

# **CIAT Campus Security Annual Report**

2017-18



CALIFORNIA INSTITUTE OF  
ARTS & TECHNOLOGY

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## CAMPUS SECURITY POLICY AND CAMPUS CRIME STATISTICS ACT

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act requires all postsecondary institutions participating in federal student aid programs to disclose campus security policies and certain crime statistics. Each year the campus publishes statistics relating to campus crimes during the prior year. Statistics are reported on the last three calendar years and are published by October 1 of each year. CIAT became Title IV eligible in February 2017 to report, therefore we are exempt from reporting prior to 2017. Our campus does not have any off-campus student organizations, housing, or athletic programs. All campuses will still comply with all other HEA safety and security related requirements. You may go to the Department of Education's web site at <http://ope.ed.gov/security/> to view other campuses' statistics. The Disclosure of Campus Crime Statistics and Campus Security Policies for CIAT can be found online at [www.ciat.edu](http://www.ciat.edu).

### What Is the Clery Act?

The Clery Act, codified at 20 USC § 1092(f) as a part of the Higher Education Act of 1965, is a federal law that requires colleges and universities to disclose certain timely and annual information about campus crime and security policies. All public and private post-secondary educational institutions participating in federal student aid programs are required to comply with the Clery Act. Howard and Connie Clery initiated the law originally enacted by Congress in 1990 as the Crime Awareness and Campus Security Act of 1990, after their daughter Jeanne was tragically murdered at Lehigh University in 1986. Amendments to the Act in 1998 renamed it in memory of Jeanne Clery. The Clery Act requires colleges and universities to publish an annual report every year by October 1 that contains three years of crime statistics and certain policy statements, including sexual assault policies that assure victims' basic rights. A summary of the Clery Act is available from the Clery Center for Security on Campus at: [clerycenter.org/summary-jeanneclery-act](http://clerycenter.org/summary-jeanneclery-act) and the full text of the Clery Act is available at the Federal Register: [gpo.gov/fdsys/pkg/FR-2014-10-20/pdf/2014-24284.pdf](http://gpo.gov/fdsys/pkg/FR-2014-10-20/pdf/2014-24284.pdf).

### Annual Crime Statistics and Incidents Report

**The following definitions may be helpful in understanding this report and categorizing of occurrences:**

Campus – Property located in 2820 Camino Del Rio S., Suite 100, San Diego, CA 92108 and 401 Mile of Cars Way, Suite 100, National City, CA 91950.

Public Property – Public Property is the off campus area surrounding and adjacent to the campus including streets and the public sidewalk on the opposite side of such streets from Institution property.

Definitions of terminology for the “Criminal Offense” categories are those required by the Clery Act/rules and taken from the Federal Bureau of Investigation’s (FBI) Universal Crime Reporting (UCR) system. Those definitions may be found in Appendix “A” of this report.

**Definitions related to the investigation of domestic violence, dating violence, stalking, and sexual assault:**

“Domestic Violence” means a felony or misdemeanor crime of violence committed by: 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 the jurisdiction receiving grant monies under the VAWA; or any person against an adult or youth Complainant who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

"Dating Violence" means violence committed by a person: who is or has been in a social relationship of a romantic or intimate sexual 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 interaction between the persons involved in the relationship.

"Stalking" means 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, which includes the use of technology (such as via the Internet or similar means).

"Sexual Assault" In general, any non-consensual physical contact of a sexual nature, however slight with any object or body part, by a man or a woman upon a man or a woman.

### **Definition of "Consent" in Reference to Sexual Activity:**

"Consent." Affirmative consent is the basis of the analysis applied to unwelcome sexual contact. Lack of affirmative consent is the critical factor in any incident of sexual misconduct. For purposes of CIAT policy, consent must be "affirmative consent" which is defined as conscious and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

1. Consent is informed, freely and actively given and requires clear communication between all persons involved in the sexual encounter.
2. Consent is active, not passive. Consent must be communicated verbally and it must be mutually understandable. Silence cannot be interpreted as consent.
3. It is the responsibility of the initiator of sexual contact to make sure they understand fully what the person with whom they are involved wants and does not want sexually.
4. Consent to one form of sexual activity does not imply consent to other forms of sexual activity.
5. Previous relationships or consent does not imply consent to future sexual acts.
6. Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion. Coercion is unreasonable pressure for sexual activity. Coercive behavior differs from seductive behavior based on the type of pressure someone uses to get consent from another.
7. Effective consent cannot be given by minors, mentally disabled individuals or persons incapacitated as a result of drugs or alcohol.
8. If you have sexual activity with someone you know to be--or should know to be—mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout), you are in violation of this policy.
9. Incapacitation is a state where one cannot make a rational, reasonable decision because they lack the ability to understand the: who, what, when, where, why or how of their sexual interaction.
10. This policy also covers someone whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of a so-called "date-rape" drug. Possession,

use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc. is prohibited, and administering one of these drugs to another student for the purpose of inducing incapacity is a violation of this policy.

11. Use of alcohol or drugs will never function to excuse behavior that violates this policy.

## CAMPUS SAFETY AND SECURITY AWARENESS

### Reporting and Disclosure

Part of keeping CIAT safe and secure is to allow the campus community to stay informed and therefore alert. CIAT recognizes that crime prevention is the responsibility of each person either working, attending school, or visiting at a CIAT facility. Crime prevention is best served by the vigilant surveillance of the premises and the reporting of any suspicious personal behavior. CIAT, therefore is committed to providing a safe environment for learning and working.

Each campus limits access to all campus facilities to authorized personnel, students, and visitors. Unauthorized persons will be considered “trespassers” and will be dealt with accordingly. Adequate lighting is provided at all campus locations, especially in outside areas. Certain school staff and faculty are always on campus during business hours. Only authorized vehicles are allowed to park in the designated parking areas.

Security personnel is defined as campus security department, or any individuals who have responsibility for campus security but who do not constitute a campus security department such as individuals who are responsible for monitoring entrance into campus property, an individual or organization specified in a campus security policy as an individual or organization to which students and employees should report criminal offenses, or an official of a campus who has significant responsibility for student and campus activities including, but not limited to student discipline or campus judicial proceedings.

The security personnel do not have powers of arrests, unless such personnel possess valid certification as a law enforcement officer, peace officer, or are authorized to act in such a capacity by way of official authority granted by a court of state regulatory agency. Such persons have the authority to evict unauthorized persons from the campus premises and will notify local authorities of all actual or suspected criminal activities, including trespassing.

The campus works with local law enforcements as necessary to report or investigate crimes. State and local police personnel can provide security for the campus and they do have the authority to make arrests. Institution officials and security guards work closely with the federal, state and local police agencies to ensure a safe environment for each student and employee. The maintenance staff coordinates its activities with Institution administrators. Maintenance staff are not available on an emergency basis and generally do not deal with safety concerns of the Institution. The Security Analysts must be notified of any maintenance concerns, and will direct the maintenance staffs' activities with respect to security considerations.

### Confidential Reporting of Crimes

Victims or witnesses may report crimes on a confidential basis for inclusion in the annual disclosure of crime statistics by delivering a written statement to the CIAT Department of IT. The Institution encourages campus professionals to inform clients of their opportunity to provide confidential

statements for inclusion in the Annual Disclosure of Crime Statistics using the same process. Additionally, campus professional are encouraged to provide summaries of any occurrences for inclusion in the Annual Security Report without providing any information that would tend to identify the reporting party unless that party gives permission for the disclosure.

### Crime Logs

The IT Department maintains a daily activity and crime log that contains specific information relevant to the CIAT campuses, including Clery Act and non-Clery Act crimes. Logs for the prior sixty (60) days may be inspected any time at the Department of IT on the main campus during normal business hours. Logs more than sixty (60) days old are also available for inspection during normal business hours by appointment, but may require forty-eight (48) hours-notice, not including weekends and holidays observed by the Institution. All logs are maintained for seven (7) years.

### Access to Facilities (Visitors)

Students who invite others onto campus are responsible for conveying applicable Institution regulations to their visitor and must accept responsibility for the guest's conduct throughout the visit.

### Trespassing Prohibited

The campus is private property and persons without lawful business on the campus will be asked to leave. Those who do not comply will be arrested for trespassing. Uncooperative visitors, employees, or students who refuse to identify themselves as requested by Institution personnel are trespassing and may, after warning, be arrested.

### Alcoholic Beverages

The on-campus manufacture, distribution, dispensing, possession, sale, or use of alcoholic beverages in any form by any person, regardless of age, is a violation of the policies of CIAT and will be referred for judicial proceedings. Such violations may also be referred to the appropriate law enforcement agency.

### Illegal Drugs

The manufacture, distribution, dispensing, possession, sale, or use of controlled substances identified in Federal or State law or regulations is a violation of the policies of CIAT and will be referred for judicial proceedings. Such violations may also be referred to the appropriate law enforcement agency.

### Alcohol or Drug Abuse Programs

CIAT provides referrals to alcohol and drug assistance programs for requesting students, faculty or staff members and, in appropriate cases, as part of sanctions resulting from judicial action. Additional opportunities for assistance are also available through employer provided and/or private medical insurance programs.

### Emergency Response and Evacuation Procedures

CIAT has in place several systems to provide notification to the campus community upon confirmation of a significant or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on or near campus. Those technologies include indoor speaker system (big voice), voice messaging, computer pop-up notifications, and email notification.

Upon notification or discovery that a significant or dangerous condition exists, the President and/or Directors will evaluate the information as soon as practicable, determine the accuracy and need for making notification to the campus community, and direct the activation of notification processes best suited to inform the desired area or group, unless such notification will in the judgment of responsible authority compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency. Additional information may be provided to the larger community as necessary to comply with law or as useful for community members to better understand the occurrence(s) and take any necessary actions/precautions.

CIAT maintains teams of staff members trained in evacuating student, staff, faculty, and visitors to places of safety, and accounting for those evacuated to a centralized information collection point. These systems are tested at least annually with the test(s) documented as to date, time, and announced or unannounced. Each test is documented in an incident report prepared by the Security Analysts with the report containing relevant information such as time of test, type of test, and performance of individual components. The report is then distributed for review and correction of any identified component/performance deficiency.

## **TIMELY WARNING NOTIFICATIONS AND EMERGENCY RESPONSE**

In the event that a situation arises, either on or off campus, that in judgement of the President constitutes an ongoing or continuing threat, a campus-wide “timely warning” will be issued. The warning will be issued through the student message center, email, or by phone, depending on the particular circumstances of the crime. Examples of these crimes are, but not limited to, robbery, burglary, arson, sex offenses and murder. Any threat to the health or safety of employees or students will be followed by immediate notification. We will use our best judgment in confirming an emergency or dangerous situation, determining the necessary content of the notification, and without delay, initiate the notification system described below. Notification will be initiated only if it is determined that notification will not compromise the safety of or the ability to assist a victim or respond to an emergency. Timely warnings of these crimes will be distributed to the entire campus. It is the responsibility of the President/Directors to issue timely warnings. A crisis situation or state of emergency can be declared by the President/Directors, or his or her designee. A warning will be issued in all situations that could pose an immediate threat to individuals and the community.

Students, employees, and visitors should report emergencies, criminal actions, and suspicious behavior by dialing 9-1-1. If this should occur, the caller should describe the nature of the emergency to the dispatcher.

CIAT provides the Annual Security Report (“Report”). In this Report is information about key institutional policies, procedures for reporting suspicious and criminal activities, resources for personal safety, and crime prevention information. This Report includes information gathered from the campus community and the appropriate local public agencies. Campus information is collected from all departments and employees who receive and manage relevant information throughout the year. This Report is drafted, edited and finalized by the Vice President. Compliance. This report shows the commitment of CIAT to provide policies, practices and outreach activities that support the safest community possible for all to work, teach and learn. Crime prevention and safety takes the cooperation and collaboration of all departments. CIAT appreciates working with the entire school departments to maintain a proactive approach to public and personal safety.



Certain emergencies or situations could require that the larger community be notified as well. This notification will be distributed by various means to the area of the community that could be affected. The same care and procedures will be followed as those stated above for the campus community.

Questions regarding this alert system should be directed to the Security Analysts, Rommel Arca, located in the IT office of the National City campus, who can be reached via telephone at (619) 535-7744.

### Missing Student Notifications

CIAT has in place policies and procedures to receive, document, investigate, and make all required notifications in response to any report of a student missing more than twenty-four (24) hours. A student believed to be missing should be reported to the Security Analysts so that a prompt and thorough campus investigation may be commenced. The Security Analysts will work with the Vice President, Compliance to investigate any report of a missing student and the Vice President, Compliance will make all notifications required under the law.

### Location of Registered Sex Offender Information

The State of California requires that sex offenders register with the police or sheriff's department in the jurisdiction in which they reside. The State makes this information available to law enforcement agencies.

## DOMESTIC VIOLENCE, DATING VIOLENCE, SEXUAL ASSAULT, AND STALKING

### Statement of Policy Concerning CIAT's Prohibition of Offenses of Domestic Violence, Dating Violence, Sexual Assault, and Stalking

CIAT is committed to providing a learning, working and living environment that promotes personal integrity, civility and mutual respect in an environment free of discrimination on the basis of sex, which includes all forms of sexual misconduct. Sex discrimination violates an individual's fundamental rights and personal dignity. CIAT considers sex discrimination in all its forms to be a serious offense. This policy refers to all forms of sex discrimination, including but not limited to: sexual harassment, domestic violence, dating violence, sexual assault, sexual violence, and stalking by employees, students, or third parties.

### Programs to Prevent Sex Discrimination Including Domestic Violence, Dating Violence, Sexual Assault, and Stalking

Because CIAT recognizes sex discrimination as an important issue, the Institution offers educational programming to faculty, staff, and students. The training is presented in a culturally relevant and inclusive manner, and includes a statement that the CIAT prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking. Sex Discrimination educational programming addresses matters such as: a definition of what constitutes sex discrimination, the causes of sex discrimination, myths involved with sex discrimination, the relationship between sex discrimination and alcohol use, what to do if you are assaulted, the nature of a rape examination, an explanation of the Institution sex discrimination policy, how to file charges within the Institution conduct system, and/or with the local police department, men's issues and sexual assault, and campus community resources to assist both the Complainant and the Respondent.

CIAT provides employee trainings such as, but not limited to, prevention of and response to dating violence, domestic violence, stalking, and other crimes as well as concepts for bystanders to intervene safely in appropriate situations.

### Bystander Intervention

The welfare of students in our community is of paramount importance. At times, students on- and off-campus may need assistance. CIAT encourages students to offer help and assistance to others in need. Sometimes, students are hesitant to offer assistance to others, for fear that they may get themselves in trouble (for example, a student who has been drinking underage might hesitate to help take a complainant of sexual misconduct to the Institution). CIAT pursues a policy of limited immunity for students who offer help to others in need. While policy violations cannot be overlooked, the Institution will provide educational options, rather than punishment, to those who offer their assistance to others in need.

### Procedures CIAT Will Follow Once an Incident of Domestic Violence, Dating Violence, Sexual Assault, or Stalking Has Been Reported

CIAT has in place procedures to support victims of sexual violence including domestic violence, dating violence, sexual assault and stalking. The Institution has in place a Title IX policy which includes procedures governing the reporting of complaints, complaint resolution, confidentiality and prohibition upon retaliation of complainants. The standard of evidence for any institutional conduct proceeding arising from such a report is preponderance of the evidence.

### Reporting Procedure for Allegations of Dating Violence, Domestic Violence, Sexual Assault, and/or Stalking

All incidents of sex discrimination, including sexual misconduct or retaliation, should be reported. The Title IX Coordinator will provide for the adequate, reliable, and impartial investigation of all complaints. Once a complaint of sex discrimination is made, an investigation of the report shall be pursued toward completion, typically within sixty (60) calendar days.

To ensure a prompt and thorough investigation, the complainant should provide as much of the following information as possible. The name, department, and position of the person or persons allegedly causing the sex discrimination; description of the incident(s), including the date(s), location(s), and the presence of any witnesses; names of other students or employees who might have been subject to the same or similar sex discrimination or retaliation; if applicable, any steps the complainant has taken to try to stop the sex discrimination or retaliation; if the complainant is an employee: the alleged effect of the incident(s) on the complainant's position, salary, benefits, promotional opportunities, or other terms or conditions of employment; and any other information the complainant believes to be relevant to the sex discrimination, harassment, or retaliation.

## JUDICIAL ACTION

Students accused of violating CIAT's policy are subject to judicial action. Judicial action includes three (3) components: Investigation, Hearing, and the imposing of Sanctions, if appropriate. Depending upon the severity and location of the occurrence, the judicial action will be administered by the President, Directors or designee.

## Qualifications of Investigators and Hearing Officers

Investigations and hearings are conducted by officials of the Institution who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking, as well as the proper conduct of investigations and hearings to protect the safety of victims and promote accountability of those responsible.

**Investigation** is the obtaining of facts and statements related to an incident or matter by CIAT officials and may include interviewing of any person(s) with relevant knowledge of the incident or other reasonable means of verifying information related to an alleged violation. Investigations are conducted in a timely manner.

An investigation into the report will be conducted by the Title IX Coordinator/Security Analysts or assigned investigators. The investigation will be concluded as quickly as possible, typically within sixty (60) days or within a reasonable amount of time required to complete the investigation. The investigation may include interviews of the parties involved, including witnesses, and the gathering of other relevant information. The investigation will be conducted in a manner so that it is adequate, reliable and impartial.

Parties to the complaint will be afforded equal opportunities to recommend witnesses for interviews and present other relevant evidence.

At any time during the investigation, the investigator may recommend that interim protections or remedies for the parties involved or witnesses be provided by appropriate CIAT officials. These protections or remedies may include separating the parties, placing limitations on contact between the parties ("no contact orders"), suspension, or making alternative academic, workplace or student housing arrangements. Failure of any party to comply with the terms of interim protections may be considered a separate violation of the Standard of Student Conduct.

A resolution will be determined at the conclusion of the investigation. The parties involved will be given notice of the outcome in writing within one (1) day of the determination. If it is determined that a student has violated CIAT's Title IX Policy, these findings will be forwarded to the Vice President, Compliance for disciplinary action. CIAT policies related to hearing and appeal for students will apply. If it is determined that an employee has violated CIAT's Title IX Policy, these findings will be forwarded to the Vice President, Compliance overseeing the employee's area and the Manager of Human Resources for disciplinary action. CIAT policies related to hearings and appeal for employees will apply.

CIAT will take reasonable steps to prevent the recurrence of sex discrimination or retaliation in any form. If a reoccurrence takes place, those responsible for such behavior may be subject to Judicial Action under the Standard of Student Conduct or disciplinary action under Employee Handbook if the person is an employee.

CIAT will take all necessary steps to remedy the discriminatory effects on the complainant(s) and others. Examples of such remedies may include: order of no contact, residence hall relocation, classroom re-assignment, or other appropriate remedies

**Hearing** is the process by which evidence is presented to a hearing officer or panel, and provides an accused student the opportunity to hear and present evidence and other factual information related

to an alleged violation. All hearings are closed and the proceedings may be kept confidential at the discretion of the Institution.

The standard used to determine accountability is, a “preponderance of the evidence” (more likely than not or greater than 50% chance) that the accused student violated the Standard of Student Conduct.

In cases involving alleged dating violence, domestic violence, sexual assault, or stalking offenses, the accuser and the accused have the opportunity to have someone present during a hearing. If a student chooses to be accompanied to a hearing associated with such offenses, the individual who accompanies the student will not be permitted to speak on behalf of the student and/or take an active role in the hearing. Legal counsel representing a student, student’s family, or other individual or group is not permitted to participate in the hearing(s).

The parties involved will be given notice of the outcome in writing within one (1) day of the determination.

**Sanctions** are imposed upon a determination by a CIAT Official responsible for the administration of the judicial action upon a finding the accused student violated the Standard of Student Conduct.

Sanctions may encumber a student’s good standing with the Institution for a stated period of time or permanently. Possible sanctions include (not listed in a prescribed order):

- Warning – verbal or written for unacceptable behavior and advised to change the behavior.
- Restitution/reimbursement or Fine – required to make restitution and pay a monetary fine for damage or misuse of property, misuse of services, or failure to follow CIAT policy or procedure.
- Discretionary Sanctions – required to participate in prescribed educational programs, complete community service, read a book, write a paper, attend campus programs, or any other activity deemed appropriate for the violation of the Standard of Student Conduct.
- Loss of privileges – such as visitation, leadership opportunities, campus employment, etc., appropriate to the violation of the Standard of Student Conduct.
- Student conduct probation – placed on student conduct probation for a specified period of time. During the time, further violations of CIAT Policy may result in suspension or expulsion from the Institution.
- Institution suspension – for a fixed period of time, the student may not remain on the School premises which include the campus, visit the campus, or participate in a specific academic program(s) and/or other activities of the Institution. A student who is suspended for disciplinary reasons may petition for readmission at the conclusion of the period of suspension.

Students who fail to comply with the terms and conditions of a sanction are subject to additional judicial action. CIAT will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this statement.

## No Contact Orders and Restraining Orders

No contact orders are administrative orders issued by the Institution against one or all parties to a reported occurrence. Such orders are valid only when the person(s) to whom issued are students of the Institution and subject to its jurisdiction. Violation of no contact orders is actionable under the Student Code of Conduct regardless of disposition in the underlying occurrence.

Restraining orders are court orders issued by a judge or magistrate and have the force of law. CIAT cannot issue a restraining order but will, upon request, provide general information on the process by which such orders may be sought.

## Confidentiality

Those who have experienced sex discrimination should know that all CIAT employees are bound by confidentiality standards, must report known felonies to the police, either directly or through IT. CIAT Officials who are in the Humans Resources Department bound by confidentiality standards are not required to disclose knowledge of felonies reported to them except when necessary to prevent harm.

Persons who would like to report an incident or speak to someone about something that happened and desire that details of the incident be kept confidential, should speak with staff members who will maintain confidentiality.

All inquiries, complaints, and investigations are treated with discretion. Information is revealed as law and policy permit. However, the identity of the complainant is usually revealed to the respondent(s) of such conduct and any witnesses with the consent of the complainant. Publicizing information about alleged sex discrimination or retaliation is strictly prohibited and may be considered a violation of CIAT policy.

The Title IX Coordinator will maintain all information in secure files pertaining to a complaint or investigation.

**Federal Statistical Reporting Obligations:** Certain campus officials (campus security officials) have a duty to report violations of this policy for federal statistical reporting purposes. All personally identifiable information is kept private, but statistical information must be passed along to IT Department regarding the type of incident, date of occurrence, and general location of occurrence for publication in the Annual Campus Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, to ensure greater community safety.

**Federal Timely Warning Reporting Obligations:** complainants of sex discrimination should also be aware that University administrators must issue timely warnings for certain types of incidents reported to them that pose a substantial threat of bodily harm or danger to members of the campus community. CIAT will make every effort to ensure that a complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger.

## Written Notification of Options Available to Victims

Upon notification of an allegation of sexual discrimination, CIAT will provide written notification to the victim(s) about options for, available assistance in, and how to request changes to academic, living, transportation and working situations. Such accommodations will be made if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the underlying offense(s) to the Institution or law enforcement agency with jurisdiction.

CIAT reserves the right to take whatever measures it deems necessary in response to an allegation of sex discrimination in order to protect an individual's rights and personal safety. Not all forms of sexual misconduct will be deemed to be equally serious offenses, and the Institution reserves the right to impose differing sanctions, ranging from a warning to expulsion, depending on the severity of the offense.

### Cooperation with Law Enforcement

CIAT will comply with law enforcement request for cooperation and such cooperation may require the Institution to temporarily suspend the fact-finding aspect of a Title IX investigation while the law enforcement agency is in the process of gathering evidence. CIAT will promptly resume its Title IX investigation as soon as notified by the law enforcement agency that it has completed the evidence gathering process, which typically takes three (3) to ten (10) calendar days, although the delay in the Institution's investigation may be longer in certain instances.

CIAT will implement appropriate interim steps during the law enforcement agency's investigation period to provide for the safety of the Complainant(s) and the campus community and the avoidance of retaliation.

### Sexual Assault Information

Many reasons may prevent victims from reporting crimes of sexual assault to law enforcement or campus officials, however, the four most common reasons are:

- Not sure of the definition of sexual assault and rape.
- Unaware of resources available on and off campus.
- Unaware of a victim's basic rights.
- Confusion regarding consent.

### WHAT YOU NEED TO KNOW:

Both men and women can be victims of sexual assault. Regardless of age, race, income level, or education, the experience for the victim is always a violation of their person. It is not uncommon for a sexual assault victim to have feelings of guilt, fear, betrayal, shame, anger, confusion, or thoughts of suicide. These are all normal reactions to a violent crime.

If you, or someone you know, experienced a recent or past incident of sexual assault, you can expect confidentiality, and support from CIAT and community based counseling programs. You have the right to be treated with respect, taken seriously, and your choice of action respected.

Sexual assault is a general term used to describe many forms of sexual offenses. Any unwanted sexual contact or sexual attention committed by force, fear, duress, menace, trick, or violence is a sexual assault. It includes rape, attempted rape, spousal rape, oral copulation, sodomy, sexual battery, and insertion of a foreign object.

Rape is defined as non-consensual sexual intercourse accomplished through force or threat of force or when a person is unable to consent due to mental disorder, disability, drugs, or alcohol. Rape is not an intimate relationship. Rape is a crime of violence, anger, and power. It is a crime that controls, humiliates, and hurts the victim. A rapist can be anyone: acquaintance, boyfriend, ex-partner, classmate, family member, or co-worker. Any unwanted sexual act that is committed or attempted against a person's will is against the law and a violation of School policy. Sexual assault of any type is never the victim's fault.

Seeking medical treatment is important. Regardless of whether you choose to report the assault, your well-being is the first priority. A medical examination will treat physical problems, and may diminish fears about injury, sexually transmitted diseases, or possible pregnancy. If you decide to report the assault to police, a medical examination must generally take place within seventy-two (72) hours of the assault to document and collect physical evidence. You will be instructed to not destroy evidence by bathing, douching, changing clothes, or cleaning up in any way. The State of California will pay for any medical testing that is necessary for evidence collection.

## Your Options

If you believe you have been sexually assaulted, you have options including any/all of the following:

- Report to the police and file charges.
- Report to the police and not file charges.
- File a civil suit.
- Obtain a restraining order.
- Report to the Institution as described elsewhere in this report. An investigation will be conducted and any measures reasonably necessary to protect you from further danger or harm taken.
- Seek counseling and/or medical attention.

You have the right to report, or not report, the crime that was committed against you. Victims who report their crime often feel emotionally stronger by taking action to help law enforcement investigate and prosecute such attacks, and campus officials in school judicial proceedings. Reporting the crime may prevent another attack. The decision to tell someone about the crime may be difficult, but the decision is yours. If you request, the University will assist you in notifying the police.

Contact the Institution or the San Diego Police Department for immediate protection and assistance. The police department will send an officer in uniform to take your report and assist in obtaining the other services you need.

If you decide to file a complaint with CIAT, you may notify any of the entities described in “Reporting Criminal Actions and Emergencies” in this report. In your communication, identify all parties involved including any witnesses. You will be contacted to further investigate your complaint. Note that the accuser and accused are entitled by law to the same opportunities to have other person(s) present during a disciplinary proceeding. Both the accuser and accused will be informed of the outcome or any institutional disciplinary proceeding brought alleging a sex offense.

Note: While safeguarding your right to confidentiality, if you choose to disclose the name of the perpetrator of a sexual assault to any CIAT employee, other than a medical or counseling professional, or clergy person acting in that capacity, that employee is obligated to notify the Vice President, Compliance. If information exists that pose a credible threat to the campus community, a warning notice will be released immediately through the Security Analysts.

## Victim’s Rights

If you are sexually assaulted, you have the same basic rights and considerations as any crime victim including, but not limited to:

- Being treated with respect and dignity, regardless of gender, race, income level, physical abilities, cognitive abilities, or sexual, medical, or mental health history
- Timely access to emergency and crisis counseling services

- Being accompanied by an advocate while receiving victim services
- Have any allegations of sexual assault taken seriously
- Be free from any suggestion that you are responsible for the assault
- Be free from any pressure by campus personnel to report sexual assault if you do not wish to do so
- Have a family member, friend, or advocate present during campus judicial proceedings
- Be informed of the outcome of the judicial proceedings involving a sexual assault
- Be informed of the options in changing academic and living situations
- Be informed of the legal rights, resources, and restitution requirements of the California Victims of Crime Program
- Be informed of safety planning and protection services
- Be informed of appropriate follow-up treatment, medical testing and counseling

## **NON-DISCRIMINATION POLICY**

CIAT is committed to equal employment and educational opportunities. No person will be subject to discrimination on the basis of age, gender, religion, race, color, or national origin in the administration of any educational program or activity, including participation in, receiving the benefits of, admission to, or employment in such programs and activities. No otherwise qualified persons with disabilities will be excluded from employment or participation in educational programs. The 12 commitment to equal opportunity applies to all aspects of recruitment, employment, and education of individuals at all levels throughout the College. The College complies with non-discrimination regulations under Title VI and Title VII of the Civil Rights Act of 1964 and the Regulations issued there under.

CIAT also complies with Title IX of the Education Amendments of 1972 which provides that “no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving Federal financial assistance.” The Title IX Coordinator for each College location is the Academic Dean. Complaints filed under Title IX shall be kept confidential to the maximum extent possible and the student shall not be retaliated against for bringing forth a complaint. The process for filing complaints for claims related to sexual discrimination or harassment under Title IX is as follows:

**Step One:** The student/employee must submit a complaint in writing to the Title IX Coordinator within 30 calendar days of the misconduct, which is the subject of the complaint, last occurred. The Title IX Coordinator will investigate the claims, conduct an investigation and reply to the student/employee in writing. The Title IX Coordinator shall generally respond with a resolution to the complaint in writing within ten (10) days of receipt of the written complaint; if the complaint will take longer to resolve, the Title IX Coordinator will notify the student or employee of the reason for the delay and how much longer it may take.

**Step Two:** If the matter is not resolved at this stage and an appeal is desired, the student/employee must submit his/her appeal within 15 days of the decision having been provided to the student/employee in Step One of the process. Alternatively, in the event the Title IX Coordinator is the source of the complaint, the student/employee must then submit his/her complaint in writing, within 30 days of the misconduct, which is the subject of the complaint, last occurred. An appeal or complaint at this step in the process shall be submitted to the College’s Lead Title IX Coordinator, California Institute of Arts & Technology, 2820 Camino Del Rio S., Suite 100, San Diego, CA 92108, or call toll free at (858) 225-4301 or email to [arca@ciat.edu](mailto:arca@ciat.edu). The IX Coordinator/ Security Analysts will



generally respond with a resolution to the student/employee's complaint within ten (10) days, specifying what action, if any, the College will undertake; if the complaint will take longer to resolve, the IX Coordinator/ Security Analysts will notify the student/employee of the reason for the delay and how much longer it may take.

## RESOURCES

The campus provides assistance to students and employees with locating off-campus counseling, health services, mental health services, victim advocacy, student financial aid, and other student services for victim of crimes including sex offenses. This information can be found in the Emergency Contact Information and Other Important Numbers section below.

### Campus Contact Information

Mission Valley Campus	<a href="mailto:rarca@ciat.edu">rarca@ciat.edu</a> ; 619-535-7744	Rommel Arca, Security Analysts
National City Campus	<a href="mailto:rarca@ciat.edu">rarca@ciat.edu</a> ; 619-535-7744	Rommel Arca, Security Analysts

### Emergency Contact Information and Other Important Numbers

Emergencies	9-1-1
National Council on Alcoholism	800-622-2255
The Substance Abuse and Mental Health Services Administration's National Helpline	800-662-4357
Center for Community Solutions San Diego <a href="http://www.ccssd.org/get-help/hotline.html">http://www.ccssd.org/get-help/hotline.html</a>	888-385-4657
California Coalition Against Sexual Assault (CALCASA) <a href="http://calcasa.org">http://calcasa.org</a>	916-446-2520
Rape, Abuse & Incest National Network (RAINN) Sexual Assault Hotline <a href="http://www.rainn.org">http://www.rainn.org</a>	800-656-4673
The National Domestic Violence Hotline	800-799-7233
Center for Victims of Crime Hotline	866-644-2882
National Sexual Assault Hotline at 1.800.656.HOPE (4673). The following are links to worldwide programs that will assist in the awareness, education and prevention of sex offenses and other intimate partner violence. <a href="http://www.cdc.gov/violenceprevention/sexualviolence/prevention.html">http://www.cdc.gov/violenceprevention/sexualviolence/prevention.html</a> <a href="http://www.nsvrc.org/publications/child-sexual-abuse-prevention-information-packet">http://www.nsvrc.org/publications/child-sexual-abuse-prevention-information-packet</a> <a href="http://www.jrsa.org/dvsa-drc/contacts.shtml#state">http://www.jrsa.org/dvsa-drc/contacts.shtml#state</a> <a href="http://www.jrsa.org/dvsa-drc/national-summary.shtml">http://www.jrsa.org/dvsa-drc/national-summary.shtml</a> <a href="http://www.nsvrc.org/organizations/sexual-violence-specific-organization">http://www.nsvrc.org/organizations/sexual-violence-specific-organization</a> <a href="http://clerycenter.org/referrals-sexual-assault-and-rape-state">http://clerycenter.org/referrals-sexual-assault-and-rape-state</a>	800-656-4673

## Disclosure of Crime Statistics (2017-18)

Listed on this page is the most current crime statistics reporting table for CIAT in both Mission Valley and National City Campuses.

<b>Mission Valley Campus (2820 Camino Del Rio S., Suite 100, San Diego, CA 92108)</b>				
Campus Crime Statistics - without student housing				
<b>CRIMINAL OFFENSES</b>	On-Campus		Public Property	
	<b>2017</b>	<b>2018</b>	<b>2017</b>	<b>2018</b>
Murder/Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Rape	0	0	0	0
Fondling	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Arson	0	0	0	0
Hate Crimes (all categories)	0	0	0	0
VAWA - Domestic Violence	0	0	0	0
VAWA - Dating Violence	0	0	0	0
VAWA - Stalking	0	0	0	0
<b>ARRESTS</b>	On-Campus		Public Property	
	<b>2017</b>	<b>2018</b>	<b>2017</b>	<b>2018</b>
Illegal Weapons Possession	0	0	0	0
Drug Law Violations	0	0	0	0
Liquor Law Violations	0	0	0	0
<b>DISCIPLINARY ACTION</b>	On-Campus		Public Property	
	<b>2017</b>	<b>2018</b>	<b>2017</b>	<b>2018</b>
Illegal Weapons Possession	0	0	0	0
Drug Law Violations	0	0	0	0
Liquor Law Violations	0	0	0	0
<b>OTHER</b>	On-Campus		Public Property	
	<b>2017</b>	<b>2018</b>	<b>2017</b>	<b>2018</b>
Vandalism	0	1	0	0

**National City Campus (401 Mile of Cars Way, Suite 100, National City, CA 91950)**

Campus Crime Statistics – without student housing

<b>CRIMINAL OFFENSES</b>	<b>On-Campus</b>		<b>Public Property</b>	
	<b>2017</b>	<b>2018</b>	<b>2017</b>	<b>2018</b>
Murder/Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Rape	0	0	0	0
Fondling	0	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Arson	0	0	0	0
Hate Crimes (all categories)	0	0	0	0
VAWA - Domestic Violence	0	0	0	0
VAWA - Dating Violence	0	0	0	0
VAWA - Stalking	0	0	0	0
<b>ARRESTS</b>	<b>On-Campus</b>		<b>Public Property</b>	
	<b>2017</b>	<b>2018</b>	<b>2017</b>	<b>2018</b>
Illegal Weapons Possession	0	0	0	0
Drug Law Violations	0	0	0	0
Liquor Law Violations	0	0	0	0
<b>DISCIPLINARY ACTION</b>	<b>On-Campus</b>		<b>Public Property</b>	
	<b>2017</b>	<b>2018</b>	<b>2017</b>	<b>2018</b>
Illegal Weapons Possession	0	0	0	0
Drug Law Violations	0	0	0	0
Liquor Law Violations	0	0	0	0

## Appendix A – Definition of Terms

The Uniform Crime Reporting (UCR) system, developed by the Federal Bureau of Investigation (FBI) utilizes the following definitions in preparation of documentation and statistics relating the reporting of crime by all municipal, county, state, federal and other law enforcement agencies. Those same definitions are used throughout the “Jeanne Clery Disclosure of Campus Security Policy and Campus Statistics Act” report.

- **Criminal Homicide-Murder and Non negligent Manslaughter** – The willful (Non negligent) killing of one human being by another.
- **Criminal Homicide-Manslaughter by Negligence** – The killing of another person through gross negligence
- **Sex Offenses-Forcible** – Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.
  - A. **Forcible Rape** – The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).
  - B. **Forcible Fondling** – The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against that person's will; or, not forcibly or against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental incapacity.
- **Sex Offenses-Non forcible** - Unlawful, Non-forcible sexual intercourse.
  - A. **Incest** – non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
  - B. **Statutory Rape** – non-forcible sexual intercourse with a person who is under the statutory age of consent.
- **Robbery** – The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- **Aggravated Assault** – 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. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)
- **Burglary** – The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.
- **Motor Vehicle Theft** – The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned including joyriding.)

- **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.
- **Weapon Law Violations** – The violation of laws or ordinances dealing with weapon offenses, regulatory in nature, such as: manufacture, sale, or possession of deadly weapons; carrying deadly weapons, concealed or openly; furnishing deadly weapons to minors; aliens possessing deadly weapons; and all attempts to commit any of the aforementioned.
- **Drug Abuse Violations** – Violations of State and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include but are not limited to: opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous non-narcotic drugs (barbiturates, Benzedrine).
- **Liquor Law Violations** – The violation of laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still; furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; and all attempts to commit any of the aforementioned. (Drunkenness and driving under the influence are not included in this definition).
- **Hate Crimes** – An incident wherein sufficient facts are present to lead a reasonable and prudent person to conclude that the offender’s actions were motivated in whole, or in part, by a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, sexual orientation, gender identity, ethnicity, national origin, or disability.

**Violence Against Woman Act (VAWA) Offenses:**

- **Dating Violence** – Violence committed by a person:
  - Who is or has been in a social relationship of a romantic or intimate sexual nature with the victim; 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 interaction between the persons involved in the relationship.
- **Domestic Violence** – a felony or misdemeanor crime of violence committed by:
  - A current or former spouse or intimate partner of the victim,
  - A person with whom the victim shares a child in common,
  - A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner,
  - A person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies [under VAWA], or
  - Any 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.
- **Stalking** – 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.

## Appendix B - Safety Tips

The following safety tips are reviewed annually and provided as a service to the Institution community:

All effective crime prevention programs include some measure of people watching out for one another. All persons are asked to be alert, security conscious and involved, and to call IT or the San Diego Police Department whenever suspicious or criminal activity is observed.

### Personal Safety

- Walk in groups, especially after dark or in more remote areas on or near campus.
- Be alert for strangers; any person uncomfortably near you, following or approaching you rapidly, especially from behind or the side; and anyone who appears to present any threat to persons or property.
- Lock your vehicle, bicycle, or other mode of transportation securely.
- Report suspicious persons or acts, unusual circumstances, or criminal activity to IT.
- Call IT or the police if you see anyone, or any circumstance that appears to be suspicious. Do not endanger your safety, but provide as much information as possible.

### Crime Prevention – Automobiles

- Keep all doors locked and windows up when you are in your vehicle or leave it unattended.
- Always remove the ignition key when leaving your vehicle.
- Never leave valuables in a car. Lock them in the trunk or, if that's not possible, conceal them fully within the vehicle (glovebox or other cargo hold, completely under the seat or behind the rearmost seat in a truck).
- When parking, park in well-lit, well-traveled designated parking areas. Do not park in deserted areas of the campus.
- Consider installing tamper proof door locks, alarms and anti-theft devices such as steering wheel locks, secondary ignition switches, or fuel shut-offs.

### Crime Prevention – Workplace

- Lock doors when work areas are not being used, when workers are out of sight of the door, and when working at night. Lock windows that are accessible from outside.
- Be sure that self-locking doors shut tightly when leaving the building. Never prop open a lockable door.
- Never leave keys in an unlocked drawer, desk or cabinet. Do not tape keys under desk drawers, or in file cabinets.
- Petty cash, stamps and personal valuable should be locked in a drawer or cabinet. Restrict the number of persons who hold the keys and do not leave keys unsecured.
- Make sure your desk or cabinet(s) have good locks. Report defective locks to the Facilities & Planning Department.
- Report lost or stolen keys immediately to IT and request the locks be changed.
- Record serial numbers of all equipment for which you are responsible. Engrave all remaining equipment with an identifying code.
- Do not leave your wallet or keys in plain sight or unattended in a coat pocket or purse. Hold onto your purse or briefcase or lock them in a cabinet.

- Call IT or the police if you see any person or circumstance that appears suspicious or you are the victim or witness a crime. Do not endanger your safety, but provide as much information as possible.