



CLAREMONT GRADUATE UNIVERSITY

ANNUAL SECURITY AND FIRE SAFETY REPORT 2020

January 1, 2019-December 31, 2019

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FROM THE PRESIDENT

Claremont Graduate University strives to provide every student, employee and visitor a safe and secure academic and work environment. The goal is the shared responsibility of the individual, university and administration. We ask that everybody do their part to help protect themselves and others. Please carefully review this report and take notice of all the services available to you, then make informed decisions regarding your personal safety while here at CGU. Let's work together to foster a caring and safe environment across our campus.

Len Jessup



President, Claremont Graduate University

FROM THE ASSISTANT VICE PRESIDENT OF CAMPUS SAFETY

To the Claremont Graduate University Community:

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

Claremont Graduate University 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 Claremont Graduate University 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 the Claremont Graduate University that have a critical role in fostering campus safety, including: The Dean of Students Office, the Senior Administrators, Campus and Residential Life, Facilities Management, and other departments.

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

Stan Skipworth



Assistant Vice President, TCCS Campus Safety

ACCESSIBILITY TO INFORMATION AND NON-DISCRIMINATION STATEMENT

This publication is available in alternative format upon request. The University is committed to equal access to programs, facilities, admission, and employment for all persons. It is the policy of the University to maintain an environment free of harassment and free of discrimination against any person because of age, race, color, ancestry, national origin, religion, creed, service in the uniformed services (as defined in state and federal law), veteran status, sex, sexual orientation, marital or family status, pregnancy, pregnancy-related conditions, physical or mental disability, gender, perceived gender, gender identity, genetic information, or political ideas. Discriminatory conduct and harassment, as well as sexual misconduct and relationship violence, violates the dignity of individuals, impedes the realization of the University's educational mission, and will not be tolerated. Students may direct all inquiries regarding the nondiscrimination policy to Quamina Carter, Assistant Vice President of Student Affairs and Dean of Students and Campus Life, Harper Hall East, Room 123. Quamina.Carter@cgu.edu - 909-621-8965. Faculty, staff and third party may direct inquiries to Alejandra Gaytan, Director of Human Resources, Harper Hall, - Alejandra.gaytan@cgu.edu - 909-607-4404.

PREPARATION OF THE ANNUAL SECURITY REPORT AND DISCLOSURE OF CRIME STATISTICS

Associate Dean of Students and Title IX Coordinator Jami Hinshaw at Claremont Graduate University prepares 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 Claremont Colleges and University offices such as Student Services, Housing Services, and other Campus Security Authorities 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 CGU. This report also includes institutional policies concerning campus security, such as policies regarding sexual offenses, alcohol and other drugs.

The University distributes a notice of the availability of this Annual Security and Fire Safety Report by the designated deadline, usually October 1 of each year to every member of the University community. Due to COVID-19, the Department of Education extended the publishing deadline of the 2020 Annual Security and Fire Safety Report to December 31, 2020. Anyone, including prospective students and employees, may obtain a paper copy of this report by emailing the Dean of Students Office at deanof.students@cgu.edu or viewing all 7C reports, please go <https://services.claremont.edu/campus-safety/>.

REPORTING CRIMES AND OTHER EMERGENCIES

The University has a number of ways for campus community members and visitors to report crimes, serious incidents, and other emergencies to appropriate University officials. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire University community that you immediately call 911 and report all incidents to Campus Safety (909-621-8170 or 909-607-2000) to ensure an effective investigation and appropriate follow-up actions, including issuing a Timely Warning, 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 University community members to report crimes promptly and to

participate in and support crime prevention efforts. The University 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 University 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 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 University 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 University 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.

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

Monsour Counseling and Psychological Services staff

Tranquada Student Services Center, 1st floor

757 College Way

Claremont, CA 91711

909.621.8202

909.607.2000 (after-hours emergency)

<https://services.claremont.edu/mcaps/>

Members of the clergy including the McAlister Center chaplains

McAlister Center for Religious Activities

919 North Columbia Avenue

Claremont, CA 91711

909.621.8685

<https://services.claremont.edu/mcaps/>

Rima Shah (Director) - EmPOWER Center

909.607.0690

1030 Dartmouth Ave.

Claremont, CA 91711

<https://www.7csupportandprevention.com/>

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

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

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

Project Sister
909.626.HELP (4357) (24/7 Crisis Hotline)
www.projectsister.org

Project sister provides crisis services to women and men who have been sexually assaulted or abused. Volunteer Advocates are also available to provide support and follow-up services to sexual assault or abused survivors.

WINGS
626.960.2995
www.ywcasgv.xyz

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

House of Ruth
877.988.5559 (toll-free hotline)
www.houseofruthinc.org

House of Ruth provides advocacy and assistance to women and children affected by domestic violence by providing culturally competent shelter, programs, opportunities, and education.

RAINN
800.656.HOPE (4673) (24/7 hotline)
www.rainn.org

RAINN (Rape, Abuse & Incest National Network) is the nation's largest anti-sexual violence organization focusing on prevention programs and helping survivors.

Confidentiality Limitations

Monsour Counseling and Psychological Center (MCAPS) adheres to the American Psychological Association (APA) Ethics Code, all relevant California state laws, and the Family Educational Rights and Privacy Act (FERPA). Whenever there is any discrepancy between these guidelines, they follow the highest or most stringent ethical standard, as advised by the APA Ethics Code. Specifically, this means that no information will be revealed to anyone outside of MCAPS without written permission

from the client, except where disclosure is required by law (i.e., where the client is likely to harm himself/herself; where the client presents a serious danger of violence to another; where there is reasonable suspicion of abuse of children, dependent or elderly persons; or when records are subpoenaed through a valid court order).

Anonymous information for statistical analysis, research, and aggregate purposes may be used (i.e., Clery Act reporting, Center for Collegiate Mental Health data). In the latter case, information is de-identified and only the aggregate numbers are reported. For example, under the Clery Act, they may report that an incident of sexual assault took place on campus and the genders of those involved, but no further identifying information will be disclosed unless the client allows it. It is important to MCAPS to report these numbers, for purposes of transparency and advocacy.

Reporting to Campus Safety

We encourage all members of the University 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 Eighth Street, Claremont, CA 91711. Though there are many resources available, Campus Safety should be notified of any crime, whether or not an investigation continues, to assure the University can assess any and all security concerns and inform the community if there is a significant threat to the University 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”.

Emergency Phones

The University has installed a number of emergency phones throughout the campus for a direct, automatic connection to Campus Safety. Some phones have blue lights; some phones are red or orange in boxes. The Campus Safety dispatcher has the phone locations and will dispatch an officer to the location when the phone is activated, whether someone talks or not. Please visit the following website under Reporting and Emergency: <https://services.claremont.edu/campus-safety/>

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. 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.

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 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

While the University prefers that community members promptly report all crimes and other emergencies directly to the Campus Safety at 909-621-8170 or 909-607-2000 or 911, we also recognize that some may prefer to report to other individuals or University offices. The Clery Act recognizes certain University 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.” CSAs are trained through a module on Foundry and have a deadline for completing the online training set by Human Resources.

The University has officially designated the following positions and departments as Campus Security Authorities for the purposes of providing the CGU community with additional ways to report crimes:

Director, Human Resources – 150 East Tenth Street, 909-607-4404

Student Services – 160 East Tenth Street, 909-607-9448

Campus Safety – 150 East Eighth Street, 909-607-2000 or 909-621-8170

Pastoral and Professional Counselors

According to the Clery Act, pastoral and professional counselors who are appropriately credentialed and hired by CGU and/or the Claremont Colleges 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, the University encourages pastoral and professional counselors to notify those whom they are counseling of the voluntary, confidential reporting options available to them.

ABOUT THE TCCS DEPARTMENT OF CAMPUS SAFETY

Role, Authority, Training and Jurisdiction

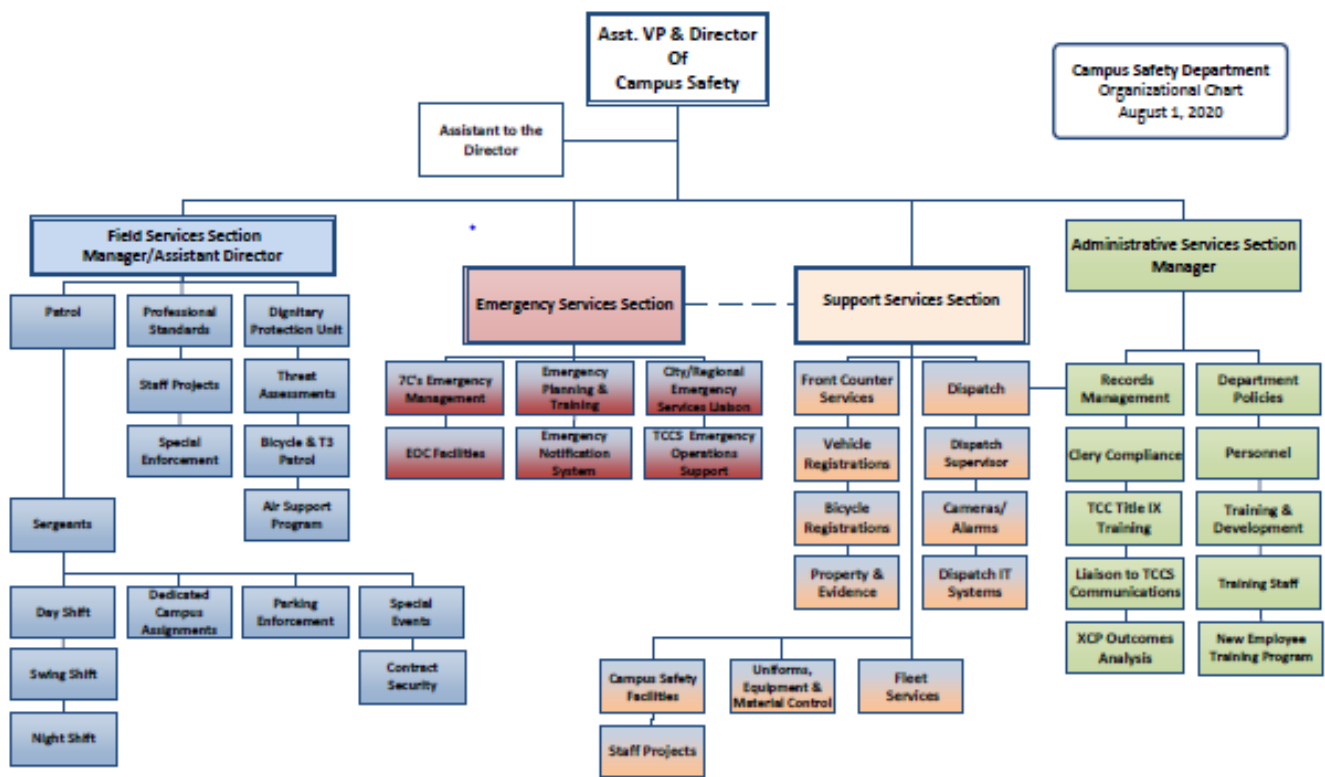
TCCS Campus Safety protects and serves The Claremont Colleges community 24 hours a day, 365 days a year. The Department is responsible for a number of campus safety and security programs that includes Emergency Management, Community Safety and Security Education, Physical Security, including security 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 consortium.
- 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 an Assistant Vice President, and staffed by a Captain, Sergeants, a Dispatch Supervisor, Dispatchers, full-time uniformed Campus Safety Officers, an Assistant to the Assistant Vice President, and a Clery Coordinator.



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

The Claremont Colleges contain both city streets and streets owned by the Colleges. However, all streets are considered public access. The map below reflects the streets that are owned by the City of Claremont and those owned and controlled by The Claremont Colleges. There are seven separate

and distinct colleges within The Claremont 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.

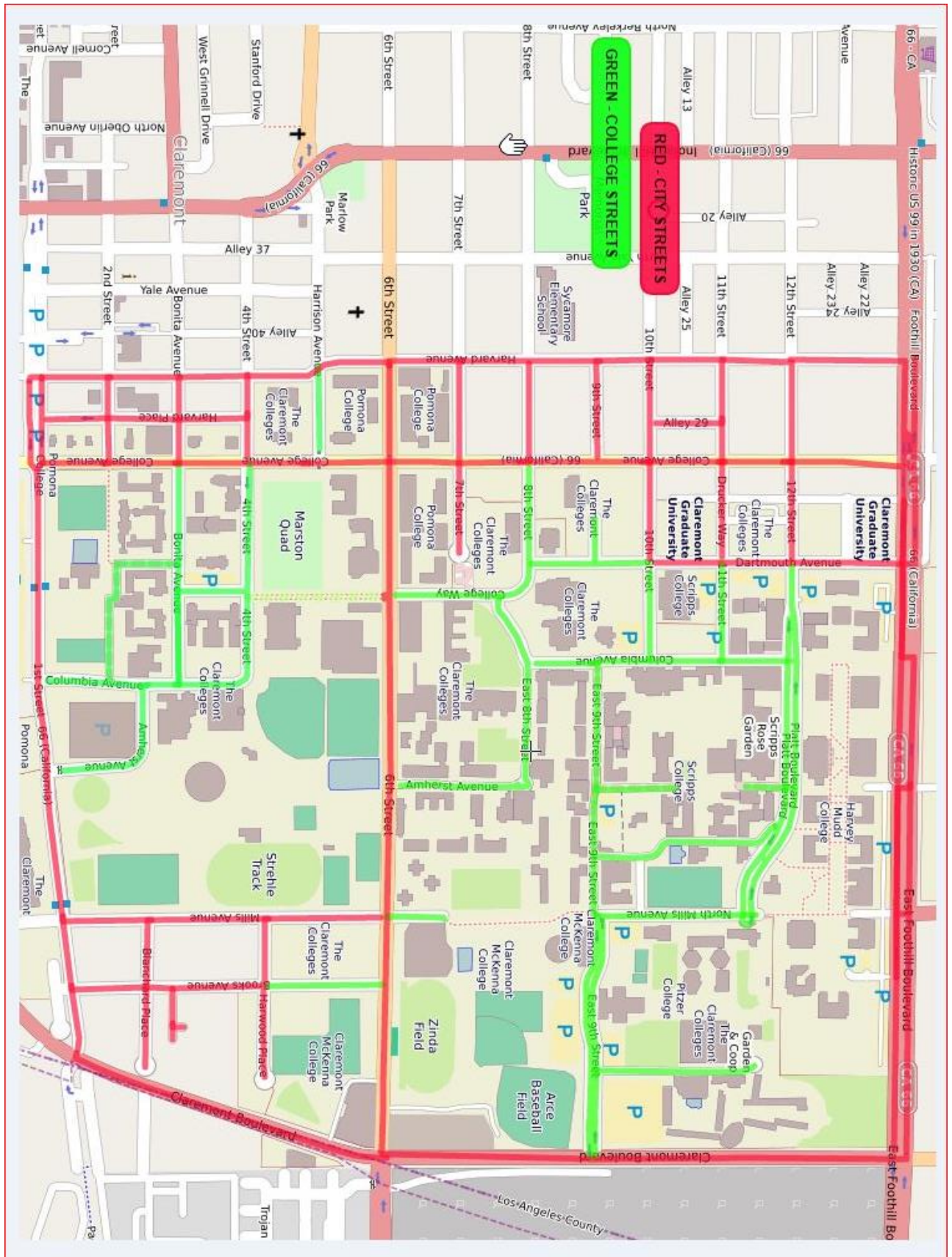
The Claremont Colleges Services (TCCS), Claremont McKenna College (CMC), and Pitzer College each own a portion of "The Pit," also known as the East Campus property, which is currently undeveloped land. This parcel of land borders Foothill Boulevard to the north, Monte Vista Avenue to the east, Arrow Route to the south and Claremont Boulevard to the west.

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

Set back off the main street and north of Foothill Boulevard are 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 exception to this is Keck Graduate Institute, which does not reside on the same parcel of land as the other six colleges. KGI's borders, and thus Campus Safety's patrol jurisdiction over KGI, include First Street to the north, Indian Hill Boulevard to the east, Arrow Highway to the south, and South Cambridge Avenue to the west.



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

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

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

Crimes Involving Student Organizations at Off-Campus Locations

CGU relies on its close working relationships with local law enforcement agencies to receive information about incidents involving CGU students and recognized student organizations, on and off campus. In coordination with local law enforcement agencies, the Campus Safety will actively investigate certain crimes occurring on or near campus. If Campus Safety learns of criminal activity involving students or student organizations, it will coordinate with the appropriate external law enforcement agency to forward information about the situation to the Dean of Students Office, as appropriate.

The University requires all recognized student organizations to abide by federal, state, and local laws, and University regulations. The University currently does not have recognized off-campus organizations.

TIMELY WARNING REPORTS

A Timely Warning Notice will be issued in the event that CGU or the Campus Safety receives notice of an alleged Clery Act reportable crime (identified below) occurring on campus, on public property within or immediately adjacent to CGU, or in or on non-campus buildings or property controlled by CGU, where the University determines, in its judgment, that the allegations present a serious or continuing threat to the CGU 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, 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 Notice. These designated officials are: Assistant Vice President of Campus Safety, Emergency Services Manager, Captain, or on-duty Watch Commander.

Whether to issue a Timely Warning Notice is determined on a case-by-case basis for Clery Act reportable crimes: arson, murder and non-negligent manslaughter, burglary, robbery, sex offenses, aggravated assault, motor vehicle theft, domestic violence, dating violence, stalking, arrests and referrals for drug, liquor and weapons law violations and hate crimes, as defined by the Clery Act.¹ Alert Bulletins may be issued for other crimes as determined necessary by the Assistant Vice President of Campus Safety, and the Dean on-call. CGU and Campus Safety will issue a Timely Warning Notice even if insufficient information is available if it is likely that there is an ongoing threat to the community.

The above individuals determine if an alert should be sent and are the senders of the notices. In determining whether to issue a Timely Warning Notice, the responsible individuals described above will consider any factors reflecting on whether the reported crime represents a serious or continuing threat to the CGU community, including, but not limited to, (a) the nature of the incident; (b) when and where the incident occurred; (c) the continuing danger to the CGU community; (d) the amount of information known by CGU and TCCS Campus Safety; and (e) when it was reported (as incidents reported more than 10 days after the fact will generally not result in a Timely Warning Notice unless

¹ A hate crime is a criminal offense including: 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.

the other factors weigh in favor of sending a Notice). CGU 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 at CGU.

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 CGU for a seven-year period.

Timely Warning Notices will be distributed via University email. A multi-modal integrated communications system for mass notifications is used to notify students and employees by way of e-mail, text messages and phone depending on whether a Timely Warning Notification, Alert Bulletin or Emergency Notification is needed. The particular circumstances will determine the method of notification. Generally, Timely Warning Notifications will occur through the e-mail system to all CGU 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, TCCS Campus Safety will take all reasonable efforts not to compromise on-going law enforcement efforts. Campus Safety will document and retain the justification for determining whether to issue a Timely Warning Notice for a seven-year period.

Anyone with information about a serious crime or incident is encouraged to report the circumstances to Campus Safety by phone at 909-607-2000 or from campus phones at ext. 72000 and in person at 150 E. Eighth Street, Claremont, CA 91711. If a report is made to another CGU official, that official will immediately notify Campus Safety.

EMERGENCY RESPONSE AND EVACUATION PROCEDURES

Emergency Management at CGU

The Office of Enterprise Risk Management is responsible for the University's emergency management plan. This plan is designed to be an all-hazards disaster response and emergency management plan.

Our priorities are:

- Life safety, infrastructure integrity, and environmental protection during an emergency
- Coordination with university departments to write, maintain, test, and exercise the emergency management plan.
- Cooperation, Integration, and Mutual Aid with local, state and federal planning, response, and public safety agencies and their CEMPs.

A summary of the University's emergency response procedures is located at

<https://cgu.policystat.com/policy/7276978/latest/>

Drills, Exercises and Training

Annually, the University conducts an emergency management exercise to test emergency procedures. The scenarios for these exercises change from year-to-year, and include several departments from across the campus.

To ensure the University's emergency management plans remain current and actionable, the University will conduct an emergency management exercise, at a minimum once yearly. These exercises may include tabletop drills, emergency operations center exercises, or full-scale emergency response exercises. The University conducts after-action reviews of all emergency management exercises.

In conjunction with at least one emergency management exercise each year, the University will notify the community of the exercise and remind the community of the information included in the University's publicly available information regarding emergency response procedures

[\(https://cgu.policystat.com/policy/1431971/latest/\)](https://cgu.policystat.com/policy/1431971/latest/)

Emergency Notification

This policy statement summarizes CGU's emergency response and evacuation procedures, including protocols for sending Emergency Notifications. An Emergency Notification will be issued in the event that CGU or the Campus Safety receives notice of a situation that presents a significant emergency or dangerous situation at CGU or in the local area affecting the health and/or safety of CGU's community, in whole or in part. Claremont Graduate University 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 an Emergency Notification. These designated officials are: Assistant Vice President of Campus Safety; and the on-duty Captain, or Watch Commanders. Once the Emergency Notification has been issued, Campus Safety, in collaboration with the Dean on-call from the affected community (if applicable) take the initial lead in implementing the appropriate response plan, assessing the severity of the crisis, reviewing all available information, delegating responsibility where appropriate, and ensuring that the information needs of various constituencies are met.

The Public Information Officer, after reporting to the CGU Emergency Operations Center, will proceed to the Physical Plant. They will be responsible for all communications between CGU and the Physical Plant. All communications between the outside (fire department, police, Red Cross, governmental agencies, media, etc.) and CGU will be handled through the MACC. Claremont Graduate University is committed to ensuring the campus community receives timely, accurate, and useful information in the event of a significant emergency or dangerous situation on campus or in the local area that poses an immediate threat to the health and safety of campus community members. Claremont Graduate University uses the emergency notification system Everbridge. Everbridge is an emergency notification service available to students, faculty, staff, and anyone in the University community who wants to subscribe. Everbridge can be used to send emergency messages within minutes of the occurrence of an incident.

Emergency Response Plans

CGU has safety committee that is responsible for the overall direction and planning for emergency situations on its campus or those that occur in the local or regional area affecting CGU. Under the direction of its Assistant Vice President for Finance and Administration/Sponsored Research Accounting and Risk Management, CGU has developed Emergency Response Plans. To ensure these plans remain current and actionable, CGU conducts emergency management exercises, at a minimum once yearly. These exercises may include tabletop drills, emergency operations center exercises, or full-scale emergency response exercises. After-action reviews of all emergency management exercises are used to document the exercise.

In conjunction with at least one emergency management exercise each year, CGU will notify its community of the exercise(s) and remind the community of the information included in CGU's publicly available information regarding Emergency Response Procedures.

Emergency Notification System:

CGU is committed to ensuring the University community receives timely, accurate, and useful information in the event of an emergency. To support this commitment, CGU 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 CGU to integrate the mass notification process consisting of e-mail, text messaging, and telephones is Everbridge.

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

The Department of Campus Safety and/or Claremont Graduate University staff may become aware of a critical incident or other emergency situation that potentially affects the health and/or safety of the campus community. Generally, The Claremont Colleges become aware of these situations when they are reported to Campus Safety Dispatch or the Claremont Police Department or upon discovery during patrol or other assignments.

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.

Once staff confirms that there is, in fact, an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the campus community, staff will notify Campus Safety who maintains designated individuals throughout each 24-hour cycle who are trained in determining the need for issuing Emergency Notifications. These designated officials are: Assistant Vice President of Campus Safety, Captain, or on-duty Watch Commander.

Once the Emergency Notification has been issued, Campus Safety, in collaboration with the Dean on-call from the affected community (if applicable) take the initial lead in implementing the appropriate

response plan, assessing the severity of the crisis, reviewing all available information, delegating responsibility where appropriate, and ensuring that the information needs of various constituencies are met.

- If, in the professional judgment of the Claremont Colleges designated officials, issuing an Emergency Notification potentially compromises efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, CGU may elect to delay issuing an Emergency Notification. As soon as the condition that may compromise efforts is no longer present, CGU will issue the Emergency Notification to the CGU community or applicable segment of the community.

TCCS Campus Safety protocol for disseminating Emergency Notifications specific to COVID-19 is in alignment with the Clery Act legislation and Department of Education (ED) Guidance. A highly contagious virus *does* meet the criteria for being immediately threatening to the health and safety of our community members. Per ED Guidance, a COVID-19 specific ribbon can be found at the top of the home page on the TCCS web page at <https://services.claremont.edu/>. The links include information regarding COVID-19 specific to the Colleges as well as a link to the Center for Disease Control's COVID-19 website <https://www.cdc.gov/coronavirus/2019-ncov/index.html>.

Determining the Appropriate Segment or Segments of the CGU 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.

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 CGU 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.

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

Procedures Used for Disseminating Emergency Information to the Greater Community:

Claremont Graduate University 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.

Enrolling in the University's Emergency Notification System:

Claremont Graduate University uses Everbridge as our mass notification system for quickly disseminating emergency information to the community. The practice for enrolling CGU community participants in Everbridge is as follows. Students, faculty and staff are automatically enrolled in Everbridge emergency notification system when their contact information is collected from being a student or an employee. Individuals are not allowed to opt out of receiving emergency notifications. Although the information is gathered in a variety of different ways, it is collected with the intent of having the most accurate information on file in the event of an emergency that requires community notification. Student information is updated in PeopleSoft by the Office of the Registrar. Peoplesoft is our Student Information System (SIS). It is a comprehensive, centralized data system used for

registration and stores all academic student data. Once a day, it automatically updates into our Everbridge emergency data base. Faculty and staff are asked to provide updated information to Human Resources or update their information in Peoplesoft which in turn also automatically feeds daily into Everbridge. Parents and guardians are not enrolled in Everbridge and will not receive an Everbridge alert. In the event of an emergency, the email address provided that Parent Relations has on file will be used to notify parents and guardians.

SECURITY OF AND ACCESS TO UNIVERSITY FACILITIES

On the CGU campus, administrative buildings are currently closed since March 23, 2020 due to Covid-19. To access buildings faculty and staff must go through an approval process prior to arriving to campus that includes a health screening. This process is monitored through Human Resources. Once on campus, designated doors are marked for entrance and exit only. Claremont Graduate University Campus is currently closed to the public.

For those times when campus visits are essential, below is a reminder of the required procedures.

1. Ensure you've viewed the 15-minute training video providing an overview of CGU COVID-related procedures and fill out the appropriate agreement form. This needs only to be done one time.
2. Submit the request for campus visit approval form several days before you plan to visit campus. You'll need to include the reason for your visit, the building(s) you need to enter, and the planned time of your visit.
3. The day of your visit (after receiving e-mail notification of approval) fill out the health symptom check form.
4. As you enter a campus building, please scan the QR code located at the entrance.
5. Scan the QR code again when you exit the building. P
6. Please note that identifying the entry and exit times is essential to support contact tracing requirements.

For more information on campus procedures when you visit campus go to the following website:

<https://info.cgu.edu/emergency/fall-2020-semester/campus-visit-procedures/>

Special Considerations for On-Campus Housing Access

At the CGU Apartments, all units are locked and accessible only by residents with a key. Keys can only be attained from the Housing Services office. Staff members of Housing Services are

responsible for doing daily walk-throughs of the complex. As part of the walk-thru, one of the duties is to identify any issues with accessing a unit or common area space, as well as closing the gates leading to the interior of the complex. The staff is expected to note any issue(s) with access in their duty log that is submitted to the appropriate Housing Services staff members no more than three hours after the conclusion of the CA's shift. Any access issue noted in the duty log is forwarded to the appropriate department/area for resolution. All residents are responsible for locking doors and windows of their room and/or apartment.

Only residents and their invited guests are permitted in the living areas of the residential unit. It is the resident's responsibility to ensure that their guests are aware of the University policies as well as the policies of the CGU Apartments. Guests are not provided with keys to any unit or bedroom. It is the responsibility of residents to report unescorted persons or suspicious persons to Housing Services staff or Campus Safety. It is the responsibility of Housing Services staff and Campus Safety to respond to such reports in an effort to identify the person in question, or provide support to the other entity as needed. Campus Safety officers spend a portion of their time patrolling in and around the CGU Apartments complex. The CGU Apartments are staffed 24 hours per day. Business hours for the Housing Services office are from 8:30a.m. to 5:00 p.m. After hours, staff are available to assist residents with any issue or concern that may arise when the Housing Services office is closed. Campus Safety provides support to the on-call staff as needed, but specifically during times of emergency or for incidents/issues of a serious nature. At times, Campus Safety may serve in a first-responder role for the CGU Apartments during University holiday closures or break periods. Additionally, the on-call staff is backed-up by a Housing Services staff member. The Housing Services staff member is available at all times when the staff is on call, and provides guidance and/or on-site assistance as needed, appropriate, or required. Additionally, Campus Safety personnel also conduct regular checks of the complex throughout the day.

Security Considerations for the Maintenance of Campus Facilities

CGU is committed to campus safety and security. At the University, locks, landscaping and outdoor lighting are designed for safety and security. Campus Safety, located directly across the street, routinely walks through campus and makes note of outdoor lighting that needs repair, which in turn is documented and submitted to Facilities as a Word Order for repair. Sidewalks are designed to provide well-traveled, lighted routes from parking areas to buildings and from building to building; with building entrances also being illuminated to aid in safe access to and egress from buildings. Some

University buildings, as well as the first-floor area of the CGU Apartments, are equipped with video surveillance equipment in an effort to enhance security measures.

We encourage community members to promptly report any security concern, including concerns about locking mechanisms, lighting, or landscaping to the University Facilities Department or Campus Safety.

CGU'S RESPONSE TO SEXUAL AND GENDER VIOLENCE

I. Introduction

This Policy applies to member institutions (except Keck Graduate Institute) that compose The Claremont Colleges.

The Claremont Colleges is composed of seven (7) individual Institutions²:

- Pomona College
- Claremont Graduate University
- Scripps College
- Claremont McKenna College
- Harvey Mudd College
- Pitzer College
- Keck Graduate Institute (This policy does not apply to Keck Graduate Institute)

Collectively, the member institutions (except for Keck Graduate Institute) are referred to as TCC throughout this policy.

Sexual harassment, as defined by this Title IX Policy (Policy), is prohibited within all of TCC. TCC will respond promptly and effectively to reports of sexual harassment.

This Policy addresses TCC's responsibilities and procedures related to sexual harassment, as defined in this Policy, to ensure an equitable and inclusive education and employment environment. The Policy defines sexual harassment and retaliation, and explains the administrative procedures TCC uses to resolve reports of such conduct.

This Policy outlines the Formal Grievance Procedures TCC will follow to ensure a prompt and equitable resolution of student and employee complaints alleging sexual harassment. The Institutions are not

² Each institution has its own formal governance structure and independent board. As a consortium, the Institutions work together to resolve concerns that cross the boundaries of individual Institutions.

precluded from investigating other conduct that, if proven, would not constitute sexual harassment under this Policy but may constitute a violation of other Institution policies.

Title IX Coordinator. Each Institution within TCC shall designate a Title IX Coordinator to oversee and ensure compliance with this Policy. The name, title, and contact information (phone number, email address, and office address) for each Coordinator shall be made available to the TCC community, including:

- Applicants for admission and employment
- Students
- Employees
- Union and/or professional organizations holding collective bargaining or professional agreements with the campus

Reporting Misconduct. Any person may report sex discrimination, including sexual harassment. The reporting party need not be the purported victim of the sexual harassment and/or sex discrimination. Anyone wishing to report sex discrimination may do so utilizing the contact information of the Title IX Coordinator for their individual Institution. These reports shall be accepted when received in-person, via mail, electronic mail, telephone, and/or by any other means clearly defined by TCC. Individuals can report potential sex discrimination and/or sexual harassment verbally or in writing.

Publication. This Policy shall be distributed and made available to all members of the TCC community. The Policy, and contact information for each Title IX Coordinator, shall be present on each Institution's website. Every handbook and/or catalog made available to members of the Institution's community shall contain a link to this policy and the Title IX Coordinator's contact information.

II. Relevant Terms

Advisor: An Advisor is one individual who provides guidance to the student or employee throughout the complaint process, as set forth in this Policy. Parties are entitled to an Advisor through every stage of the complaint process.

The Advisor is responsible for questioning witnesses and other parties during the hearing. Other than this responsibility, the Advisor's role is limited. See Section IX.C.7 for a full overview of the Advisor's role. Outside the role of questioning during a hearing, an Advisor may never speak on behalf of a party or otherwise disrupt any meetings or hearings in any manner. TCC reserves the right to exclude an Advisor who does not abide by these procedures.

Complainant: An individual alleged to be the victim of conduct that could constitute sexual harassment. For purposes of this Policy, a Complainant must be participating in, or attempting to participate in, an education program or activity of TCC. An individual who is on leave from their TCC employment or TCC student status is considered to be a person attempting to participate in an education program or activity for purposes of this Policy.

Consent: Consent is affirmative, clear, knowing, voluntary, conscious, and revocable permission. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable clear permission regarding willingness to engage in (and the conditions of) sexual activity. Affirmative consent must be ongoing and can be revoked at any time during sexual activity. It is the responsibility of each person to ensure they have the affirmative consent of the other to engage in the sexual activity. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

- a) Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.
- b) Consent can be withdrawn at any time.
- c) Previous relationships or prior consent cannot imply consent to future sexual acts; this includes “blanket” consent (i.e., permission in advance for any/all actions at a later time/place).
- d) It is the obligation of the person initiating the sexual activity to obtain consent.
- e) An individual cannot consent who has been coerced, including being compelled by force, threat of force, or deception; who is unaware that the act is being committed; or, who is coerced by a supervisory or disciplinary authority.
 - 1. Force: violence, compulsion, or constraint physically exerted by any means upon or against a person.
 - 2. Coercion: the application of pressure by the Respondent that unreasonably interferes with the Complainant’s ability to exercise free will. Factors to be considered include, but are not limited to, the intensity and duration of the conduct.
- f) A person who does not want to engage in sexual activity is not required to resist or to verbally object.

- g) Withdrawal of consent can be manifested through conduct and need not be a verbal withdrawal of consent (i.e., crying, pulling away, not actively participating, uncomfortable or upset facial expressions).
- h) Consent may not be given by an individual who has not reached the legal age of consent under applicable law.

In addition to being of legal age, an individual must have the capacity to give affirmative consent.

Incapacitation is a state where an individual cannot make an informed and rational decision to engage in sexual activity because the individual lacks conscious knowledge of the nature of the act (e.g., to understand the who, what, when, where, why or how of the sexual interaction) or is physically helpless. An individual is incapacitated, and therefore unable to give consent, if they are:

- Asleep;
- Unconscious;
- Unable to understand the fact, nature or extent of sexual activity due to the impact of drugs, alcohol or medication;
- Unable to communicate due to a mental or physical condition; or,
- Otherwise unaware that sexual activity is occurring.

Incapacitation may result from the use of alcohol or drugs. However, consumption of alcohol or other drugs alone is insufficient to establish incapacitation. 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. 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 sexual harassment, sexual violence, stalking, or intimate partner violence, and does not diminish one's responsibility to obtain consent.

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

- Decision-making ability;

- Awareness of consequences;
- Ability to make informed judgments; or,
- Capacity to appreciate the nature and the quality of the act.

Finally, evaluating incapacitation also requires an assessment of whether a Respondent knew, or should have known, that the Complainant was incapacitated. This assessment is conducted using an objective reasonable person standard. A Respondent's lack of awareness of the Complainant's incapacity is no excuse if an objective, reasonable person would have been aware of Complainant's incapacity.

Education Program or Activity: Alleged sexual harassment is only covered under this Policy if the alleged conduct occurred within TCC's "education program or activity." For purposes of this Policy, "education program or activity" means locations, events, or circumstances over which TCC exercised substantial control over both the Respondent and the context in which the alleged sexual harassment occurred.

If the alleged conduct occurs off-campus, and does not occur within TCC's education program or activity, the conduct cannot be investigated and addressed under this Policy. If a complaint is accepted under this Policy, and over the course of the investigation or hearing, it is determined that the alleged conduct did not occur within TCC's education program or activity, the complaint process under this Policy will be terminated.

Under some limited circumstances, off-campus conduct may be covered under this Policy. For off-campus conduct to be covered under this Policy, one of the three following conditions must be met:

- The incident occurred as part of TCC's "operations";
- TCC exercised substantial control over the Respondent and the context of the alleged sexual harassment; or,
- The incident occurred at an off-campus building owned or controlled by an officially recognized TCC student organization.

Conduct that does not occur within TCC's education program or activity, as defined by this Policy, may still be addressed through other policies and processes, such as those under the Institution's Code of Conduct, Civil Rights Policy, and/or any other applicable policy adopted by an individual Institution.

Conduct that occurs outside of the United States, including conduct taking place within a TCC-sanctioned study abroad program, cannot be investigated under this Policy. However, conduct occurring outside of the United States may still be addressed through other policies and processes, such as those under the

Institution's Code of Conduct, Civil Rights Policy, and/or any other applicable policy adopted by an individual Institution.

Formal Complaint: A document filed by a Complainant or Reporting Party, or a document signed by the Title IX Coordinator, alleging sexual harassment against a Respondent and requesting an investigation into the allegation. If the formal complaint is signed by the Title IX Coordinator, the Title IX Coordinator is not treated as a Complainant, nor is the Title IX Coordinator treated as a party to the complaint. At the time of filing the formal complaint, the Complainant must be participating in, or attempting to participate in, an education program or activity of TCC.

"A document filed by a Complainant or Reporting Party" means a document or electronic submission (such as by electronic mail or through an online reporting system) that contains the Complainant's or Reporting Party's physical or digital signature, or otherwise indicates who is the person filing the complaint. These reports shall be accepted when received in-person, via mail, electronic mail, telephone, and/or by any other means clearly defined by TCC. Individuals can report potential sex discrimination and/or sexual harassment verbally or in writing.

Reporting Party: An individual who makes a report of alleged/potential sexual harassment. This person does not need to be a Complainant and can be any person, including an individual unassociated with TCC. A Reporting Party is not considered a Complainant for purposes of this process.

Respondent: An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment. An individual does not have to be enrolled or employed by TCC to qualify as a Respondent under this Policy. TCC may dismiss a formal complaint if the Respondent is no longer enrolled or employed by TCC; however, the decision to dismiss will be made on an individual basis, with consultation between each involved Institution's Title IX Coordinators.

Supportive Measures: Non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge, to the Complainant and/or the Respondent. The range of supportive measures available is listed in Section V of this Policy.

Support Person: A Support Person is one individual who provides emotional support to a party throughout the complaint process, as set forth in this Policy. Parties are entitled to a Support Person through every stage of the complaint process.

The Support Person may never speak on behalf of a party or otherwise disrupt any meetings or hearings in any manner. TCC reserves the right to exclude a Support Person who does not abide by these procedures.

III. Sexual Harassment

Only allegations of Sexual Harassment, alleged to have occurred within TCC's education program or activity, are addressed under this Policy.³ This section provides the definition of Sexual Harassment, for purposes of this Policy.

Sexual Harassment is conduct on the basis of sex that satisfies one or more of the following:

- a) An employee conditioning the provision of an aid, benefit, or service of the Institution on an individual's participation in unwelcome sexual conduct (also known as *quid pro quo sexual harassment*).
 - Note: Complainant's statement that they found the conduct to be unwelcome is sufficient to constitute "unwelcome conduct."
- b) Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to TCC's education program or activity.
 - Note: "Unwelcome conduct" depends on a variety of factors and must be evaluated in light of the known circumstances.
 - Note: "Severe, pervasive, and objective" must be evaluated in light of the known circumstances, and is dependent on the facts in each situation. However, this element must be determined from the perspective of a reasonable person standing in the shoes of the Complainant.
- c) Sexual assault (as defined in the Clery Act), or dating violence, domestic violence, or stalking as defined in the Violence Against Women Act (VAWA).
 - Note: A single instance of any conduct as defined below is sufficient to constitute sexual harassment. Any instance of any of the conduct defined below does not need to demonstrate severity, pervasiveness, objective offensiveness, or denial of equal access to education or employment, because denial of equal access is assumed.

³ Behavior which does not fall under the definition of Sexual Harassment may be addressed through other policies and processes, such as those under the Institution's Code of Conduct, Civil Rights Policy, and/or any other applicable policy.

Sexual Assault. As defined in the Clery Act (20 USC 1092(f)(6)(A)(v), Sexual Assault is: an offense that meets the definition of rape, fondling, incest, or statutory rape, as used in the FBI's Uniform Crime Reporting (UCR) Program. The relevant FBI UCR definitions are as follows:

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 Complainant.

Fondling. The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the Complainant, including instances where the Complainant is incapable of giving consent because of age 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. In California, the statutory age of consent is 18.

Dating Violence. As defined in VAWA (34 USC 12291(a)(10), Dating Violence is: violence committed by a person:

- Who is or has been in a social relationship of a romantic or intimate nature with the Complainant; and,
- Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - The length of the relationship;
 - The type of relationship; and,
 - The frequency of interactions between the persons involved in the relationship.

Domestic Violence. As defined in VAWA (34 USC 12291(a)(8), Domestic Violence is: acts that include felony or misdemeanor crimes of violence committed by one of the following:

- a current or former spouse or intimate partner of the Complainant;
- a person with whom the Complainant shares a child in common;
- a person who is cohabitating with or has cohabitated with the Complainant as a spouse or intimate partner;
- A person similarly situated to a spouse of the Complainant under the domestic or family violence laws of California; or,

- Any other person whose acts an adult or youth Complainant is protected from under the domestic or family violence laws of the state of California.

Stalking. As defined in VAWA 34 USC 12291(a)(30), Stalking is: engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for his or her safety or the safety of others; or,
- Suffer substantial emotional distress.

IV. **Behavior That Does Not Constitute “Sexual Harassment” Under This Policy**

Behavior which does not fall under this Policy’s definition of Sexual Harassment may be addressed through other policies and processes, such as those under the Institution’s Code of Conduct, Civil Rights Policy, and/or any other applicable policy adopted by an individual Institution.

Each Institution maintains individual policies addressing sexual misconduct. These policies might address conduct constituting sexual misconduct and/or sexual harassment, as defined by those individual policies. Any conduct that constitutes Sexual Harassment, as defined by this Policy, is addressed using the process established in this Policy. Other conduct, as defined under other Institution policies, is addressed using the processes established in those individual policies.

V. **Supportive Measures**

Supportive measures, as defined in Section II, shall be made available to the Complainant and/or the Respondent before or after the filing of a formal complaint. Additionally, supportive measures shall be made available to a Complainant and/or a Respondent even if a formal complaint is not filed.

The Complainant’s Home Institution Title IX Coordinator shall implement appropriate supportive measures for the Complainant. If the supportive measures require involvement of the Respondent’s Home Institution, such measures will be coordinated through the TCC Title IX Administrator.

Supportive measures are designed to restore or preserve equal access to the TCC’s education program or activity without unreasonably burdening the other party. This includes measures designed to protect the safety of all parties or the Institution’s educational environment, or deter sexual harassment.

These measures may include, but are not limited to, the following:

- Counseling;
- Extensions of deadlines or other course-related adjustments, in coordination with the relevant Faculty member;

- Modifications of work or class schedules, in coordination with the relevant Faculty member and/or supervisor;
- Campus escort services;
- Mutual restrictions on contact between the parties;
- Changes in work or housing locations;
- Leaves of absence;
- Increased security and monitoring of certain areas of campus; and,
- Other similar measures.

These supportive measures, provided to a Complainant or Respondent, shall remain confidential to the extent that maintaining such confidentiality will not impair the Institution's ability to provide the supportive measures.

The Complainant's Home Institution Title IX Coordinator shall, upon becoming aware of alleged sexual harassment and the identity of the alleged Complainant, promptly contact the Complainant to discuss the availability of supportive measures. In implementing any supportive measures, the Title IX Coordinator shall consider the Complainant's wishes.

VI. **Emergency Removal**

In certain circumstances, a Respondent's Home Institution may remove a Respondent from an education program or activity. Such removal will only occur on an emergency basis. An emergency removal is not equivalent to a determination of responsibility, nor is it a sanction for alleged behavior. The Institution can pursue an emergency removal of a student and/or employee Respondent before or after the filing of a formal complaint.

Emergency removals will occur only after the Institution determines there is an emergency situation. This determination occurs only after the Institution has completed the following steps:

- **Completion of an individualized safety and risk analysis.** This analysis will focus on the specific Respondent and the specific circumstances arising from the allegations of sexual harassment.⁴

⁴ If a Respondent's behavior does not arise from the allegations of sexual harassment, the Institution may still address the behavior under other policies and processes, such as those under the Institution's Code of Conduct, Civil Rights Policy, and/or any other applicable policy adopted by an individual Institution.

- **Determination that the following three components are present:**
 - *An “immediate threat” justifying emergency removal.* This analysis should focus on the Respondent’s propensity, opportunity, and/or ability to effectuate a stated or potential threat. This determination will be fact-specific.
 - *The threat is “to the physical health or safety of any student or other individual.”* This may be the Complainant, the Respondent, or any other individual.
 - *And the threat “arises from the allegations of sexual harassment.”* The emergency situation must specifically arise from the allegations of sexual harassment.
- **Evaluation of the applicability of disability laws to the removal decision.** TCC will fully and appropriately consider applicable disability laws before subjecting a Respondent to emergency removal.
- **Consideration of the appropriateness of supportive measures in lieu of an emergency removal.** Emergency removals should only occur when there are genuine and demonstrated emergency situations.
- **Providing the Respondent with notice and an immediate opportunity to challenge the emergency removal.** TCC will provide the Respondent with a sufficiently detailed notice, notifying the Respondent of the identified emergency threat of physical safety or harm. The Respondent is not entitled to a full evidentiary hearing (as set forth in Section IX.C.) to challenge an Emergency Removal.

VII. **Administrative Leave (Employees Only)**

An Institution may place a non-student, employee Respondent on administrative leave during the pendency of the formal grievance process.

An employee can be placed on administrative leave only after a formal complaint has been filed against a Respondent and the grievance process has begun. Administrative leave is intended for non-emergency situations.

VIII. **Alternative Resolution Process**

TCC recognizes some parties may desire resolution of their matter through an Alternative Resolution Process, instead of through the Formal Grievance Process. Accordingly, parties can mutually agree to

resolve a complaint through an Alternative Resolution process, instead of undergoing the Formal Grievance Process.

The decision to initiate an Alternative Resolution process must be consented to in writing by both parties. The Alternative Resolution process can be terminated at any time by either party, and a Formal Grievance Process initiated instead.

Alternative Resolution is not available for employee Respondents. Any allegation of sexual harassment against an employee must proceed under the Formal Grievance Process.

In the Alternative Resolution Process, a Resolution Facilitator oversees the process. This Resolution Facilitator does not serve in the role of fact finder but rather helps the parties identify potential resolution(s) to the complaint. If the parties agree to an Alternative Resolution, the Resolution Facilitator will normally request the Complainant to submit a written statement describing the circumstances and the requested Alternative Resolution within five (5) business days of the decision to proceed with Alternative Resolution. The Resolution Facilitator may share the Complainant's statement with the Respondent, who will then have five (5) business days to submit a written response to the Resolution Facilitator. The Resolution Facilitator may share the Respondent's submission with the Complainant.

If the parties can agree on a resolution, such resolution will be documented by the Resolution Facilitator with signatures by both parties accepting the terms of the Alternative Resolution.

If the parties are unable to reach an agreed-upon resolution through the Alternative Resolution Process, the Resolution Facilitator will refer the matter back to the TCC Title IX Administrator, who will then proceed with the Formal Resolution Process as described in this Policy.

The TCC Title IX Administrator will maintain records of all reports and conduct referred for Alternative Resolution. Alternative Resolution will typically be completed within thirty (30) business days of the initial report. In circumstances when it is not possible to complete the process in this time frame, both parties will be notified in writing regarding the delay and the anticipated time frame for completion.

IX. Formal Grievance Process

The Formal Grievance Process is initiated when a Complainant or Reporting Party makes a report of alleged sexual harassment to their Institution's Title IX Office. Throughout the Formal Grievance Process, the Complainant's and Respondent's Home Institution Title IX Coordinator, as well as the TCC Title IX Administrator, will work closely and cooperatively together. They will maintain open communication during all phases of the Formal Grievance Process, including the investigation, hearing, and appeals stage.

TCC does not make determinations of responsibility prior to the completion of the Formal Grievance Process. All evidence gathered will be objectively evaluated. This includes both inculpatory and exculpatory evidence. Credibility determinations will not be made based solely on a person's status as a Complainant, Respondent, or witness. Respondents are presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process. The burden of proof and the burden of gathering sufficient evidence to reach a determination regarding responsibility rests on TCC, and not on the parties.

A. General Information

1. Standard of Evidence

TCC will utilize a "Preponderance of the Evidence" standard in evaluating allegations of sexual harassment. "Preponderance of the evidence" means the evidence on one side outweighs, or is more than, the evidence on the other side. This is a qualitative, not a quantitative, standard.

2. Intake Process

As noted above, the Formal Grievance Process is initiated when a Complainant or Reporting Party makes a report of alleged sexual harassment (Formal Complaint) to their Institution's Title IX Office.

Upon receipt of such a Formal Complaint, the Complainant's Home Institution's Title IX Coordinator will engage in an Intake Process, in which they meet with the Complainant, gather preliminary information about the allegation(s), and write the information gathered in an Intake Report.

The Intake Process is not intended to serve as an exhaustive interview, but rather to provide TCC with sufficient contextual information to determine the appropriate next steps to support the Complainant and to guide TCC's Response.

Below is a summary of the topics the Complainant's Home Institution's Title IX Coordinator will address in the meeting with the Complainant:

- Assistance with care and support resources, medical providers, and law enforcement;
- Supportive Measures;
- Procedures for determining next steps and appropriate resolution process; and,
- Options for participating in an Alternative Resolution or Formal Grievance Process.

The Complainant's Home Institution Title IX Coordinator will send a copy of the Formal Complaint and Intake Report to the Respondent's Home Institution's Title IX Coordinator and the TCC Title IX Administrator.

Following receipt of the Formal Complaint and Intake Report, the Respondent's Home Institution Title IX Coordinator will review and evaluate the allegations. Based on this information, the Respondent's Home Institution Title IX Coordinator will determine if the complaint will proceed under this Policy, meaning the conduct would be considered Sexual Harassment if the allegation(s) is sustained. If Respondent's Home Institution Title IX Coordinator determines the complaint is not covered by this Policy, they will notify Complainant's Home Institution Title IX Coordinator.

In the event the Complainant's Home Institution Title IX Coordinator does not agree with the initial evaluation, the Complainant's Home Institution Title IX Coordinator may file a written appeal to the TCC Title IX Administrator. Upon receipt of a written appeal, the TCC Title IX Administrator will conduct an initial assessment of the complaint to determine whether the Formal Complaint will proceed under this Policy. The TCC Title IX Administrator's appeal determination is final.

If the Respondent's Home Institution Title IX Coordinator determines the Formal Complaint will proceed under this Title IX Policy, the TCC Title IX Office will initiate the Formal Grievance Process.⁵ A written complaint is not required for an allegation to constitute a report of misconduct. The TCC Title IX Administrator will determine whether an investigation is warranted based on a preliminary inquiry into the allegations set forth in the Formal Complaint.

When a Formal Complaint is filed, the TCC Title IX Administrator will notify the parties of their option to participate in the Alternative Resolution Process (see above). This option is not available for employee Respondents. Any allegation of sexual harassment against an employee must proceed under the Formal Grievance Process. If either party declines to participate in the Alternative Resolution Process, the TCC Title IX Administrator shall initiate the Formal Grievance Process, as set forth in this Section.

3. Notice of Allegations

Once an investigation has been initiated, the TCC Title IX Administrator will send a written notice to both parties which will include:

- The identities of the parties (if known);
- A summary of the alleged conduct, including the date(s), time(s), and location(s) of incident(s) (if known);
- Policy sections alleged to be violated by the conduct;

⁵ If the conduct alleged would not meet the definition of Sexual Harassment, even if sustained, the Title IX process will be terminated. However, the conduct may continue to be investigated under other policies and processes, such as those under the Institution's Code of Conduct, Discrimination & Harassment Policy, Civil Rights Policy, and/or any other applicable policy adopted by the Institution.

- The formal grievance process, including any available informal resolution processes;
- A statement that Respondent is presumed not responsible until a determination of responsibility is made following the investigation and hearing;
- A statement that the Institution will not make a determination of responsibility until the conclusion of the grievance process;
- A notice regarding whether interviews will be recorded, and that only the Investigator is permitted to record interviews;
- A description of the parties' opportunities to present, inspect, and review evidence;
- A statement that the parties may have an Advisor of their choice, who is permitted to be an attorney;
- A summary of the hearing process and a statement that the Hearing Decision will make factual and policy findings regarding the allegations;
- A statement that findings will be based on a Preponderance of the Evidence Standard;
- A notice admonishing the parties against retaliation; and,
- A notice informing the parties they are prohibited from making false statements or knowingly submitting false information based on the Institution's Code of Conduct.

The Notice of Allegations shall be amended any time during the investigation to include additional allegations of Policy violations identified during the investigation. An amended Notice of Allegations should include all required information described above.

4. Timing

Absent an extension for good cause, an Investigator will typically complete their investigation within 60 – 75 business days from the Notice of Allegations. This includes the Evidence Review process. If the Investigator determines additional time is needed to complete the investigation, the Investigator will provide written notice to the parties of the delay and the good cause reason for the delay. Some cases may take longer to investigate, depending on the number of witnesses and/or the number of allegations. Absent an extension for good cause, the hearing process will typically be completed, including issuance of the Hearing Decision, within 30 – 45 business days from the issuance of the Investigation Report. If the Adjudicator and/or the Coordinator determines additional time is needed to complete the hearing, the

Coordinator will provide written notice to the parties of the delay and the good cause reason for the delay.

Absent an extension for good cause, the appeal process will typically be completed, including issuance of the final appeal decision, within 15 – 30 business days from the issuance of the Hearing Decision. If the Appeal Officer and/or the Coordinator determines additional time is needed to complete the appeal process, the Coordinator will provide written notice to the parties of the delay and the good cause reason for the delay.

In summary, absent extensions for good cause, the entire Formal Grievance Process should be completed within 180 business days from the issuance of the Notice of Allegations. Failure to complete the Formal Grievance Process within this time period does not, in and of itself, constitute a procedural error. Any such argument of procedural error (as set forth in Section IX.E.) must also include an explanation as to how the delays materially impacted the outcome of the Formal Grievance Process.

5. Concurrent Criminal Investigations

On occasion, a criminal investigation may be initiated by a law enforcement agency over the same allegations that are reported in a Formal Complaint submitted to TCC. A pending police investigation is a separate investigation and it does not relieve TCC of its responsibility to timely investigate complaints under this Policy. A temporary delay for the length of the fact-finding portion of a criminal investigation may constitute good cause for extending the timeline of the Institution's investigation.

6. Confidentiality

Parties may share confidential information received through the process with their Support Person and Advisor. TCC shall not restrict the ability of the parties to discuss the allegations under investigation for the purpose of gathering and presenting relevant evidence.

Institution representatives are permitted to share confidential information among other Institution representatives who have a reasonable need to know. TCC will endeavor to respect any requests for confidentiality, but will also weigh those requests against the Institution's responsibility to maintain a safe environment for the Institutional community. Complete confidentiality cannot be guaranteed.

7. Right to an Advisor

Parties may elect to be accompanied by an Advisor during meetings and proceedings related to the investigation and hearing process outlined in this Policy. Parties are limited to one Advisor. An Advisor can be anyone, including an attorney. The Advisor may not speak on behalf of the party or otherwise disrupt any interviews or proceedings.

Specific guidelines regarding the Advisor role at the hearing are outlined below. TCC reserves the right to exclude or remove an Advisor who does not comply with this Policy.

A party does not have to have an Advisor during the investigation process. TCC will not provide any party with an Advisor during the investigation process. However, as outlined below, TCC will provide a party with an Advisor during the hearing, if the party has not already obtained an Advisor.

8. Support Persons

Parties may elect to be accompanied by a Support Person during the hearing process. Parties are limited to one Support Person. A Support Person may not be a party or a witness in the case. The Support Person's role is to provide emotional support throughout the process. The Support Person may not speak on behalf of the party or otherwise disrupt any interviews or proceedings. TCC reserves the right to exclude or remove a Support Person who does not comply with these procedures.

9. Accepting Responsibility

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

10. Closure

Not all reports of potential sexual harassment constitute a report of prohibited conduct that may be resolved through this Policy.

TCC must close and dismiss a Formal Complaint or any allegations therein if, at any time during the investigation or hearing, it is determined that:

- The conduct alleged in the formal complaint would not constitute sexual harassment as defined above, even if proved; and/or
- The conduct did not occur in an educational program or activity controlled by the Institute (including buildings or properties controlled by recognized student organizations; and/or
- The alleged conduct did not occur against a person in the United States; and/or
- At the time of filing a formal complaint, a Complainant is not participating in or attempting to participate in (an education program or activity of TCC.

Additionally, TCC may close and dismiss a Formal Complaint or any allegations therein if, at any time during the investigation or hearing:

- A Complainant notifies their Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations therein; or
- It is determined that the Respondent is no longer enrolled or employed by TCC;
- Specific circumstances prevent TCC from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.,

A decision to close a matter based on any of the above-listed factors is made at the discretion of the TCC Title IX Administrator.

Upon termination of the process, the TCC Title IX Administrator will provide written notice to the parties describing the reason for the dismissal. TCC may continue to investigate the allegations as a potential violation of another policy. If TCC elects to continue the investigation outside of the TCC Title IX Policy, the TCC Title IX Administrator shall provide written notice to the parties describing the determination. The dismissal determination is appealable by any party under the procedures for appeal outlined in Section IX.E., below. The decision not to dismiss is also appealable by any party claiming a dismissal is required or appropriate.

A complainant who decides to withdraw a complaint may later request to reinstate or refile the complaint.

11. Consolidation of Formal Complaints

TCC may consolidate Formal Complaints under two circumstances:

- Where there is a complaint involving more than one Complainant and/or Respondent, stemming from the same facts or circumstances; or,
- Where a cross-complaint has been filed by a Respondent against a Complainant.

A decision to consolidate matters based on any of the above-listed factors is made at the discretion of the TCC Title IX Administrator. If the TCC Title IX Administrator determines consolidation is appropriate, they must send notice to all involved parties.

B. Investigation Process

1. Designation of the Investigator

The TCC Title IX Administrator will designate an Investigator to conduct a fair, thorough, and impartial investigation.

The Investigator will have had appropriate training in the definitions of sexual harassment, the scope of TCC's education programs and activities, the investigation and hearing processes, the informal resolution processes, and investigative report writing.

2. Investigation Process

Both parties will be provided equal opportunity to meet with the Investigator, submit evidence, and identify relevant witnesses. The Investigator will meet separately with the Complainant, Respondent, and witnesses. The Investigator has discretion regarding which witnesses to interview and when to conduct follow-up interviews with parties and witnesses.

The Investigator will prepare a written summary of each interview and send same to the witness or party for a review of accuracy. Unless the individual requests additional time, the written summary will be deemed accurate if the individual does not provide feedback on the written summary within two (2) business days of the Investigator emailing it to the individual.

The Investigator will take reasonable steps to gather relevant available evidence. The Investigator may exclude evidence they determine to be irrelevant or immaterial. The Investigator will not consider evidence which requires seeking information protected by a legally recognized privilege, unless the person holding the privilege has waived the privilege.

TCC shall not restrict the ability of the parties to discuss the allegations under investigation for the purpose of gathering and presenting relevant evidence.

The Investigator may gather information related to prior or subsequent conduct of the Respondent in determining pattern, knowledge, intent, motive, or absence of mistake.

The Investigator will generally not gather information related to the sexual history of either the Complainant or Respondent. The Investigator will not gather sexual history as it pertains to a party's reputation or character. However, the Investigator may gather sexual history when:

- The sexual history pertains to prior sexual conduct between the parties, and is therefore relevant to an analysis of whether Respondent reasonably believed Complainant consented to the alleged conduct.
- The sexual history is relevant to explain an injury.
- The sexual history is relevant to show another person is, or may be, responsible for the alleged conduct.
- The sexual history is relevant to show a pattern of behavior by Respondent.

Prior to any meeting, including an investigative interview meeting with a party, the Investigator shall provide the party with written notice of the date, time, location, participants, and purpose of the meeting. The Investigator shall provide the written notice with sufficient time for the party to prepare for the meeting. An Advisor and a Support Person may accompany a party to every meeting.

3. Recording

TCC may elect to electronically record investigative interviews. If they choose to do so, the Investigator will inform the parties and witnesses of this intent. TCC will retain any recordings it has made as the only authorized recording of the interviews. A recorded party may request to review the transcript or audio of their interview in-person and under supervision by a TCC representative. A party may request to review the transcript of the other party in-person and under supervision by a TCC representative. Investigation recordings will be maintained for seven (7) years after the conclusion of the Formal Grievance Process, the Respondent's graduation, separation from TCC, or separation from Institutional employment, whichever is latest.

4. Evidence Review

Before issuing the final Investigation Report, the TCC Title IX Administrator will provide a preliminary Investigation Report⁶ to the parties, and provide the parties with an equal opportunity to respond to the relevant evidence, including allowing parties to present additional relevant evidence or information. This is known as the Evidence Review Process. This opportunity should be provided to each party regardless of whether the party participated in the investigation. Absent good cause, parties are provided with ten (10) business days to review and respond to the evidence.

The TCC Title IX Administrator will have discretion to determine how to provide access to the preliminary Investigation Report to the parties, based on the particular circumstances of the case and any party or witness privacy concerns. Neither Complainant, Respondent, nor anyone on either party's behalf may copy, remove, photograph, print, record, or in any other manner duplicate the information contained in the preliminary Investigation Report (unless a party is describing the material in a written response to the evidence).

As part of this Evidence Review Process, the parties may submit proposed questions for the Investigator to ask of the other party or any witness, request additional interviews and information-gathering, and/or

⁶ Before issuing the preliminary Investigation Report, the Complainant's and Respondent's Home Institution's Title IX Coordinators, as well as the TCC Title IX Administrator, will review the draft preliminary Investigation Report for approval. The purpose of this review is to ensure the preliminary Investigation Report is impartial and reliable.

suggest additional witnesses. The Investigator has discretion to determine if the responses warrant additional information-gathering. If the Investigator determines it is unnecessary to ask individuals additional questions, interview new witnesses, and/or gather additional evidence, the Investigator will explain their decision in the final Investigation Report.

If additional evidence is provided, the parties submit a written response to the evidence, or new evidence is gathered, it will be included in either a revised preliminary Investigation Report or a separate addendum, as deemed appropriate by the Investigator. Both parties will be provided a reasonable opportunity to review and respond to any new evidence. The Investigator will determine when it is appropriate to conclude the evidence review process. The TCC Title IX Administrator will notify the parties when the Evidence Review Process is complete and the Investigation Report is finalized.

5. Final Investigation Report

At the conclusion of the Evidence Review Process, the Investigator will prepare a final written report that includes:

- The identities of the parties;
- The identities of the witnesses;
- The dates of conducted interviews;
- A summary of the allegations;
- The policy alleged to be violated by the conduct;
- A summary of the investigation process;
- The relevant statements of the parties and witnesses;
- A summary of the relevant evidence considered by the Investigator;
- A description of the relevant, material undisputed facts;
- A description of the relevant, material disputed facts;
- A statement describing how and when the parties were given the opportunity to review the evidence; and,
- Explanations for why evidence or witnesses submitted by the parties were not considered.

The report will not include findings of fact, findings of policy, or credibility determinations for parties or witnesses (other than to note when credibility is not disputed).⁷

The TCC Title IX Administrator will provide the parties with a final copy of the Investigation Report, including all attachments, at least 10 days prior to a hearing. The parties may submit a written response to the final Investigation Report. Written responses are incorporated into the materials that can be reviewed and considered by the Adjudicator.

C. Hearing

If the TCC Title IX Administrator determines, after the final Investigation Report is issued, that closure of the matter under this policy is not warranted, the matter shall proceed to a hearing. A hearing will be held in which an Adjudicator will make findings of fact on disputed facts, and findings of policy on the relevant Policy the Respondent is alleged to have violated.

Individuals may choose not to participate in the hearing. If any individual – Complainant, Respondent, and/or witnesses – chooses not to participate in the hearing, the Adjudicator may not consider any statement made by the individual to the Investigator. Parties (Complainants and Respondents) may also choose to attend the hearing and not answer questions.

The hearing is a closed proceeding and will not be open to the public. The witnesses will only be present in the hearing for the duration of their testimony.

TCC expects the parties will wish TCC to share documentation related to the allegations with their Support Person and/or Advisor. TCC provides a FERPA release form that authorizes such sharing and participation. The parties must complete this form before TCC is able to share records with a Support Person and/or Advisor. Parties must also complete this form before the commencement of the hearing. The parties are not otherwise restricted from discussing and sharing information relating to allegations with others who may support them or assist them in preparing and presenting. Support Persons and/or Advisors are expected to maintain the privacy of the records shared with them by TCC. These records may not be shared with third parties, disclosed publicly, or used for purposes not explicitly authorized by TCC. TCC may seek to restrict the role of any Support Person and/or Advisor who does not respect the sensitive nature of the process or who fails to abide by TCC's privacy expectations.

⁷ As with the preliminary report, before issuing the final Investigation Report, the Complainant's and Respondent's Home Institution's Title IX Coordinators, as well as the TCC Title IX Administrator, will review the draft final Investigation Report for approval.

1. Hearing Coordinator

The TCC Title IX Administrator will be responsible for designating a Hearing Coordinator who will coordinate the hearing process. The Hearing Coordinator will ensure the Adjudicator is provided with all necessary materials, including the Investigation Report and attachments, as well as any party's written responses to the final Investigation Report. The Hearing Coordinator will also arrange a location for the hearing and coordinate a date and time for the hearing.

The Hearing Coordinator will act as a liaison between the parties and the Adjudicator on all procedural matters.

2. Designation of Adjudicator

The TCC Title IX Administrator will be responsible for designating an Adjudicator, distinct from the Hearing Coordinator and any Title IX Coordinator, who will preside over the hearing and draft the Hearing Decision. The Adjudicator is a single individual, either internal or external to TCC. The Adjudicator is responsible for overseeing the hearing, making procedural determinations, managing the questioning process, and issuing the Hearing Decision.

The Adjudicator will have had appropriate training in the definitions of sexual harassment, the scope of TCC's education programs and activities, the investigation and hearing processes, the informal resolution processes, and hearing decision writing.

Additionally, the Adjudicator will be trained on the following:

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

The Hearing Coordinator will provide the parties with written notice of the Adjudicator's identity. After the Hearing Notice has been sent, parties will have five (5) business days to object to the selection of the Adjudicator for an actual conflict of interest or bias. An *actual conflict of interest* exists if the Adjudicator has a close personal relationship with one of the parties or witnesses. Prior work for TCC, prior work on Title IX-related matters, and any prior decisions regarding similar matters do not constitute bias on their own. The Adjudicator's sex, gender identity, race, ethnicity, religion, sexual orientation, or other identifying characteristic do not constitute a reason for bias on their own. The TCC Title IX Administrator will consider and resolve any objections to the selection of an Adjudicator.

3. Witnesses

The Adjudicator has ultimate discretion to call witnesses and may determine not to call witnesses submitted by the parties, and to call witnesses who were not submitted by the parties. The Adjudicator will communicate to the Hearing Coordinator the witnesses they have determined should be called for the hearing, what their expected relevant testimony will be, and their explanations for determining not to call witnesses submitted by the parties if they make such determinations.

The Hearing Coordinator will request the attendance of all the witnesses whose testimony the Adjudicator determined was within the hearing scope. The Hearing Coordinator will coordinate to have the Investigator present at the hearing for questions regarding the investigation and the Investigation Report.

TCC cannot compel parties or witnesses (with the exception of the Investigator) to testify in the hearing. Any witnesses' decision not to participate will not be a reason to cancel or postpone a hearing.

Investigators who are current employees of TCC are expected to participate in the hearing, if requested. Non-employee investigators, including investigators who have left employment with TCC, can be requested, but cannot be compelled, to participate in the hearing.

The Complainant's and Respondent's Home Institution's Title IX Coordinators can be present in a silent role during the entirety of the hearing.

4. Hearing Notice

At least five (5) business days prior to the scheduled hearing, the Hearing Coordinator shall send the parties written notice of the hearing. The written notice will include the following information:

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

5. Recording

The Hearing Coordinator is responsible for ensuring the hearing is audio recorded. TCC shall retain the recording as the only authorized recording of the hearing. A recorded party may request to review the transcript or audio of the hearing in-person and under supervision by a TCC representative.

Hearing recordings will be maintained for seven (7) years after the conclusion of the Formal Grievance Process, the Respondent's graduation, separation from TCC, or separation from Institutional employment, whichever is latest.

6. Separation of Parties

Parties will be physically separated during the hearing, unless both parties request that they occupy the same physical space during the entirety of the hearing.⁸ The parties shall be able to see and hear any party providing testimony during the hearing; however, they shall not occupy the same physical space. If the hearing is conducted in-person, each party shall provide their testimony while residing in the same physical location as the Adjudicator. When the party has finished providing their testimony, they will move to another location to observe the hearing via videoconference.

7. Hearing Questioning and Role of the Advisor

The Adjudicator will determine the order of questioning at the hearing. The Adjudicator may change the order of questioning, with appropriate verbal notice to the parties, if the Adjudicator determines a change is necessary to accommodate a witness' schedule, or for other procedural reasons. The Adjudicator may ask questions at any time of any party providing testimony during the hearing. The Adjudicator will permit a party's Advisor to pose questions for the other party(ies) and witnesses. Questions must be relevant to the hearing scope, not be repetitive of information already gathered, and/or not be harassing of any party. The Adjudicator will evaluate each question asked. If the Adjudicator determines the question should not be asked, the Adjudicator will direct the party/witness not to answer the question and state their reasoning on the record. All determinations made by the Adjudicator are final, including determinations on questioning.

Parties are expected to notify the Hearing Coordinator of the identity of their Advisor and Support Person. The Hearing Coordinator will share this information with the other party.

If a party does not have an Advisor at the commencement of the hearing, TCC will provide the party with an Advisor, for the purpose of assisting the party with questioning during the hearing. If parties know

⁸ The Adjudicator is responsible for making a final decision about location of the parties during the hearing.

they will not have their own Advisor at the hearing, they are encouraged to notify the Hearing Coordinator of this fact as soon as possible. TCC will provide an Advisor trained in the hearing process and in the development and posing of relevant questions. Parties are never permitted to ask questions of the other party(ies) and witnesses. If a party attends the hearing without an Advisor, TCC will provide that party with an Advisor. The party must utilize the provided Advisor for purposes of questioning during the hearing.

If a party does not participate in, or attend, the hearing, their Advisor may still appear at the hearing and ask questions of the other party(ies) and witnesses.

Absent their role in questioning, Advisors will remain silent during the hearing. They may not answer questions on behalf of any party, nor may they make closing statements on behalf of any party.

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

8. Party Mitigation and Impact Statements

Within five (5) business days after the last day of the hearing, the parties may provide to the TCC Title IX Administrator written statements related to potential sanctions. Specifically, parties may submit a written impact and/or mitigation statement.

If the Adjudicator determines there was a violation of policy, the Adjudicator will notify the TCC Title IX Administrator before issuing their Hearing Decision. The TCC Title IX Administrator will provide the Adjudicator with copies of the party statements, in accordance with Section IX.D, below. If the Adjudicator determines there was not a violation of policy, the TCC Title IX Administrator will not release the party statements to the Adjudicator.

9. Hearing Decision

The Adjudicator will consider the investigation record, including the Investigation Report and attachments, and the evidence accepted at the hearing in drafting their Hearing Decision. The Adjudicator will use a preponderance of the evidence standard to determine whether a Policy violation occurred. The Adjudicator will make their own findings and credibility determinations based on a preponderance of the evidence.

If a party or witness does not submit to questioning from the Adjudicator, or the party's Advisors, the Adjudicator may not rely on any statement of that party or witness in reaching their determination. The Adjudicator will not draw an inference regarding a person's decision not to participate in the hearing, nor will they draw an inference regarding a person's decision not to answer questions posed during the

hearing. However, the Adjudicator may consider a person's selective participation during the hearing in assessing credibility. Selective participation, for purposes of this Policy, means a party chooses to answer some questions and declines to answer others.

If the Adjudicator finds a violation of policy, the Adjudicator and TCC shall follow the procedures set forth in Section IX.D. – Sanctioning.

If the Adjudicator does not find a violation of policy, the Adjudicator will finalize the Hearing Decision and submit the Hearing Decision to the TCC Title IX Administrator. The Hearing Decision will include the following:

- The allegations potentially constituting sexual harassment;
- A description of the procedural steps taken from receipt of the Formal Complaint through the determination;
- Findings of fact;
- Policy findings (including any violations of other applicable policies, provided the parties were previously provided notice of the inclusion of those other policies);
- Rationale for each finding;
- Sanctioning determination; and,
- Rationale for the sanctioning determination.

Within fifteen (15) business days of the hearing, the TCC Title IX Administrator will send written notice to both parties of the Adjudicator's Policy and sanctioning determinations. The TCC Title IX Administrator will include a copy of the Adjudicator's decision.

The TCC Title IX Administrator will explain the Appeal Process in their written notice to the parties. The Adjudicator's determination becomes final on the date on which an appeal would no longer be considered timely (see Section IX.E).

For potential enhancements to sanctions, occurring when a Respondent has instances of prior conduct, please see Section IX.F.

D. Sanctioning

This section sets forth the procedures to be followed should the Adjudicator find that a Policy violation(s) occurred. This section applies only to instances involving student Respondents. In the case of employee Respondents, the TCC Title IX Administrator will refer the matter, including the Hearing Decision, to the Institution's designated office.

In cases involving student Respondents, if the Adjudicator determines there was a Policy violation, the Adjudicator will notify the TCC Title IX Administrator. The TCC Title IX Administrator will take two steps:

- They will notify the Title IX Coordinator of each student's home Institution. The Title IX Coordinators may submit written recommendations related to sanctions. They will provide those recommendations to the TCC Title IX Administrator, who will transmit them to the Adjudicator; and,
- They will provide the Adjudicator with any written party statements, as set forth in Section IX.C.8., above. If the parties did not provide written statements in accordance with Section IX.C.8., above, they will not be provided an additional opportunity to submit a written statement to the Adjudicator.

The Adjudicator will make a sanctioning determination based on the factual and policy findings, written party statements, written Institution recommendations, and other factors relevant to sanctioning.

These factors include, but are not limited to:

Severity of the violation: Location of the touching, the extent of the touching, the duration of the conduct, whether the conduct was repeated, the number of Policy violations, abuse of power, use of intimidation, use of force, level of endangerment to the Complainant, level of injury to the Complainant, presence of a weapon, deliberate embarrassment, exploitation of level of intoxication, invasion of privacy via recording, photographing, viewing, and distributing.

Aggravation: Whether the Respondent used force, threat, violence, duress, or intentionally caused intoxication to engage in conduct without Complainant's consent.

Intent: Whether Respondent intended to cause harm; whether Respondent premeditated the conduct; whether Respondent pressured others to engage in the conduct or similar conduct; whether Respondent was pressured by others to engage in the conduct.

Retaliation: Whether Respondent complied with No Contact Orders and other interim measures in place during the investigation and hearing process; whether Respondent engaged in conduct meant to intimidate or harass participants for their participation in the investigation or hearing process; whether Respondent was forthcoming during the investigation and hearing process; whether Respondent engaged in any other conduct which would obstruct the investigation or hearing process, or impacted the fairness of the processes.

Impact: The impact of Respondent's conduct and presence on the Complainant's safety and participation in TCC's programs; the impact of Respondent's conduct on TCC's community; the impact of sanctions on Respondent's access to participation in TCC's programs.

Character: Whether Respondent has made efforts to prevent the conduct from occurring again; Respondent's contributions to the Institutional community.

Possible Sanctions:

Warning: Written notice that the Respondent's behavior was in violation of TCC Policy and that future violations will result in more severe sanctions.

Restitution: Reimbursement by the Respondent(s) to the Institution, another Claremont College, TCC, the Complainant(s), or a member of TCC's community to cover the cost of property damage or other loss.

Fine: A monetary penalty assessed as appropriate to the violation.

Service Hours: A set number of work hours the Respondent must complete. The Title IX Coordinator will determine the nature of the work to be performed. Generally, service hours are conducted on campus.

Educational Program/Project: Programs and activities designed to help the Respondent become more aware of Institution policies and help the Respondent understand the inappropriateness of their behavior, including, but not limited to, participation in an educational program or completion of an online program.

Referral for Assessment: A referral for an assessment with an appropriately trained therapist who will recommend a process for treatment. Reinstatement is conditioned upon receiving proof of completion of the recommended treatment.

Loss of Privileges: Denial of specific privilege(s) for a defined period of time. Privileges include, but are not limited to, participation in extra-curricular activities and events such as social events, intercollegiate athletics, intramural programs, student organizations, and student government, as well as the privilege of living on campus, living in a specific residence hall, participation in commencement ceremonies, or having a vehicle on campus.

Restricted Access: Conditions which specifically dictate and limit the Respondent's presence on campus and/or participation in Institution-sponsored activities. The restrictions will be clearly defined and may include, but are not limited to, presence in certain buildings or locations on campus or a No Contact Order. In cases involving parties from different Claremont Colleges, restricted access may extend to exclusion from another Institution campus.

Removal of Offending Cause: Requirement to remove the item which was the subject of the complaint.

Relocation or Removal from Residence Halls: Requirement that the Respondent relocate to another residence hall, or off-campus, by a specified date.

Probation: Formal, written notice that the Respondent's behavior is in violation of Institution policies and an expectation that the Respondent exhibit good behavior for a defined period of time. Any violation during the probationary period will result in increased sanctioning and may result in suspension or expulsion from the Institution. Notice of Conduct Probation is sent to the Respondent's academic advisor as well as to the Respondent's parent(s)/guardian if the Respondent is a minor.

Employment Probation: Formal, written notice that the employee's conduct is in violation of Institution policies and an expectation that the employee exhibit good behavior for a defined period of time. Any further violations during the probationary period will result in increased sanctioning and may result in employment suspension without pay or termination of employment.

Suspension: Separation from the Institution for a defined period of time. During the suspension period the Respondent is not permitted on campus, is not permitted to participate in any Institution-sponsored or affiliated program or activity, and is not permitted to earn any credits towards the Respondent's degree. The terms of the suspension may include the designation of special conditions affecting eligibility for re-enrollment or special conditions to be in effect upon re-enrollment, including a term of Conduct Probation.

Suspension without Pay (staff and faculty): Separation of employment for a defined period of time without pay for the time of separation.

Employment Termination: Permanent separation of the employee from their position. If the Respondent is a student, they may be permanently separated from their student position. A staff or faculty member who is terminated from their employment is not permitted to participate in any Institution-sponsored or affiliated program or activity.

Expulsion: Permanent separation from the Institution. A Respondent who has been expelled is not permitted on campus and is not permitted to participate in any Institution-sponsored or affiliated program or activity.

E. Appeal

A Complainant or Respondent who is not satisfied with the policy findings and/or sanctions at the completion of the hearing process may submit an appeal to the TCC Title IX Administrator. The TCC Title IX Administrator will identify an appropriate trained Appeal Authority to review and make a determination of the appeal(s).

When the Title IX Administrator identifies an Appeal Authority, they will provide written notice of the individual's identity to the parties.

Appeals must be submitted within five (5) business days of the Notice of the Hearing Decision to the TCC Title IX Administrator. The appeal must specify which grounds the appeal is based upon and include any arguments the party wishes to make in support of their appeal. Appeals are limited to ten (10) pages, including attachments.

1. Appeal Grounds

A party may appeal based on the established investigation, hearing record, and Hearing Decision under one of the following grounds:

Procedural Error: There was a procedural error(s) during the investigation or hearing process which materially affected the outcome of the process. The appealing party must describe in their appeal how the procedural error impacted the outcome.

Disproportionate Sanctions: The sanctions are disproportionate to the Adjudicator's findings.

Conflict of Interest: The Title IX Coordinator, Investigator(s), and/or Adjudicator had a conflict of interest or bias for or against any party that affected the outcome of the matter. The appealing party must describe in their appeal the alleged conflict of interest or bias held by the individual and how this altered or impacted the outcome.

New Evidence: There is new evidence which was not available or known (and could not have reasonably been known) at the time of the final Hearing Decision which materially affected the outcome of the process. The appealing party must describe in their appeal how the new evidence would have altered the outcome of the process and why the new evidence was not available or reasonably known prior to the appeal.

2. Appeal Authority

As noted above, the TCC Title IX Administrator will designate an appropriate Appeal Authority to conduct a prompt, thorough, and impartial review of the appeal. The Appeal Authority will not be the same person as the Adjudicator, Investigator, or Title IX Coordinator.

The Appeal Authority will have had appropriate training in the definitions of sexual harassment and sexual misconduct, the scope of TCC's education programs and activities, the investigation and hearing processes, the informal resolution processes, and appeal decision writing.

3. Accepting an Appeal

The Appeal Authority will determine if the party has provided sufficient support for the grounds of their appeal. If the Appeal Authority finds the appeal is insufficient or does not state any of the proper grounds for appeal, they will send written notice to the appealing party and give them the opportunity to amend their appeal to cure the defects. The Appeal Authority will provide a new deadline for submitting the appeal.

4. Appeal Response

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

5. Appeal Record

The review of an appeal will not involve any additional investigation by the Appeal Authority. The review will be based upon evidence introduced during the investigation process and presented at the hearing, as well as the arguments made during the appeal process. The Appeal Authority will not consider new evidence for the purposes of upholding, overturning, or modifying the findings. Appeals submitted under the ground of new evidence will be considered only to determine whether the new evidence could likely change the findings.

6. Appeal Decision

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

- Uphold the findings and sanctions;
- Overturn the findings and/or sanctions;
- Modify the findings and/or sanctions; or,

- Remand the case for a second hearing based on new evidence which could likely affect the outcome of the matter.

7. Notice of the Appeal Decision

The TCC Title IX Administrator will send written notice of the Appeal Decision to both parties within thirty (30) business days of the issuance of the Hearing Decision. The Notice of the Appeal Decision will include a copy of the written Appeal Decision. The notice will inform the parties there is no further review of the matter, no further right to appeal, and the matter is closed.

The determination regarding responsibility and sanctioning becomes final on the date of the Appeal Decision, unless the Appeal Decision determines another hearing is necessary based on new evidence discovered.

F. Final Sanctioning Determination

After the issuance of the final decision (the Hearing Decision if there is no appeal, or the Appeal Decision), the TCC Title IX Administrator will send matters involving findings of Policy violation to the Dean of Students in the Respondent's Home Institution. The Dean of Students will review the issued sanctions and determine if any enhancements are warranted based on a Respondent's disciplinary history. Enhancements based on a prior disciplinary history are not shared with the other party.

X. Training And Recordkeeping

TCC and the relevant Institutions (as defined in Section I., above) will retain documents related to this process for a period of seven (7) years. Documents related to this process include: Formal Complaints, remedies provided to the Complainant, the Investigation Report and attachments, the Hearing Decision, any sanctioning determination, and all appeal-related documents, as well as any audio recording or transcript of the hearing.

TCC will also retain, for a period of seven (7) years, all materials used to train Coordinators, Investigators, decision-makers, and any person facilitating the informal resolution or appeal process. TCC shall make this training material publicly available on its website.

There are multiple individuals involved in the Formal Grievance Process – the Title IX Coordinators, the Title IX Administrator and staff, Investigator, Adjudicator, facilitator of the Alternative Resolution Process, and Appeal Officers. No individual involved in the grievance process may have a conflict of interest or bias for or against any party, nor may they have a bias for or against Complainants or

Respondents in general. All individuals involved in the grievance process shall receive yearly training on the grievance process. This training shall include:

- The definition of sexual harassment, per this Policy;
- Scope of the Institution's education program or activity; and,
- How to conduct an investigation and grievance process under this Policy.

XI. Retaliation

TCC prohibits retaliation against any person exercising their rights under this Policy. Retaliation is an adverse action against a person based on their report or other disclosure of alleged sexual harassment to an Institution employee or their participation in the investigation, reporting, or disciplinary processes provided for in this Policy. An adverse action is conduct that would discourage a reasonable person from reporting Prohibited Conduct or participating in a process provided for in this Policy, such as threats, intimidation, harassment and coercion. Retaliation does not include good faith actions lawfully pursued in response to a report of Prohibited Conduct.

XII. Effective Date

This Policy will become effective on August 14, 2020, and will only apply to sexual harassment alleged to have occurred on or after August 14, 2020. Incidents of sexual harassment alleged to have occurred before August 14, 2020, will be investigated and adjudicated according to the process in place at the time the incident allegedly occurred.

PROCEDURES SURVIVORS SHOULD FOLLOW

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 criminal prosecution. By preserving the evidence described above, it may be helpful in obtaining a Protective Order, also called Restraining Orders. The survivor 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 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.

Highly trained professional Sexual Assault Response Teams operate out of both Pomona Valley Hospital Medical Center as well as San Antonio Medical Center. Survivors can receive a forensic exam at either location. By calling Project Sister first, survivors can have Project Sister staff make the arrangements with the hospital and meet the survivor at the hospital for additional support.

Pomona Valley Hospital Medical Center
1798 N. Garey Ave.
Pomona, CA 91767
<https://www.pvhmc.org/>

San Antonio Regional Hospital
999 San Bernardino Road
Upland, CA 91786
<https://www.sarh.org/>

Due to the complex nature of Sexual Misconduct, an individual who has been a victim of sexual assault, stalking, sexual exploitation, and/or sexual harassment may need support and assistance in obtaining one or more of the following:

- No-contact orders
- Counseling support (e.g., Monsour Counseling and Psychological Services)
- Change in academic schedule
- The imposition of an interim suspension on the alleged perpetrator

On and Off Campus Resources

Both Claremont Graduate University and the city of Claremont offer other important resources to the survivors of sexual violence that they may wish to utilize. Such resources include: medical treatment, counseling, and advocacy. Project Sister Family Services (PSFS), the local assistance agency for survivors of sexual assault and abuse, is available to assist any student or employee. PSFS will help survivors consider their options and navigate through any resources or recourse they elect to pursue. A survivor of sexual assault or abuse does not need to make a formal report to law enforcement or Claremont Graduate University to access these resources that include the following:

- **Monsour Counseling and Psychological Services** – 757 College Way (Tranquada Student Services Center), Claremont, CA 91711, 909-621-8202
- **Student Health Services** – 757 College Way (Tranquada Student Services Center), Claremont, CA 91711, 909-621-8222
- **Dean of Students and Campus Life** – 160 East Tenth Street, Claremont, CA, 909-621-8965
- **Project Sister Family Services** – 363 South Park Avenue, Pomona, CA 91766, 909-626-4357

- **McAlister Center for Religious Activities** – 9191 North Columbia Avenue, Claremont, CA 91711, 909-621-8685

Department of Campus Safety for The Claremont Colleges

909-607-2000 (emergency)

909-621-8170

150 E. 8th Street

Claremont, CA 91711

<https://services.claremont.edu/campus-safety/>

EmPOWER Center

909-607-2689

1030 Dartmouth Ave.

Claremont, CA 91711

<http://7csexualmisconductresources.claremont.edu/empower-center/>

RAINN National Sexual Assault Crisis Hotline

800-656-HOPE (800-656-4673)

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

RAINN, the national sexual assault crisis hotline is a clearinghouse for local crisis hotlines. When a caller calls the hotline, a computer notes the area code and first three digits of the caller's phone number. The call is then instantaneously connected to the nearest RAINN member center. If all counselors at that center are busy, the call is sent to the next closest center. The caller's phone number is not retained, so the call is anonymous and confidential unless the caller chooses to share personally-identifying information.

Child Abuse:**Los Angeles County Child Protective Services Hotline**

800-540-4000 (within California)

213-639-4500 (outside of California)

800-272-6699 (TDD)

Childhelp National Child Abuse Hotline

800-4-A-Child (800-422-4453)

<http://www.childhelp.org/hotline/>

The Childhelp, a national child abuse hotline, is dedicated to the prevention of child abuse. Serving the United States, its territories, and Canada, the Hotline is staffed 24/7 with professional crisis counselors who, through interpreters, can provide assistance in 170 languages. The Hotline offers crisis intervention, information, literature, and referrals to thousands of emergency, social service, and support resources. All calls are anonymous and confidential.

Domestic and Dating Violence

House of Ruth

877-988-5559 (toll-free hotline)

909-623-4364 (Pomona Outreach Office)

<http://houseofruthinc.org/>

The House of Ruth provides advocacy and assistance to women and children affected by domestic violence by providing culturally competent shelter, programs, opportunities, and education. Participation in House of Ruth programming is open to all battered women and children. Many of House of Ruth's services are available in both Spanish and English and are free of charge.

National Domestic Violence Hotline

800-799-SAFE (7233)

800-787-3224 (TTY)

<http://www.thehotline.org>

The Hotline, a national domestic violence hotline, provides 24/7 help to survivors and anyone calling on their behalf through crisis intervention, safety planning, information, and referrals to agencies in all 50 states, Puerto Rico and the U.S. Virgin Islands. Assistance is available in English and Spanish with access to more than 170 languages through interpreter services.

Love Is Respect – National Dating Abuse Hotline

866-331-9474

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

The Love Is Respect, a national dating abuse hotline, is 24/7 phone service which connects teens and young adults to peer advocates who are trained to offer education, resource information, support, and advocacy to those involved in dating abuse relationships as well as concerned friends, siblings, parents, teachers, law enforcement members and service providers. All conversations are confidential and anonymous. You will not be asked for your name or contact information, but you may be asked for your age and city in order to find local resources for you.

If a survivor reports to law enforcement, that group may assist them in obtaining a restraining order from a criminal court. CGU is committed to ensuring that any such order is fully upheld on all institutionally owned and controlled property. CGU is also committed to protecting survivors from any further harm, and the local criminal court may issue a temporary restraining order pending the outcome of any conduct proceeding. Students who wish to have assistance in reporting to Claremont Police Department may be assisted by the Associate Dean of Students, Jami Hinshaw at (909) 621-8965, or Claremont Graduate University Advocates for Survivors of Sexual Violence (CGU Advocates) by emailing advocates@cgu.edu. Students may also contact The Claremont Colleges

Services Campus Safety at (909) 621-8170 or come to the office at 150 E. Eighth St., Claremont, CA 91711 and Campus Safety will ask the Claremont Police Department to meet you here in our private conference room.

The EmPower Center, The Claremont College's Sexual Assault Prevention Resource Center shares in writing on their website: In cases involving potential criminal misconduct, individuals are encouraged to file a report with the police department that has jurisdiction over the location where the incident occurred. If the conduct is reported to one of the colleges, the college will inform the individual of their right to file a police report and will provide assistance in doing so if the individual wishes for assistance. In cases where the complainant is under the age of 18, the college may notify the police and will cooperate as appropriate with any external investigation. For more information, contact your Title IX Coordinator or Campus Safety.

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 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:

<http://meganslaw.ca.gov/disclaimer.aspx>

For general information on Megan's Law, visit the State of California's Department of Justice website at: <http://www.meganslaw.ca.gov/>

CAMPUS SECURITY AND POLICIES, CRIME PREVENTION & SAFETY AWARENESS PROGRAMS

CGU has established a number of policies and procedures related to ensuring a reasonably safe campus community. These policies include:

Another step the University has made toward making reporting crimes easy and accessible is the "LiveSafe" app for smartphones. The LiveSafe app allows CGU 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.

Claremont Graduate University also provides faculty, staff and students convenient access to the CGU Safety Resource Card. By texting “Claremontsafety” to 444-999, community members will receive a downloadable link that contains both local CGU, TCCS, and local resources. Also contained when accessing this valuable information is a short informative video on the topic of Consent. Programs provided by The Dean of Students include: Active Assailant Training, Teal Dot Bystander training and Domestic Violence Awareness programming for the month of October.

Weapons Policy

The possession, carrying and use of weapons, ammunition, or explosives is prohibited on University owned or controlled property. The only exception to this policy is for authorized law enforcement officers or others, specifically authorized by the University. The specific University policy can be found at: <https://cgu.policystat.com/policy/7076134/latest/>. Failure to comply with the University weapons policy may result in disciplinary action against violators.

Missing Student Notification Policy

It is the policy of Campus Safety to thoroughly investigate all reports of missing persons. Additionally, the University holds that every person reported missing will be considered at risk until significant information to the contrary is confirmed. All reports of missing persons must immediately be directed to the Campus Safety by calling extension 7-2000 or 7-2333(Off Campus: 909-607-2000 or 909-607-7233) or made in person at the Pendleton Business Building, 150 E. 8th Street, Claremont, CA 91711. Reports of missing students received by other University departments are to be promptly forwarded to the Campus Safety. It is the policy of this department to support and assist missing person investigations originating outside our jurisdiction. A person may be declared “missing” when his, her or their whereabouts are unknown and unexplainable for a period of time, typically 24 hours or sooner, especially if it is regarded by knowledgeable persons as highly unusual or suspicious in consideration of the subject’s behavior patterns, plans, or routines.

The purpose of this policy is to establish procedures to be followed if a missing person complaint is made to the Campus Safety office. If a complaint is made to this office, Campus Safety staff will follow the steps listed below:

- Person receiving the complaint will immediately dispatch a Campus Safety Officer to the location of the complaint. In addition, make appropriate notification to the Assistant Vice

President for Student Affairs and Dean of Students (or their designee) and the Director of Housing Operations.

- The responding officer will gather all essential information about the person (description, clothes last worn, where subject might be, with whom they might be, vehicle description, etc.) And every effort will be made to make contact directly with the student or their designated confidential contact(s).
- An up to date photograph may also be obtained to aid in the search.
- The responding Campus Safety Officer will also gather information about the physical and mental wellbeing of the individual.
- Appropriate campus staff, including the Director or Housing Operations will be notified to aid in the search for the individual. A quick but thorough search will be conducted in all campus buildings, grounds, and parking lots.
- Class schedules will be obtained and a search of appropriate classrooms will be conducted.
- The Assistant Vice President for Student Affairs and Dean of Students (or designee) will be promptly notified and is responsible for communicating with the family or relatives of the missing person.

If the above actions are unsuccessful in locating the person or it is apparent from the beginning that the person is actually missing (i.e. call from parents, spouse, housemate), the investigation will be turned over to the appropriate local law enforcement agency. This will take place as soon as practical but never later than 24 hours from the initial report. At this time, the local law enforcement agency becomes the authority in charge and the Department of Campus Safety will assist them in any way necessary.

In accordance with the Higher Education Act of 2008, all students may register a confidential contact with the University. Access to this information is restricted to authorized campus officials and law enforcement officers actively involved in the furtherance of a missing person investigation. The confidential contact does not have to be a parent of a student. This is the individual who will be contacted by Campus Safety or another police department within 24 hours of the determination that the student is reported missing. This individual will also be updated as to the progress of the investigation. In the event a student is under 18 years of age, and has not been legally emancipated, the student's parents or guardian will also be contacted within 24 hours of the determination that the student is reported missing. Please note that the local police department will be notified even if a student has not registered a confidential contact. Students are encouraged to register an individual as a confidential contact and may do so through their MyCGU portal and clicking on the "Profile" tile, the information will then then reside in Peoplesoft.

Registering Emergency Contact(s):

When registering an emergency contact, residents have the option to identify a confidential contact to be notified by Campus Safety in furtherance of a missing person investigation, in the event the resident is determined to be missing for more than 24 hours. If a resident has identified such an individual, Campus Safety will notify that individual no later than 24 hours after the resident is determined to be missing.

A resident who wishes to identify a confidential contact, which is in addition to a regular emergency contact, can do so by going to the CCA Housing Services Office to fill out an “Emergency Contact Notification Form”. A resident’s confidential contact information will be accessible only by authorized campus officials and law enforcement as appropriate.

If a resident is under 18 years of age, and not an emancipated individual, Claremont Graduate University Housing Services is required to notify a custodial parent or guardian (in addition to any other contact person designated by the student) and the notification must occur not later than 24 hours after the student is determined to be missing.

Statement Addressing Missing Resident:

If a member of the Claremont Graduate University community has reason to believe that a student who resides in on-campus housing (CCA) is missing, he or she should immediately notify Campus Safety at (909) 607-2000; Housing Services at (909) 607-607-3964. Campus Safety will generate a missing person report and initiate an investigation.

In addition to registering a general emergency contact, students residing in on-campus housing have the option to identify confidentially an individual to be contacted by CGU Housing Services in the event the resident is determined to be missing for more than 24 hours. If a student has identified such an individual, Housing Services will notify that individual no later than 24 hours after the student is determined missing. A student who wishes to identify a confidential contact can do so by visiting the CGU Housing Services Office and submitting an “Emergency Contact Notification Form”. A resident’s confidential contact information will be accessible only by authorized campus officials and law enforcement in the course of investigation.

After investigating a missing resident report, should Campus Safety determine that the resident has been missing for 24 hours, Housing Services will notify the resident's emergency contact no later than 24 hours after it has been determined that a resident is missing. If the resident is under the age of 18 and is not an emancipated individual, Housing Services will notify the resident's parent or legal guardian immediately after it is determined that the resident has been missing for 24 hours.

Daily Crime Log

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

Crime Prevention and Safety Awareness Programs

Campus Safety participated in the Fall Orientation program and answered questions from CGU students. Campus Safety conducted training with student staff members from Housing and students at the Leadership Summit on Emergency Preparedness including crime prevention on campus, active shooter training, the LiveSafe App and the Emergency Contact Card for CGU. In addition, CGU students could be informed about crime on campus and in the surrounding area. Campus Safety maintains a strong working relationship with the CGU community. Campus Safety coordinates an escort program for CGU students. Campus Safety performs walk-throughs, building checks, and inspections of both the CGU central campus and the CGU Apartments.

CGU Housing facilitates programming throughout the academic year for residents. Led by the staff, CGU Housing invites residents to participate in Self Defense for men and women, and Behind the Wheel, which is alcohol awareness. CGU also sent a reminder out to the entire community encouraging everyone to take an active part in ensuring the safety and security of others. This is encouraged through making sure everyone has downloaded the CGU Emergency Contact Card to their phone, and encouraging individuals to download the liveSafe app. The liveSafe app is a mobile app that is designed to prevent crime and enable better response from Campus Safety.

CGU POLICIES GOVERNING ALCOHOL AND OTHER DRUG

CGU Alcohol and Drug Policy

Federal law requires CGU to notify annually all faculty, staff, and students of the following:

The University prohibits the unlawful possession, sale, use, manufacture or distribution of alcohol or controlled substances by students, faculty, staff, and guests in buildings, facilities, grounds or property controlled by the University or used as part of University activities. Laws regarding the possession, sale, consumption or furnishing of alcohol is controlled by the California Department of Alcohol Beverage Control (ABC). However, the enforcement of alcohol laws on-campus is the responsibility of CGU and Campus Safety. It is unlawful to sell, furnish, or provide alcohol to a person under the age of 21. CGU students are expected to act lawfully with respect to the possession and consumption of alcoholic beverages. Consumption of alcohol by individuals under 21 years of age on property or grounds controlled by the University, or as part of University activities, is prohibited. Additionally, the possession, sale, manufacture, or distribution of any controlled substance is illegal under both state and federal laws. Such laws are enforced by Campus Safety and local law enforcement. Violators, both CGU students and employees, are subject to University disciplinary action up to, and including, expulsion and termination of employment and referral for prosecution. CGU employees may be required to participate in an alcohol/drug abuse or rehabilitation program as appropriate.

Federal, State and Local Law

Students are not exempt from local, state, and federal law while on the Claremont Graduate University campus. The federal government, through the Drug Free Schools and Communities Act, requires that colleges enforce state and local laws concerning drugs and alcohol in order to remain eligible for federal funds including federal student financial aid. California has a strict host liability law. If a student sells or serves alcohol, she or he can be held responsible in a court of law for the conduct of any individual who is served if that person subsequently injures himself or herself, becomes ill, dies, or injures a third party. This is especially true when the person served is a minor or is already intoxicated.

The City of Claremont prohibits public intoxication, open containers of alcohol in vehicles, and consuming alcohol in public parks. Under California law the following are illegal:

- It is illegal to sell, furnish or give alcoholic beverage to anyone under 21 or to anyone who is obviously intoxicated. (California Business & Professions Code Sec. 25658.)

- It is illegal for anyone under 21 to purchase or attempt to purchase alcoholic beverages or to possess alcoholic beverages in any public place, including streets or highways. (California Business & Professions Code Sec. 25662.)
- It is illegal to sell alcohol without a valid license or permit. (California Business & Professions Code Sec. 23301.)
- It is illegal to drink while driving. (California Vehicle Code Sec. 23221.)
- It is illegal to have an open container of alcohol in a moving vehicle. (California Vehicle Code Sec. 23222, 23223.)
- It is illegal to drive under the influence of alcohol. (Intoxication is presumed when blood alcohol level is .08% or higher, but may be found with blood alcohol levels of .05% to .08%). (California Vehicle Code Sec. 23152.)
- It is illegal for anyone under 21 to drive with a blood alcohol level of .05% or more or to drive while under the influence of alcohol. (California Vehicle Code Sec. 23140.)
- It is illegal to ride a bicycle or to operate a water vessel, water ski or aquaplane while intoxicated.
- It is illegal to present any form of false identification to purchase, order or attempt to purchase any alcoholic beverage or to possess false evidence of age and identity. (California Business & Professions Code Sec. 25661.)
- It is illegal to sell or provide false evidence of age or identity to anyone under age 21. (California Business & Professions Code Sec. 25661.)
- It is illegal for anyone under age 21 to enter or stay in a place licensed to sell liquor without a lawful reason to be there. (California Business & Professions Code Sec. 26665.)
- It is illegal to be found in a public place under the influence of liquor, drugs or controlled substances if you are unable to care for your own safety or interfere with the use of a public way. (California Penal Code Sec. 647(f).)

Legal Penalties

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

- Anyone who sells or gives any alcoholic beverage to a person under age 21 is guilty of a misdemeanor. Punishment may include a fine of \$1,000, which may not be suspended and

performance of not less than 24 hours of community service in addition to penalties provided for misdemeanor violations.

- Anyone under age 21 who purchases any alcoholic beverage or consumes an alcoholic beverage in any on-sale premises is guilty of a misdemeanor.
- Anyone under 21 who attempts to purchase any alcoholic beverage is guilty of an infraction and shall be punished by a fine of not more than \$100. Any subsequent violation shall be punished by a fine of not more than \$250 or 36 hours of community service.
- Anyone under 21 who is in possession of an alcoholic beverage in a public place or street or highway is guilty of a misdemeanor.
- Anyone under 21 who presents false evidence of age and identity to order or obtain any alcoholic beverage or who possesses false evidence of age and identity is guilty of a misdemeanor. Punishment shall include a fine of \$250 which may not be suspended or performance of not less than 24 hours nor more than 32 hours of community service.

Penalties for drunk driving:

- First Offense: Imprisonment in the county jail for not less than 96 hours, at least 48 hours of which shall be continuous, nor more than six months and by a fine of not less than three hundred ninety dollars (\$390), nor more than one thousand dollars (\$1000) and completion of a driving under the influence education program (at least 30 hours if blood alcohol was less than .20% and at least 45 hours if more than .20%). If under 21, suspension of driver's license for one year, over 21, suspension for six months. In addition, a period of probation from three to five years may be imposed. If registered to the driver, the vehicle may be impounded for 1 to 30 days.
- Second Offense (within 7 years): Fines from \$390 to \$1000, imprisonment in the county jail for not less than 90 days nor more than one year, driver's license suspension of 18 months. If registered to the driver, the vehicle will be impounded for 1 to 30 days.
- Third Offense: Fines from \$390 to \$1000, imprisonment in the county jail for not less than 120 days nor more than one year, driver's license revocation for four years. If registered to the driver, the vehicle may be impounded for 1 to 90 days or may be sold.
- Fourth Offense or greater; Fines from \$390 to \$1000, imprisonment in the county jail for not less than 180 days to three years in state prison, driver's license revocation for four years. If registered to the driver, the vehicle may be impounded for 1 to 90 days or may be sold.

- For all offenses, participation in an alcohol or drug program may be required and vehicles registered to the driver may be sold or impounded for periods up to three years.
- Driving privileges are suspended for six months for refusing to submit to a blood alcohol test. The suspension is for two years if there has been a prior conviction within seven years, and for three years if there have been three or more convictions within seven years.

General Overview of Local, State and Federal Laws Concerning Drugs

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

CALIFORNIA STATE LAW PROHIBITS:

Marijuana Possession

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

Marijuana Cultivation

Health and Safety Code 11358 as amended by Proposition 64, allows most people who are 21 and over to cultivate up to six (6) marijuana plants. People under 21 who grow any amount marijuana, though, are guilty of an infraction. People under 18 who cultivate marijuana illegally must attend drug counseling and perform community service. People 18 and over (but under 21) may be fined up to \$100. And cultivating over six marijuana plants remains a crime. Most defendants who plant, cultivate, harvest, dry or process more than 6 living marijuana plants will be charged with a misdemeanor and face up to six (6) months in county jail and/or a fine of up to \$500.

AND cultivating more than 6 marijuana plants can be charged as a California felony for the following defendants:

- People with serious violent felonies on their record;
 - Registered sex offenders;
 - Defendants who have two (2) or more prior convictions for cultivating more than six marijuana plants; and
 - Defendants who violate certain California environmental laws in their marijuana cultivation activities.
- (Sec. 11358)

Possession of Marijuana for Sale

Proposition 64 legalized the sale of marijuana--but only for businesses that obtain and operate in accordance with a state license (and possibly local licenses as well). As a result, possession of

marijuana with the intent to sell it without a license remains a crime under HS. For most adult defendants, HS 11359 possession for sale without a license is a misdemeanor, carrying the following penalties:

- Up to six (6) months in county jail, and/or
- A fine of up to five hundred dollars (\$500).

But marijuana possession for sale without a license is a felony if any of the following is true:

- You have a prior conviction for one of a list of particularly serious violent felonies, including murder, sexually violent offenses, sex crimes against a child under 14, or gross vehicular manslaughter while intoxicated, or a sex crime that requires you to register as a sex offender;
- You have two (2) or more prior misdemeanor convictions for marijuana possession for sale; or
- You possessed marijuana for sale in connection with a knowing sale or attempted sale to someone under 18.

For these defendants, possessing marijuana for sale is punishable by 16 months, or two or three years in county jail.

Proof of intent to sell marijuana without a license is usually made by circumstantial evidence. Such evidence can include:

- a large quantity of marijuana,
- the presence of items such as baggies and scales,
- pot divided into multiple baggies or containers,
- the presence of cash and/or weapons, and/or
- the opinion of the arresting officer that the marijuana was for sale. (Sec. 11359)

Transportation or Sale of Marijuana

Under California's marijuana legalization law, you can only sell marijuana if you have obtained a license to do so. These licenses will be issued by a newly-created Bureau of Marijuana Control. If you don't have a license, then selling pot--or transporting it in order to sell it--is still a crime under HS 11360. Under Prop 64, HS 11360 has become a law intended to prohibit a "black market" in marijuana. For most defendants, unlicensed sale or transport for sale of marijuana is a misdemeanor punishable by up to six (6) months in county jail and/or a fine of up to one thousand dollars (\$1,000). (For defendants under 18, it is an infraction. Also, giving away or transporting for sale up to 28.5 grams of marijuana without a license is an infraction.) But sale/transport for sale of marijuana without a license to do so is a felony for the following defendants:

- Defendants who have a prior conviction for one of a list of particularly serious violent felonies,

including murder, sexually violent offenses, sex crimes against a child under 14, or gross vehicular manslaughter while intoxicated, or a sex crime that requires them to register as a sex offender;

- Defendants who have two (2) or more prior convictions for HS 11360 sale/transportation of marijuana;
- Defendants who knowingly sold, attempted to sell, or offered to sell or furnish marijuana to someone under 18;
- Defendants who imported or attempted or offered to import into California, or transported or attempted/offered to transport out of California for sale, more than 28.5 grams of marijuana or more than four grams of concentrated cannabis.

In any of these scenarios, black market sale or transportation for sale of marijuana under HS 11360 is punishable by two (2), three (3) or four (4) years in jail.

Finally, transporting marijuana without intent to sell it, or giving marijuana away, is not a crime in California so long as both of the following are true:

- You transport or give away not more than 28.5 grams of marijuana or eight grams of concentrated cannabis, and

Any people you give marijuana to are 21 years of age or older (Sec. 11360)

Selling marijuana to a minor – Health and Safety Code 11361 makes it a felony for anyone 18 years or older to sell marijuana to a minor. This law is unchanged by Proposition 64/marijuana legalization. HS 11361 also makes it a felony to use a minor unlawfully to transport, carry, sell, give away, furnish, administer, prepare for sale, or peddle any amount or type of marijuana. Sentences for violating California Health and Safety Code 11361 are served in California state prison, rather than county jail. If the minor involved is under 14 years of age, the penalty is three, five or seven years in state prison. If the minor is over 14, but less than 18, the penalty is three, four or five years in state prison.

Concentrated Cannabis -- “Concentrated cannabis” is the separated resin (whether crude or purified) obtained from the marijuana plant. It is commonly referred to as “hashish” or “hash.” Concentrated cannabis is considered to be marijuana under California law. This means, among other things, that people entitled to possess, cultivate, or transport medical marijuana may do the same with concentrated cannabis. Also, under Proposition 64, simple possession of concentrated cannabis for recreational use is legal--but a person may only possess up to 4 grams for personal use.

Driving with Marijuana -- Vehicle Code 23222(b) prohibits driving in possession of up to 28.5 grams of marijuana. It is a sister provision to the law against driving with an open container of alcohol in your vehicle. Proposition 64 did not change this law. Driving with marijuana is an infraction. It can be punished by up to a \$100 fine.

Possession of drug paraphernalia: It is unlawful to possess an opium pipe or any device, contrivance, instrument or paraphernalia used for unlawfully injecting or smoking controlled substances, which is classified as a narcotic drug.

Unauthorized Possession of Controlled Substances: Except as otherwise provided...every person who possesses (1) any controlled substance or (2) any controlled substance which is a narcotic drug, unless upon the written prescription of a physicians, dentist, podiatrist or veterinarian licensed to practice in this state, shall be punished by imprisonment in state prison for a period of not less than two years or more than ten years and shall not be eligible for release upon completion of sentence or on parole or any other basis until she/he has been imprisoned by for period of not less than two years in the state prison. (Sect 11350)

Possession for Sale of Controlled Substances: Except as otherwise provided...every person who possesses for sale (1) any controlled substance or (2) any controlled substance which is a narcotic drug shall be punished by imprisonment in the state prison for a period of not less than five years or more than 15 years and shall not be eligible for release upon completion of sentence or not parole or any other basis until she/he has been imprisoned for a period of not less than two (2) years in the state prison. (Sec. 11351)

Possession with Intention to Manufacture Methamphetamine: Any person who possesses both methylamine and phenyl-2propanone (phenyl acetone) at the same time with the intent to manufacture methamphetamine is guilty of a felony and shall be punished by imprisonment in the state prison for between one and five years. (Sec.11383).

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. Drugs taken by injection can increase the risk of infection (e.g. HIV, hepatitis, etc.) through needle contamination. Additional risks of harm may occur from the use of prescription drugs in ways other than prescribed.

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 can lead to alcohol poisoning, coma, and death. Drugs such as LSD, amphetamines, marijuana, cocaine, and alcohol alter emotion, 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. Abuse of either alcohol or drugs during pregnancy increases the risk of birth defects, spontaneous abortion, and stillbirths.

It is impossible to accurately predict how an individual will react to a specific drug or to alcohol because effects vary depending on the person, environmental variables, the dosage and potency of the substance, the method of taking the substance, the chronicity of use, and whether the substance is taken in conjunction with other substances. Illegal drugs have particularly unpredictable effects due to variability in dosage and purity. When two or more substances are combined, there is often an effect that is stronger than their additive sum.

For more information visit: www.drugabuse.gov

Drug and Alcohol Abuse Education Programs

Resources for Students, Faculty, and Staff

The Claremont Colleges are committed to education and counseling as the primary focus of their substance abuse programs and provide confidential, professional assistance for students. Students are urged to seek information and help regarding substance abuse for themselves or their friends. A

variety of services are available for students including counseling, educational materials, and/or referrals are available at the following offices:

- **Health Education Outreach Office** – Tranquada Center, 757 College Way., 909-607-3602
- **Monsour Counseling Center** – 757 College Way, 909-621-8202
- **Student Health Services** – 757 College Way, 909-621-8222
- **Dean of Students and Campus Life** – 160 East Tenth Street, 909-621-8965

As a CGU employee, the following office is available to assist with finding counseling, educational materials, and/or referrals:

- **Human Resources** – 150 East Tenth Street, 909-621-8686 or 909-607-4404

To protect privacy, information regarding a student's, staff members, or faculty member's participation in any alcohol or drug assistance program is treated as confidential.

One program that CGU participates in annually is Freshcheck day. This program has a variety of booths set up around educational resources, mental health and specifically a booth related to Alcohol and understanding limits. This year CGU partnered with KGI during Freshcheck day and had students, faculty and staff attend. Its particularly important that information and resources are shared with graduate students as Alcohol use may look different than it did as an undergrad. At Freshcheck we also provide resources around drug abuse signs of suicide ideation and how to contact national hotlines, and the counseling center on campus.

Other programs that CGU facilitated include Sober October- Young People & getting Sober, Sober October – Sobriety & LGBTQIA & Community and Sober October – Staying Sober Through the Holidays.

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. Claremont Colleges' Campus Safety maintains a close relationship with all police departments. Working together, they ensure that crimes which occur at properties that CGU owns or controls are reported directly to these police departments and are brought to the attention of the Campus Safety.

Campus Safety collects the crime statistics disclosed in the charts below through a number of

methods. Campus Safety dispatchers and officers enter all reports of crime incidents made directly to the department through a 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. Campus Safety 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 the 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 – is 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.

- A. 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.*
- B. 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.*
- C. Incest — Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.*
- D. Statutory Rape — Is 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 care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault – is 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 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 or 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 Prejudice:

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.

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, sexual assault and stalking

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.

Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

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.

Sexual assault is defined as any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent.

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.

Consent: California law defines consent as "affirmative, conscious, and voluntary." Consent is active, not passive, and is clear, knowing and voluntary. Consent is positive sexual permission; silence, without more, cannot be interpreted as consent. Consent can be given by words or actions, as long as those words or actions create mutually understandable and affirmative permission regarding willingness to engage in (and the conditions of) sexual activity. In order to give effective consent, one must be of legal age and have the capacity to give consent:

1. The legal age of consent in the state of California is 18 years.
2. Consent to any one form of sexual activity does not imply consent to any other form(s) of sexual activity.
3. A previous relationship or prior consent does not imply consent to future sexual acts.

4. Consent can be withdrawn. Thus, even if a person agreed to sexual interaction or continued sexual interaction, that person has the right to change their mind, irrespective of how much sexual interaction may have already taken place.

2020 Claremont Graduate University Crime Statistics Chart



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	2017	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0
Drug Abuse Violations	2017	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0
Illegal Weapons Possession	2017	0	0	0	0	0	0	0	0
	2018	0	0	0	0	0	0	0	0
	2019	0	0	0	0	0	0	0	0

VAWA Amendment Offenses		On-Campus	*Residential Facility	Non-campus Building or Property	Public Property
Dating violence	2017	0	0	1	0
	2018	0	0	0	0
	2019	0	0	0	0
Domestic Violence	2017	0	0	0	0
	2018	2	0	1	0
	2019	0	0	0	0
Stalking	2017	4	2	2	0
	2018	3	0	1	0
	2019	1	0	1	0

Hate Crimes:

2017 There were no reportable hate crimes

2018 There was one reportable hate crime - Destruction/damage/vandalism of property, Ethnicity, On-Campus Student Housing Facility

2019 There were no reportable hate crimes

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

Statistics from the Claremont Police Department are included in the totals

There were no crimes unfounded by the Claremont Police Department

<i>Offense</i>		<i>On-Campus</i>	<i>*Residential Facility</i>	<i>Non-campus Building or Property</i>	<i>Public Property</i>
<i>Criminal Homicide</i>					
<i>Murder and Non-negligent Manslaughter</i>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<i>Manslaughter by Negligence</i>		0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<i>Sex Offenses</i>					
<i>Rape</i>	2017	1	0	0	0
	2018	1	0	0	0
	2019	1	0	0	0
<i>Fondling</i>	2017	0	0	1	0
	2018	0	0	0	0
	2019	0	0	0	0
<i>Incest</i>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<i>Statutory Rape</i>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<i>Robbery</i>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<i>Aggravated Assault</i>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0
<i>Burglary</i>	2017	2	1	1	0
	2018	0	0	0	0
	2019	1	0	0	0
<i>Motor Vehicle Theft</i>	2017	0	0	1	0
	2018	0	0	0	0
	2019	0	0	0	0
<i>Arson</i>	2017	0	0	0	0
	2018	0	0	0	0
	2019	0	0	0	0

CRIME PREVENTION TIPS

While the CGU campus is a reasonably safe environment, crimes do occur. In addition to the Clery Act crimes statistics, other common crimes that occur on campus are outlined below:

Theft

Theft is a common occurrence on college campuses. Oftentimes this is due to the fact that theft is a crime of opportunity. Confined living arrangements, recreation facilities, and many open classrooms and laboratories provide thieves with effortless opportunities. Occupants of the CGU Apartments often

feel a sense of security and home atmosphere and become too trusting of their peers, while others leave classrooms and laboratories unlocked when not occupied for short periods of time.

It is important to be very vigilant when it comes to suspicious persons. Never leave items and valuables lying around unsecured. Doors should be locked at all times. The following is a list of suggestions to help you not fall victim of theft:

- Keep doors to residence halls, labs, and classrooms locked when not occupied
- Don't provide access to unauthorized persons in the buildings or classrooms
- Do not keep large amounts of money with you
- Lock all valuables, money, jewelry, and checkbooks in a lock box or locked drawer
- Keep a list of all valuable possessions including the makes, models, and serial numbers of these items
- Don't leave laptop computers or textbooks unattended in labs or libraries, even if it is for a short period of time
- Don't lend credit cards or identification cards to anyone
- Report loitering persons or suspicious persons to Campus Safety immediately; don't take any chances

Identity Theft

Identity theft is a crime in which someone wrongfully obtains and uses another person's personal information in some way that involves fraud or deception, typically for economic gain. This personal data could be a Social Security number, bank account or credit card information.

Persons involved in identity theft often use computers or other forms of media to assist them.

There are measures you can take to prevent this from happening to you:

- Do not give anyone your personal information unless there is a reason to trust them and the release is for good reason.
 - Never give your credit card information, date of birth, or other information over the telephone, unless you can confirm the person receiving that information.
 - Complete a credit check frequently to assure there is no suspicious activity.
 - Examine financial information often to assure all transactions are authorized and accounted for.
- Use of security software on computers, as well as the installation of firewalls are good practice.

ANNUAL FIRE SAFETY REPORT

The Higher Education Opportunity Act enacted on August 14, 2008, requires institutions that maintain on-campus student housing facilities to publish an annual fire safety report that contains information about campus fire safety practices and standards of the institution. The following report details all information required by this act for Claremont Graduate University.

Fire Safety Systems in Residential Facilities

The CGU Apartments were built in 2008 and cover a site area of 324,081 square feet and a building area of 98,596 square feet. The CGU Apartments have automatic sprinkler systems and fire alarm systems that help to provide for a fire safe living environment. All of the units and apartments in the complex are provided with automatic sprinkler systems, smoke detectors and building fire alarm systems to provide early detection and warning of a possible fire emergency.

The Peak Management maintains and tests all fire alarms and automatic fire suppression systems to insure system readiness and proper operation in the event of a fire emergency. Additionally, multiple fire extinguishers are located in the exterior walkways of every floor of the CGU Apartments complex. Each fire extinguisher is enclosed in a locked case with a glass cover. In the case of an emergency, residents can access a fire extinguisher by pulling the metal handle on the case. Housing typically conducts 2 fire drills for the Claremont Collegiate Apartments. They will also perform annual sprinkler testing, quarterly fire alarm testing, and complete monthly fire extinguisher checks and refill/replace as needed.

Residents of the CGU Apartments shall take due care to prevent fires. Flammable materials shall not be used or stored on the premises. These items include, but are not limited to: candles, incense, fireworks, lighter fluid, propane or other gas cylinders, etc. The following are the rules and regulations for the residents of the Claremont Collegiate Apartments Student Guide:

Residents agree to take reasonable care of their unit and its furnishings by keeping the premises in a clean and sanitary condition, and by being responsible for any damage to the unit, its furnishings and equipment (reasonable wear and tear excepted). In addition, the resident is responsible for compliance with all provisions of the agreement. Residents understand that their account will be charged for any damage, loss or necessary cleaning caused by the resident or their guest(s).

- Residents shall cooperate in the care of the dwelling and grounds and shall notify the Housing Services Office of damage or need for repair to the property.
- Alterations, changes, remodeling or renovating, including but not limited to painting of the unit, grounds and Community Room, are prohibited. Tampering with the electrical or mechanical

fixtures in the units and/or the Housing complex without the prior written consent of the Manager of Housing Services is also prohibited. All fixtures that are installed become part of the premises and subsequently property of the University.

- Exterior apartment door decorations using adhesives or attachments such as stickers, graffiti, message boards, signs and tape are not allowed.
- Residents may attach hanging objects to the walls by means of tacks, standard metal picture hangers, small nails and screws only. If removal of such methods causes damage, the damage will be assessed against a Resident's security deposit. Attachment of any other objects to the premises or altering the premises in any other manner whatsoever, without the prior written consent of the Manager of Housing Services, is prohibited.
- Resident shall not bring or maintain any of the following on premises: clothes washer or dryer, refrigerators or freezers, stoves, air conditioners, space heaters, outdoor clotheslines or drying equipment (no drying clothes on balcony), boats or trailers, or waterbeds. In addition, no other furniture or equipment is allowed in the unit without the permission of the Manager of Housing Services.
- Residents shall not install or place any equipment or construction on the grounds or in the buildings. No outside gardens may be constructed or maintained in any area of the Housing complex without the express written consent of the Manager of Housing Services.
- Accumulation of debris around the exterior or interior of the premises is not allowed. Deposit of wastepaper, cans, bottles or other trash except in receptacles is prohibited. All apartment trash needs to be properly disposed of
 - In CCA Apartments trash will be placed in a large dumpster. There are three locations at the housing complex
- Students are responsible for reporting safety, maintenance or cleanliness issues to the Housing Services Office or a Housing Services staff member.
- Premises shall not be used in any unlawful manner or in any hazardous way. Premises shall conform to any and all laws, ordinances, rules, regulations and requirements which govern said Premises. No business may be run from Premises, or in or around any of the Claremont Collegiate Apartments, and/or parking lots.
- All residents are expected to evacuate their apartment and building area immediately during the sounding of a fire alarm or upon the direction of a University staff member. Residents in Buildings A, B and C should evacuate to the West side of the CCA/CGU Apartments' parking lot. Residents in Buildings D and E should evacuate to the N. College Ave. parking lot. Attempting to re-enter an apartment or the Community Room without the permission of

University or Housing Services staff is prohibited. Referral to Campus Safety for criminal/legal action may also be a consequence for failing to comply with the Evacuation Procedures.

On-Campus Housing Fire Drills

The CGU Apartments have an emergency evacuation plan. Typically, the CCA apartments will conduct a minimum of two fire drills during January-December 2019. This year, the CCA apartments transitioned to new management and the dates and times of these fire drills were not documented for the new management team. The fire drills allow residents to become familiar with and practice their evacuation skills.

Fire Safety Education and Training Programs for Students, Faculty and Staff

The Claremont Colleges Service's Environmental Health and Safety Office (EHS), in coordination with Housing Services, provide training to CCA staff. Topics addressed during this training include:

- Fire prevention at the CGU Apartments
- What to do in the event of a fire
- How to report a fire or other emergency
- Fire extinguisher training

Included in this training are instructions that students and employees should follow in case of a fire. Students, faculty and staff are instructed to call 911 to report a fire emergency. Listed below are the non-emergency numbers to call to report fires that have already been extinguished at the CGU Apartments. These are fires for which you are unsure whether Campus Safety may already be aware. If you find evidence of such a fire or if you hear about such a fire, please notify one of the following:

- CGU Housing Services at 909-607-8650
- TCCS Campus Safety at 909-607-2000.

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

Fire Incident Reporting for On-Campus Student Housing

The Fire Safety regulations for the Claremont Collegiate Apartments are as follows:

- The CGU Apartments are a non-smoking facility. Smoking is NOT allowed in the Apartments, in the common areas, in the Apartment buildings, hallways, walkways, laundry room or in or

near the tot lot, or near the mailboxes. Residents may smoke outside and away from the Apartment buildings. All cigarette butts must be put in the receptacles provided for them. The non-smoking rule applies to incense, cigars, pipes and all forms of tobacco. Never throw smoking refuse on the ground or in the landscape.

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

Plans for Future Improvements in Fire Safety

CGU continues to monitor trends related to CCA apartment fire incidents and alarms to provide a fire safe living environment for all students. New programs and policies are developed as needed to help insure the safety of all students, faculty and staff. CGU has a Safety and Disaster Preparedness Committee that addresses many safety issues around campus, including fire. At this time, it has been determined that no future improvements in fire safety are necessary.

Fire Statistics for On-Campus Student Housing Facilities – Claremont Collegiate Apartments

Statistics and Related Information Regarding Fires in CGU Residential Facilities							
Year	Residential Facilities	Total Fires in Each	Fire #	Cause of Fire	# of Injuries that Required Treatment	# of Deaths Related to a Fire	Value of Property Damage Caused by Fire
2017	Building A 1455 N. college Ave						
	Building B 1455 N. college Ave	1	1	Unintentional/Microwave Fire	0	0	\$69.00
	Building C 1455 N. college Ave	1	1	Unintentional/Cigarette Fire	0	0	\$34.99
	Building D 1455 N. college Ave						
	Building E 1455 N. college Ave						
2018	Building A 1455 N. college Ave	1	1	Unintentional/Microwave Fire	0	0	\$74.99
	Building B 1455 N. college Ave	1	1	Unintentional/Microwave Fire	0	0	\$74.99
	Building C 1455 N. college Ave						
	Building D 1455 N. college Ave						
	Building E 1455 N. college Ave						
2019	Building A 1455 N. college Ave						
	Building B 1455 N. college Ave						
	Building C 1455 N. college Ave						
	Building D 1455 N. college Ave						
	Building E 1455 N. college Ave						