There are other creative ways the campus can work the parties to resolve an issue by an Informal Resolution. However, an Informal Resolution may not be appropriate in circumstances involving sexual violence.

In other circumstances, Reporting Party may decide to request a court ordered restraining order or similar lawful orders issued by a criminal, civil, or tribal court.

### ***Evidence Collection***

It is important to preserve evidence that may assist in proving that the alleged prohibited behavior occurred or may be helpful in obtaining a protection order. Therefore, it is important to preserve: clothing, text messages, photographs, or any other evidence that may be associated or useful to proving the alleged conduct occurred.

Physical evidence of a sexual assault must be collected from the Reporting Party’s person within 72-96 hours of the incident, although it may be possible to obtain evidence from towels, sheets, clothes, etc. for much longer periods of time. Individuals who believe they have been sexually assaulted should go to the appropriate SART (Sexual Assault Response Team) location based on the location of incident before washing their body or changing clothing. A Sexual Assault Nurse Examiner (SANE), a nurse who is specially trained to collect evidence in cases of alleged sexual assault, will be called by the hospital to properly collect and preserve any evidence as well as document any injuries. It is best not to change clothes. However, if clothes have been changed, the clothes worn at the time of the incident should be brought to the SART location in a clean, sanitary container such as a paper grocery bag or wrapped in a clean sheet (plastic containers do not breathe and may render evidence useless). Bring a change of clothing to the hospital, too, as the clothes worn at the time of the incident will likely be kept as evidence. A Survivor Advocate from Project Sister Family Services can also be called to accompany during the exam.

Collecting evidence does not obligate an individual to any particular course of action but can assist the authorities should the individual decide to pursue criminal charges immediately or in the future. The College will assist any College community member in seeking medical assistance or reporting an incident to the police.

## **The Title IX Investigation and Complaint Process**

The Title IX Complaint Resolution Process is designed to provide a fair, equitable, and prompt process for investigating and resolving complaints of alleged HMC's Sexual Misconduct and Complaint Resolution Policy violations. The College will make reasonable efforts to ensure that all parties are treated with respect, dignity, and

In cases of alleged intimate partner violence, sexual assault, or stalking, Harvey Mudd College will provide a prompt, fair, and impartial process from the initial investigation to the final result.

A prompt, fair, and impartial proceeding includes a proceeding that is—

- A. Completed within reasonably prompt timeframes designated by HMC's Title IX investigation process policy, including a process that allows for the extension of timeframes for good cause with written notice to the Reporting and Responding Parties of the delay and the reason for the delay;
- B. Conducted in a manner that—
  - I. Is consistent with the HMC's policies and transparent to the Reporting Party and Responding Party;
  - II. Includes timely notice of meetings at which the Reporting Party and Responding Party, or both, may be present;
  - III. Provides timely and equal access to the Reporting Party, the Responding Party, and appropriate officials to any information that will be used during informal and formal disciplinary meetings and hearings; and
- C. Conducted by officials who do not have a conflict of interest or bias for or against the Reporting Party or the Responding Party.

The HMC Title IX Investigation and administrative proceedings will be conducted by officials who, at a minimum, receive annual training on the issues related to intimate partner violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of both parties and promotes accountability.

HMC's process for investigating and responding to reports of violations of this Policy, including the procedures related to the imposition of Interim Measures or disciplinary measures against an individual alleged to be responsible for a violation, is set out in the HMC's Sexual Misconduct and Resolution Policy which can be viewed at <https://www.hmc.edu/student-life/title-ix-sexual-misconduct/>

HMC maintains publicly available recordkeeping, including Clery Act reporting and disclosures without the inclusion of personally identifying information about the Complainant as defined in the Violence Against Women Act of 1994. Further, the accommodations that the complainant received will be kept confidential, to the extent

that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

### **Parity Between Reporting Party and Responding Party**

The Reporting Party and Responding Party may choose to be assisted and supported by an Advisor/Support Person of their choice in any meeting or other aspect of procedures outlined in HMCs Sexual Misconduct and Complaint Resolution Policy in which the relevant party is also participating. The Advisor/Support Person may be present in an advisory or emotional support capacity only, and shall not directly participate or intervene in meetings, the investigation, or other matters related to the College's response under the Policy.

A Reporting Party, Responding Party, or witness may have an advisor/support person of their choice with them at all meetings and any hearing that they attend in connection with the procedures outlined in HMCs Sexual Misconduct and Complaint Resolution Policy. The advisor/support person may be a friend, mentor, family member, attorney, member of The Claremont Colleges community, or any other person, as long as they are not also a witness or otherwise a participant in the complaint resolution proceedings. An advisor/support person may not make a presentation or represent the Reporting Party or Responding Party during any meeting or proceeding, except as otherwise provided herein. During any meeting or proceeding, the advisor/support person is present to observe and provide support and counsel to the party. The Title IX Coordinator has the right at all times to determine what constitutes appropriate behavior on the part of an advisor/support person and to take appropriate steps to

HMC's Title IX process requires in the Notice of Outcome, simultaneous notification, in writing, to both the Reporting Party and Responding Party, of the result of the investigative process that arises from a complaint of prohibited conduct. Results are defined as any initial, interim, and final decision by any official or entity authorized to resolve disciplinary matters within the institution. The result must include any sanctions imposed by the institution. Notwithstanding section 444 of the General Education Provisions Act (20 U.S.C.1232g), commonly referred to as the Family Educational Rights and Privacy Act (FERPA), the result in the Notice of Outcome must also include the rationale for the result and the sanctions.

HMC's Title IX process also requires in the Notice of Outcome, simultaneous notification, in writing, to both the Reporting Party and Responding Party, of the institution's appeal process and both parties' ability to appeal the result of the notice of outcome.

Additionally, HMC's Title IX process requires in the Notice of Outcome, simultaneous notification, in writing, to both the Reporting Party and Responding Party, of any change to the outcome and when such results become final.

Harvey Mudd College will, upon written request, disclose to the alleged Reporting Party of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by Harvey Mudd College against a student who is the alleged perpetrator of such crime or offense in a Notice of Outcome letter. If the alleged Reporting Party is deceased as a result of such crime or offense, the next of kin of such Reporting Party shall be treated as the alleged Reporting Party for purposes of this paragraph.

### **Assistance, Accommodations, and Other Response Activities that are Independent of the Investigation and Disciplinary Process:**

Set out below is a summary of the types of assistance and support that the College is committed to providing to Reporting Party independent of the Title IX investigation Process. The Title IX Coordinator will coordinate with Reporting Party to review and implement these activities as appropriate.

Assistance with Care and Support:

- **Medical Providers / Law Enforcement:** Assistance in contacting medical providers to access medical services; explaining options for reporting to law enforcement and providing assistance in reporting to law enforcement if requested.
- **Care and Support Resources:** Reviewing information about and providing assistance as requested in contacting/accessing the care and support resources.
- **Accommodations:** Reviewing and, to the extent appropriate, coordinating the implementation of academic and other accommodations that may be appropriate to support the Reporting Party and that may be appropriate irrespective of whether the College activates the Title IX investigation Process, and that also may be appropriate independent of the results of the Title IX investigation Process. Examples of such accommodations include:
  - Housing assistance for the Reporting Party, such as: changes to on-campus housing, on-campus relocation, assistance with dissolving a housing contract in accordance with housing policies;
  - Academic assistance such as: providing alternative course completion options, dropping a course without penalty, or transferring to a different class section;
  - Rescheduling of exams and assignments (in conjunction with appropriate faculty);
  - Assistance in accessing academic counseling or support services (e.g., tutoring);
  - Appropriate changes in work or class schedules;
  - Providing an escort to ensure safe movement on campus;
  - Facilitating a voluntary leave of absence; and,
  - Other reasonable accommodations as the Title IX Coordinator determines are appropriate.

- **Implementing Appropriate Non-Disciplinary Administrative Measures:** In addition to direct assistance and support for the Reporting Party, the College will also implement such non-disciplinary administrative measures as it determines are reasonable and appropriate irrespective of the outcome of the Title IX investigation Process. Such measures may include general educational initiatives or trainings, or other forms of community-based responses.

### **Sex Offender Registration – Campus Sex Crimes Prevention Act (Megan’s Law)**

Members of the general 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: <http://meganslaw.ca.gov/disclaimer.aspx>. For general information, see State of California Department of Justice, Megan’s Law in California: <http://www.meganslaw.ca.gov/>

### **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 Harvey Mudd College student is thought to be missing from the campus, the On-Call Dean should be immediately notified.

This protocol applies to students who reside in campus housing. A residential student is officially “determined to be missing” when a missing person report investigation concludes that the student has been absent from the College for a period of 24 hours or longer without any known reason. Campus Safety, in conjunction with the assistant vice president for student affairs, will make the official determination of whether a student is deemed missing. All residential students have the opportunity to identify an individual or individuals to be contacted by the assistant vice president for student affairs no more than 24 hours after the time that the student is determined to be missing.

Students age 18 and above and emancipated minors are given the opportunity to designate a confidential individual or individuals to be contacted by the College no more than 24 hours after the time that the student is determined to be missing in accordance with the missing residential student procedure. A designation remains in effect until changed or revoked by the student. Should the student not formally declare a separate missing person contact, the emergency contact on record will be notified. Students may update their missing person contact and their emergency contact information at any time by notifying DSA. This information will not be disclosed except to law enforcement personnel in furtherance of a missing person investigation or as required by law.

Students under the age of 18 (not emancipated) determined to be missing will require that the College notify a custodial parent or guardian, in addition to the student's designated contact, no more than 24 hours after the student is determined to be missing.

If any member of the Harvey Mudd College community has reason to believe that a student may be missing, they should immediately notify the Division of Student Affairs office at 909.621.8125 (Monday–Friday, 8 a.m.–5 p.m.) or Campus Safety at 909.607.2000 (24 hours a day). The College will immediately initiate an investigation into any report of a missing person. If a student is determined to have been missing for 24 hours, the College and/or Campus Safety will notify the appropriate law enforcement agency and initiate the notification of appropriate emergency contacts.

It is made clear to all students annually, that each residential student of HMC has the option to designate an individual to be contacted by the College no later than 24 hours after the time that Harvey Mudd College determines the student is missing. Students fill out the Emergency Contact Information Form through the student 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 to law enforcement personnel in the furtherance of a missing student investigation.

### **Daily Crime and Fire Log**

Campus Safety maintains a Daily Crime Log of all crime reported to the Department. The log includes criminal incidents reported to Campus Safety during the last 60 days and is available on the Campus Safety website at <https://services.claremont.edu/campus-safety/clery-daily-crime-logs>. Any member of the Claremont Colleges and members of the public may also view the Clery Daily Crime Log on the monitor at the front counter of Campus Safety during normal business hours at 150 E. 8<sup>th</sup> St., 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 date requested for public inspection.

### **Disclosure of Results of Disciplinary Proceedings Policy Statement**

In accordance with the Higher Education Opportunity Act, Harvey Mudd College will, upon written request, disclose to alleged victims of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this policy.

Reports made to HMC officials and identifying information about the victim shall not be made public.

Reports made to medical professionals, licensed mental health counselors, and Chaplains will not be shared with third parties except in cases of imminent danger to the victim or a third party.

## **Policies Governing Alcohol and Other Drugs**

### **HMC's Program Relating to the Prevention of Illegal Possession, Use and Distribution of Drugs and Alcohol by Students**

1. The program is a set of standards of conduct prohibiting all students from unlawfully possessing, manufacturing, using or distributing drugs and alcohol on College property or at any activities of the College. In addition, this program is designed to address and eliminate occurrences of binge drinking (five or more drinks at a sitting for men and four or more drinks at a sitting for women) and its consequences.
2. The program is an imposition of disciplinary penalties on a student in the event of a violation of these standards of conduct. Whether there has been a violation will be determined in accordance with the College's procedures applicable to student discipline. When students visit another Claremont College, they are responsible for observing the regulations of both that college and HMC.
  - a. Penalties will be of varying degrees of severity and may include: warnings, attendance in a substance abuse program, substance probation, community service, loss of residential privileges (temporary or permanently), suspension, expulsion or referral to governmental authorities for prosecution.
  - b. The appropriate penalty shall be determined by taking into consideration all relevant circumstances, and particular penalties will not be associated with any particular violation.
3. Annually, the College will distribute to each student a written statement that will include a copy of this program and
  - a. A description of the various federal, state and local laws relating to the unlawful use, possession or distribution of illicit drugs and alcohol and the penalties imposed;
  - b. A description of the health risks associated with the use of illicit drugs and abuse of alcohol;
  - c. A description of any drug and alcohol counseling, treatment, rehabilitation or reentry programs that are available to students;
  - d. A statement of any regulations established from time to time by the College with respect to the unlawful use, possession and distribution of drugs and alcohol on College property and at College activities.

4. At least every two years, the College will review this program to determine its effectiveness and implement changes to the program if they are needed and ensure that the disciplinary penalties described above are consistently enforced.

HMC is committed to education and counseling as the primary focus of their substance abuse programs and will provide confidential professional assistance for any students who want it. Students are urged to seek information and help regarding substance abuse for themselves or their friends. A variety of services, including counseling, educational materials, campus Alcoholics Anonymous meetings and referrals are available at the following offices:

- Division of Student Affairs, Associate Dean, Student Health and Wellness, 909.607.4101
- Health Education Outreach Office, 909.607.3602 or 3485
- Monsour Counseling and Psychological Services, 909.621.8202
- Student Health Services, 909.621.8222

In particular, Health Education Outreach will provide ongoing, student-centered education and prevention programs, including a peer education and training program, health promotional materials and activities throughout the academic year. To protect students' privacy, information regarding a student during participation in any related program is treated as confidential.

All incoming students receive online alcohol training in addition to an in-person workshop at the beginning of each academic year. All students receive ongoing education in the form of events hosted by the Offices of Housing and Residential Life and Health and Wellness that involve education and training around safe alcohol consumption, risks, and state and federal laws. Student leaders receive training about signs and symptoms of drug overdoses and how to identify misuse.

### **Local, State and Federal Laws**

Some local, state and federal laws establish severe penalties for the unlawful possession or distribution of illicit drugs and alcohol. These sanctions, upon conviction, range from a fine and probation to lengthy imprisonment. The following are lists of topics covered by these laws and the websites where more details can be found.

#### **Claremont Municipal Code**

9.23 Drinking Alcoholic Beverages in Public

#### **California Codes**

- **California Business and Professions Code**
  - 25602 Giving Alcohol to Intoxicated People
  - 25604 Retail Establishments Serving Alcohol Must Be Licensed
  - 25607 Limits on Alcohol Approved by Retail Licenses

- 25658 Limits on Alcohol Provision, Purchase and Consumption to Minors
- 25662 Public Possession of Alcohol by Those Under 21
- 25659 Confiscation of False Identification
- 25660.5 Furnishing False Identifications
- 25661 Use of False Identification
- **California Vehicle Code**
  - 13388 Under 21 Refusing a Blood Alcohol Test
  - 23136 Under 21 Driving Under the Influence
  - 23140 BAC Limit for a Driver Who is Under Age
  - 23152 Driving Under the Influence
  - 23220 Limits on Drinking while Driving
  - 23221 Limits on Consumption of Alcohol in a Vehicle (driver or passenger)
  - 23222 Consequences for Possession of Marijuana or Open Container While Driving
  - 23224 Limits of Under 21 Transporting Alcohol
  - 23502 Alcohol Education Programs for Underage Offenders
  - 23536 Consequences for DUI Conviction
  - 23594 Consequences for Owner of Vehicle Used in DUI
  - 23612 License Suspension for Refusal of Blood Alcohol Test
  - 23645 Further Consequences for DUI Conviction
- **California Health and Safety Code**
  - 11153.5 Manufacture of Controlled Substances
  - 11350 Possession of Narcotics
  - 11351 Possession of Narcotics for Sale
  - 11352 Transportation of Narcotics
  - 11355 Sales of Narcotics
  - 11357 Possession of Marijuana or Hashish
  - 11358 Cultivation of Marijuana
  - 11359 Sale of Marijuana
  - 11360 Transportation of Marijuana
  - 11364 Possession of Device for Consuming Narcotics
  - 11365 Aiding the Use of Narcotics
  - 11377 Consequences for Possession of a Controlled Substance
  - 11378 Possession for Sale of Controlled Substances
  - 11379 Transportation of Controlled Substances
  - 11382 Aiding the Distribution of Controlled Substances
  - 11383 Possession of Materials Intended to Manufacture Methamphetamine

### **Federal Code**

Title 21, Chapter 13 Lists Laws Pertaining to Possession of Controlled Substances and Illegal Trafficking

## **Health Risks Associated with the Use of Illicit Drugs and the Abuse of Alcohol**

The use of any mind- or mood-altering substance, including alcohol, can lead to psychological dependence, which is defined as a need or craving for the substance and feelings of restlessness, tension or anxiety when the substance is not used. In addition, with many substances, use can lead to physical tolerance, characterized by the need for increasing amounts of the substance to achieve the same effect and/or physical dependence, characterized by the onset of unpleasant or painful physiological symptoms when the substance is no longer being used. As tolerance and psychological or physical dependence develop, judgment becomes impaired and people often do not realize they are losing control over the use of the substance and that they need help.

Alcohol acts as a depressant to the central nervous system and can cause serious short- and long-term damage. Short-term effects include nausea, vomiting and ulcers; more chronic abuse can lead to brain, liver, kidney and heart damage and even eventual death. Ingesting a large amount of alcohol at one time (five or more drinks at a sitting for men, and four or more drinks at a sitting for women) can lead to alcohol poisoning, coma and death. Drugs such as LSD, amphetamines, marijuana, cocaine and alcohol alter emotions, cognition, perception, physiology and behavior in a variety of ways. Health risks include, but are not limited to, depression, apathy, hallucinations, paranoia and impaired judgment. In particular, alcohol and/or drug use inhibits motor control, reaction time and judgment, impairing driving ability. Abuse of either or both alcohol or drugs during pregnancy increases the risk of birth defects, spontaneous abortion and stillbirths.

### **Assistance for Alcohol Abuse and/or Drug Use Problems**

The Claremont Colleges are committed to education and counseling as the primary focus of their substance abuse programs and will provide confidential professional assistance for any students who want it. Students are urged to seek information and help regarding substance abuse for themselves or their friends. A variety of services, including counseling, educational materials, campus Alcoholics Anonymous meetings and referrals are available at the following offices:

- Division of Student Affairs, Associate Dean, Student Health and Wellness, 909.607.4101
- Health Education Outreach Office, 909.607.3602 or 3485
- Monsour Counseling and Psychological Services, 909.621.8202
- Student Health Services, 909.621.8222

In particular, Health Education Outreach (HEO) will provide ongoing, student-centered education and prevention programs, including a peer education and training program, health promotional materials and activities throughout the academic year. HMC students participate in BASICS education with HEO when their behavior related to alcohol or other drugs is referred to student conduct. To protect students' privacy, information regarding a student during participation in any related program is treated as confidential.

Throughout the academic year the Office of Health and Wellness at Harvey Mudd College will host programs. These programs goals are to educate students on the health risk associated with alcohol and other drugs. These programs include Pop Up events, Alcohol and Drug Free Education Based Parties, trainings for student leaders, Community Forums in the Resident Halls, Fresh Check Day events, and individual interventions.

### **HMC's Drug Free Workplace Policy**

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

HMC prohibits the unlawful: manufacture, possession, distribution, dispensation, sale, transportation, offer to sell, promotion, purchase and/or use of drugs (including marijuana<sup>1</sup>) or alcohol on HMC owned or controlled property, at HMC sponsored/sanctioned activities and events; and while employees or other persons as described above conduct or perform HMC-related business, regardless of location. In addition, employees shall not report for work or work under the influence of any drug or alcohol or other substance which will impair work performance, alertness, coordination or response, or affect the safety of others.

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

This policy does not prohibit the use or consumption of alcohol at HMC sponsored activities or events where alcohol is served, or at social, business or professional events attended by HMC employees while performing work for or in their capacity as HMC employees. However, employees who choose to consume alcohol at such events must do so responsibly, they must conduct themselves properly and professionally at all times, and they must abide by all state and federal laws related to alcoholic beverages, including laws which prohibit the operation of vehicles while under the influence.

Harvey Mudd College will impose sanctions on individuals and/or organizations that violate this policy. These sanctions will be consistently enforced and penalties will depend upon the severity of the offense. Penalties may include termination from employment and referral for prosecution of the most serious violations of law and this policy. For example, an employee found to be selling illegal drugs will be subject to discipline up to and including discharge from employment. Disciplinary action may be invoked entirely apart from any civil or criminal penalties that may apply to the employee or organization.

### **Standard of Conduct Governing Alcoholic Beverages and Drugs**

The State of California prohibits the use, possession and purchase of alcohol by individuals under the age of 21 and the use of alcohol in public by all people, regardless of age. The alcoholic beverage rules of Harvey Mudd College are required by law to be consistent with the California alcoholic beverage laws.

The following standards of conduct will govern the use of alcohol on the HMC campus and at HMC-sponsored events off campus.

- a. Possession or use of alcohol in public is forbidden. Public locations include all grounds and dormitory exteriors, except those areas designated for approved parties.
- b. Events involving drinking games and/or promoting binge drinking are specifically forbidden.
- c. Alcoholic beverages may not be served on HMC property or at any HMC event where persons under 21 years of age are present, unless written approval has been granted by the Dean of Campus Life of a plan that assures compliance with the law.
- d. HMC events are defined as any on-campus event. In addition, those off-campus events that may be identified as being an activity of the College will also be governed by state law and HMC standards of conduct.
- e. Students are responsible for abiding by the California alcohol laws and these HMC standards of conduct. Failure to abide by the law or standards of conduct will result in disciplinary sanctions.

As to the use of drugs, federal and state laws govern actions by all members of the Harvey Mudd College community. As required by law, HMC has established the following policies regarding the possession and use of drugs that are consistent with the federal and state laws governing drug use:

- a. The use, sale, manufacture, possession or distribution (providing, sharing, jointly purchasing, purchasing for others or otherwise making available) of all forms of illegal drugs, including edibles and drinkables, is prohibited.
- b. The use, sale or distribution of legally prescribed medication for use in a manner in which the medication was not intended (including use by someone other than the person to whom the medication was prescribed) is prohibited.
- c. Medical Marijuana: Marijuana use on campus is prohibited in compliance with federal law. Documentation of medically prescribed marijuana does

- not exempt a student from this policy. A student who qualifies for medical use under California's Compassionate Use Act should speak with the assistant dean for residential life regarding their option to live off campus.
- d. The display of drug paraphernalia, regardless of whether the item has an alternate legal use, is not permitted.

### **Dry Week**

In order to allow new students time to acclimate to the College community, the Dry Week policy is in effect for each and every student the moment they arrive on campus for the fall semester and ends on the first Saturday of the semester, at 6 p.m. (Other campuses may have different ending times.) During this time, students are not permitted to consume alcohol anywhere on the 5-C campuses. It is an Honor Code violation to do so. As decided by ASHMC, Dry Week begins for Summer Institute students when they arrive on campus.

Being "dry" means alcohol may not be consumed on campus. If alcohol is consumed elsewhere (in strict moderation, by people over age 21) and behavior upon return to campus is not disorderly, disruptive or does not involve associating with first-year students, it is considered acceptable for Dry Week. A modified form of Dry Week applies to the Admitted Student Program in spring.

### **Policies on College Parties**

Parties cannot be registered during Dry Week, the first week of the school year and during Admitted Students Weekends or other campus events where minors will be present during or after the event. Additionally, parties are not allowed during summer break. In accordance with state liquor laws, no admission may be charged for any party serving alcohol.

Properly secured fences with guarded gates must enclose any party at which alcohol is not contained indoors; no alcohol may enter or leave the party.

At any 5-College party, alcohol must be distributed by 21-year-old or older servers who have extensive experience at 5-C events. Servers will be paid for their services and may not drink alcohol during the party. For all other parties, hosts must have previously attended a party-planning seminar which is administered by Social Committee chairs. It is the responsibility of the servers to check IDs and monitor sobriety. Only those 21 or older will be served. Campus Safety reserves the right to terminate any party. Note that these guidelines may be amended or abbreviated by the Social Committee and members of the Division of Student Affairs staff in special circumstances.

## **III. 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. Campus Safety maintains a close relationship with the Claremont police department to ensure that crimes reported directly to the police department that involve HMC are brought to the attention of Campus Safety.

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

## **Definitions of Reportable Crimes**

### **Primary Crimes**

- Murder and Non-Negligent Manslaughter – defined as the willful (non-negligent) killing of one human being by another.
- Manslaughter by Negligence – defined as the killing of another person through gross negligence.

**Sexual Assault (Sex Offenses)** – Any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

- Rape – 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 – 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 –Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape –Sexual intercourse with a person who is under the statutory age of consent.

**Robbery** – is defined as taking or attempting to take anything of value from the car, 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 defined as 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** – 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.

### **Hate Crimes**

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. For Clery Act purposes, Hate Crimes include any of the categories listed above and includes the four additional categories below:

**Larceny/Theft** – is the unlawful taking, carrying, leading or riding away of property from the possession or constructive possession of another. It includes pocket picking, purse snatching, shoplifting, theft from building, theft from motor vehicle, theft of motor vehicle parts or accessories and all other larceny.

**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 (except Arson)** – 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.

### **Categories of Bias**

**Race** – A preformed negative attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features, etc., genetically transmitted by descent and heredity, which distinguish them as a distinct division of humankind, e.g., Asians, blacks or African Americans, whites.

**Gender** – A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., 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. Gender non-conforming describes a person who does not conform to the gender-based expectations of society, e.g., a woman dressed in traditionally male clothing or a man wearing makeup. A gender non-conforming person may or may not be a lesbian, gay, bisexual, or transgender person but may be perceived as such.

**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 e.g., Catholics, Jews, Protestants, atheists.

**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.

### **Dating Violence, Domestic Violence and Stalking**

**Dating Violence** Dating Violence is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of

relationship, and the frequency of interaction between the persons involved in the relationship.

**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:

- (i) Fear for the person's safety or the safety of others; or
- (ii) Suffer substantial emotional distress.

## 2019 Harvey Mudd College Crime Statistics Chart

Offense		On-Campus	*Residential Facility	Non-campus Building or Property	Public Property
<b>Criminal Homicide</b>					
<i>Murder and Non-negligent Manslaughter</i>	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
<i>Manslaughter by Negligence</i>	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
<b>Sex Offenses</b>					
<i>Rape</i>	2016	5	5	0	0
	2017	6	6	0	0
	2018	4	2	0	0
<i>Fondling</i>	2016	8	7	1	0
	2017	1	1	1	0
	2018	2	0	0	0
<i>Incest</i>	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
<i>Statutory Rape</i>	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
<b>Robbery</b>	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
<b>Aggravated Assault</b>	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
<b>Burglary</b>	2016	2	1	4	0
	2017	2	1	0	0
	2018	3	0	0	0
<b>Motor Vehicle Theft</b>	2016	4	0	2	0
	2017	0	0	1	0
	2018	1	0	0	0
<b>Arson</b>	2016	0	0	0	0
	2017	0	0	0	0
	2018	1	0	0	0

Other Offenses		Arrest				Judicial Referral			
		On-Campus	Residential Facility	Non-campus Building or Property	Public Property	On-Campus	Residential Facility	Non-campus Building or Property	Public Property
Liquor Law Violations	2016	0	0	0	0	5	5	0	0
	2017	0	0	0	0	6	6	8	0
	2018	0	0	0	0	7	7	0	0
Drug Abuse Violations	2016	0	0	0	0	6	6	0	0
	2017	0	0	0	0	13	13	1	1
	2018	0	0	0	0	7	7	0	0
Illegal Weapons Possession	2016	0	0	0	0	0	0	0	0
	2017	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0

**VAWA Amendment Offenses**

<i>Dating violence</i>	2016	1	1	1	0
	2017	1	1	0	0
	2018	1	1	0	0
<i>Domestic Violence</i>	2016	0	0	0	0
	2017	0	0	0	0
	2018	0	0	0	0
<i>Stalking</i>	2016	1	0	0	0
	2017	0	0	2	0
	2018	0	0	0	0

**Hate Crimes:**

2016 There were no reportable hate crimes

2017 There were no reportable hate crimes

2018 There were no reportable hate crimes

\* Residential statistics are a subsection of the On-Campus totals

\*\* Statistics were received from the Claremont Police Department, and are included in this report.

Claremont Police Department has not 'unfounded' any crimes for Harvey Mudd College in 2016, 2017, or 2018.



## 2019 Fire Safety Report

CONTAINS STATISTICS FOR 2016 - 2018

### Introduction

The Higher Education Opportunity Act (HEOA) requires all institutions of higher education that maintain on-campus housing to publish an annual Fire Safety Report. This report contains the information required by the HEOA for Harvey Mudd College. The annual report is posted and available on October 1 to all students, prospective students, faculty and staff on the HMC website at: <https://www.hmc.edu/institutional-research/higher-education-opportunity-act-heoa/>

### Housing and Residential Life Fire Safety Information/Policies

*(as printed in the [HMC Student Handbook](#))*

### Evacuation Procedures

#### In the Event Fire or Smoke is Detected in a Building and/or an Alarm is Sounding:

1. Feel the door with your hand. If the door is hot to the touch, do not open it. If you are on the first floor, attempt to evacuate using a window. If unable to do so, or if you are on the second floor or higher, put towels or cloth (wet, if possible) in the crack between the door and the floor. Phone 911 and Campus Safety at [909.607.2000](tel:909.607.2000) and tell them your location and situation. Stand by the window and wait for the Fire Department. Do not open the window. If the door is cool, slowly open it, exit the room and close door behind you.
2. Sound the fire alarm and call Campus Safety to report the fire.
3. Only if it is safe to do so, return with a fire extinguisher and fight the fire. Otherwise, evacuate the building and wait for the fire department.
4. Remember—evacuate in a calm manner. Do not attempt to remove any possessions. Do not reenter the building until approval is given by the fire.
5. Do not use elevators
6. Follow the instructions of evacuation coordinators, or other emergency personnel
7. Visit the Evacuation Plan and Map for additional information available at <https://www.hmc.edu/emergency-preparedness/emergency-procedures/>

### Safety and Security

When fire alarms sound in the residence halls, residents must evacuate immediately. Candles, incense, open flames and flammable liquids or gases, portable electrical appliances, and smoking are not allowed in the residence halls due to the hazards of fires. (Birthday and Hanukkah candles are okay if safely lit, constantly monitored and quickly extinguished.) Tampering with the fire safety equipment (i.e., fire extinguishers, smoke detectors or fire alarm boxes) in the residence halls is a felony in the state of California. Covering or disabling smoke or heat detectors is dangerous and unlawful and

will result in Disciplinary Board (DB) charges. People, who start a fire or participate in the burning of something outside the guidelines below will be referred to DB.

Fires on campus must be registered with and approved by the Dean of Students office and the Los Angeles County Fire Department. To register a fire, a student needs to complete an event registration for the Dean of Students office. After being approved by the Dean of Students office, the student must then take the form to the local fire station (Station 101) to obtain a fire permit, which fire station personnel may or may not grant. Upon receiving a permit from the fire station, proof of the permit (in the form of a copy) must be provided to the Department of Student Affairs office. Campus Safety and College officials will use these guidelines to determine if a courtyard fire is safe and non-damaging. The fire:

1. is fully contained (nothing hanging over the sides) in a barbecue grill that is elevated more than 6 inches off the ground and that is a maximum of 9 square feet in area and a minimum of 12 inches deep.
2. does not throw sparks or threaten anything nearby,
3. does not burn anything that gives off toxic gases, such as plastics or couches, or can explode, such as aerosol cans,
4. does not have wood or fuel for the fire that exceeds two feet tall,
5. is constantly monitored by a trained fire watch with the building's fire extinguisher and a garden hose connected to a water supply nearby,
6. is completely extinguished by the last person to leave the fire, and
7. is in compliance with the Fire Code, as determined by the Los Angeles County Fire Inspector.

Students and employees can report non-registered fires to the Student Affairs Office, Campus Safety, or the on-call staff (via contacting Campus Safety). Excessive clean-up of fires will follow normal ASHMC/F&M excessive clean-up procedures. According to the Fire Inspector, only one container of lighter fluid per barbecue may be stored in a dorm. College-owned wood pallets or other materials may only be used with permission from F&M.

### **Fire Safety Education**

The HMC Resident Proctors receive annual fire prevention and response training. The training consists of classroom instruction followed by hands on application with fire extinguishers. Additionally, evacuation drills are conducted each semester (twice annually) to test their ability to facilitate an evacuation in the event of an emergency.

### **On-campus Housing Fire Safety Systems**

Harvey Mudd College complies with local, state and national fire regulations. All of HMC's residential buildings have reportable fire alarm systems which are monitored 24-hours a day. Additionally, the residence halls have fire/smoke alarms and suppression equipment that include manual fire extinguishers and may also include automatic sprinkler systems. The 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 and Maintenance Department.

### Residence Hall Fire Safety Systems

Building Name	Year Built	Sprinklered	Fire/Smoke Alarm	24 Hour Fire System Monitoring
Atwood Residence Hall	1981	N	Yes/Yes	Yes
Case Residence Hall	1985	N	Yes/Yes	Yes
Marks Residence Hall (South)	1968	PART	Yes/Yes	Yes
Mildred Mudd Residence Hall (East)	1958	N	Yes/Yes	Yes
North Residence Hall	1959	N	Yes/Yes	Yes
West Residence Hall	1958	N	Yes/Yes	Yes
Linde Residence Hall	1993	Y	Yes/Yes	Yes
Sontag Residence Hall	2004	Y	Yes/Yes	Yes
Drinkward Residence Hall	2015	Y	Yes/Yes	Yes

#### Fire Log

The Facilities and Maintenance Office maintains a Fire Log that includes the nature, date, time and general location of every fire that occurs in on-campus residence hall facilities. The log is available for inspection by contacting the Senior Director for Facilities, Emergency Preparedness and Employee Safety in the Office of Facilities and Maintenance, Monday through Friday during normal business hours.

#### 2016 - 2018 Residence Hall Fire Log

Building Name	Year	# of Fires	Date	Cause	Injuries Requiring Treatment	Deaths Related to Fire	Property Damage Value (\$)	Report Number
Atwood Residence Hall	2016	0	N/A	N/A	0	0	0	N/A
	2017	0	N/A	N/A	0	0	0	N/A
	2018	0	N/A	N/A	0	0	0	N/A
Case Residence Hall	2016	0	N/A	N/A	0	0	0	N/A
	2017	0	N/A	N/A	0	0	0	N/A
	2018	0	N/A	N/A	0	0	0	N/A
Marks Residence Hall (South)	2016	0	N/A	N/A	0	0	0	N/A
	2017	0	N/A	N/A	0	0	0	N/A
	2018	0	N/A	N/A	0	0	0	N/A
Mildred Mudd Residence Hall (East)	2016	0	N/A	N/A	0	0	0	N/A
	2017	0	N/A	N/A	0	0	0	N/A
	2018	0	N/A	N/A	0	0	0	N/A
North Residence Hall	2016	0	N/A	N/A	0	0	0	N/A
	2017	0	N/A	N/A	0	0	0	N/A
	2018	1	12/16/18	Phone Adaptor	1	0	\$20.00	18 12 1000
West Residence Hall	2016	0	N/A	N/A	0	0	0	N/A
	2017	0	N/A	N/A	0	0	0	N/A
	2018	0	N/A	N/A	0	0	0	N/A
Linde Residence Hall	2016	0	N/A	N/A	0	0	0	N/A
	2017	0	N/A	N/A	0	0	0	N/A
Sontag Residence Hall	2016	0	N/A	N/A	0	0	0	N/A
	2017	0	N/A	N/A	0	0	0	N/A
	2018	0	N/A	N/A	0	0	0	N/A
Drinkward Residence Hall	2016	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	2017	0	N/A	N/A	0	0	0	N/A
	2018	0	N/A	N/A	0	0	0	N/A

**Plans for Improvement**

The Senior Director for Facilities, Emergency Preparedness and Employee Safety in the Office of Facilities and Maintenance in collaboration with the Division of Student Affairs and the President's Cabinet is responsible for oversight of all emergency response and preparedness initiatives on campus. The Physical Plant and Campus Planning Committee of the Board of Trustees with support from the Facilities and Maintenance staff have oversight of large-scale capital improvements. Initiatives for fire safety are reviewed by these groups regularly and as deemed appropriate.