

# 2015 Annual Security Report

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*SAN FRANCISCO ART INSTITUTE*

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## INTRODUCTION

The San Francisco Art Institute is dedicated to the intrinsic value of art and its vital role in shaping and enriching society and the individual. As a diverse community of working artists and scholars, the Institute provides its students with a rigorous education in the fine arts and preparation for a life in the arts through an immersive studio environment, an integrated liberal arts curriculum, and critical engagement with the world.

SFAI seeks to provide students with a rigorous education in the fine arts and preparation for a life in the arts through an innovative, intensive studio environment; a vital liberal arts experience and engagement with the world at large. To support this mission, SFAI has an obligation to maintain conditions under which the work of its students, faculty, staff, and larger campus community can go forward freely, in accordance with the highest standards of quality, institutional integrity, and freedom of expression, and with full recognition by all concerned of the rights, privileges, and responsibilities of those who comprise the campus community.

SFAI's policies and procedures are designed to:

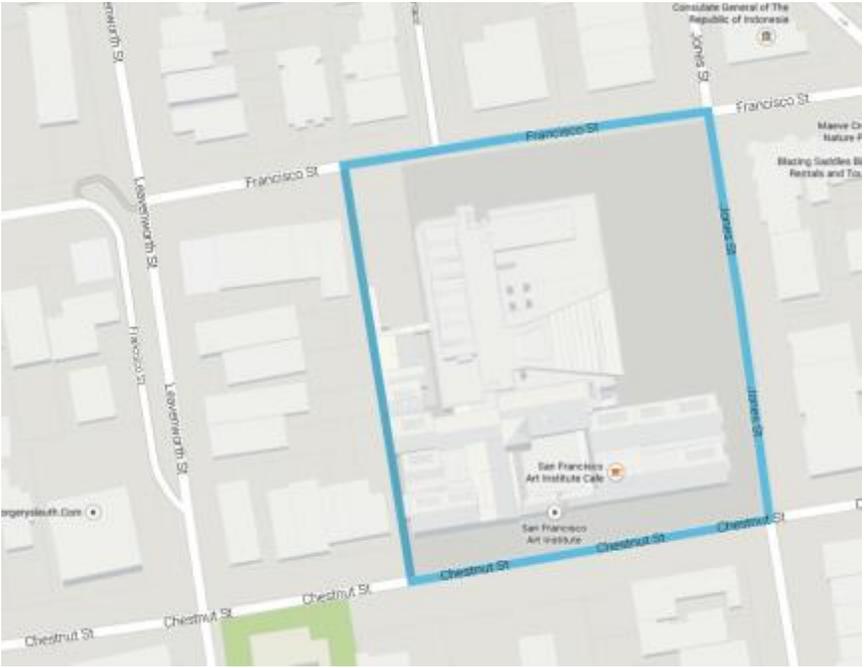
- Protect and promote the rights of members of SFAI, prevent interference with campus functions or activities, and assure compliance with all pertinent state and federal laws and other applicable SFAI policies.
- Address the rights and responsibilities of members of the SFAI community as well as others while on SFAI property.
- Provide standards for implementing procedures as a means of sustaining this community.

Community members cannot use ignorance of these policies as justification for violating community standards, and should understand that procedural expectations may be modified to best serve the involved parties of any given situation. All campus community members share in the responsibility for maintaining this unique community so that SFAI's mission can be achieved.

## BUILDING LOCATIONS

### ON-CAMPUS LOCATIONS—CHESTNUT & THIRD STREET BUILDINGS

For the purposes of crime reporting, SFAI's Chestnut on-campus property includes the buildings and extends from midway down Chestnut Street to the corner of Jones Street, down Jones to the Corner of Francisco and back up Francisco until slightly past the mid-point of the block. This area includes the public sidewalk adjacent to SFAI's building, the street and the sidewalk on the other side.



800 Chestnut Street, SF, CA 94133

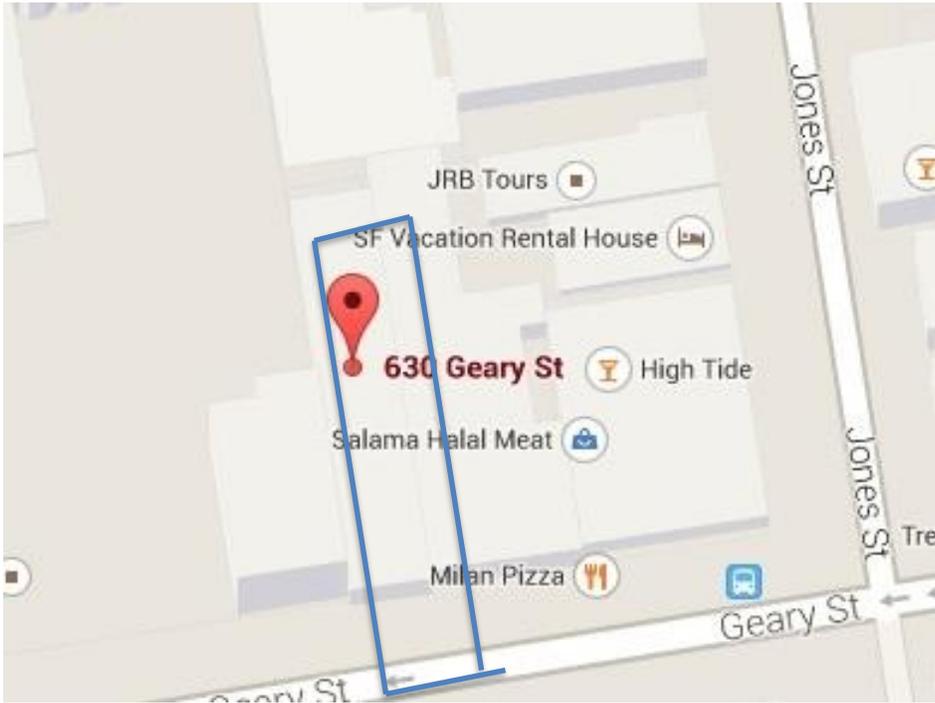
SFAI leases the approximately 61,000 feet of space on the second floor of a large mixed use building. For the purposes of crime reporting, SFAI’s Third Street on-campus property includes the second floor of 2565 Third Street, the access stairs and elevators to and from the building, and extends from midway down Third Street to the corner of 22nd Street, down 22nd to the corner of Illinois Street and down Illinois until slightly past the mid-point of the block. This area includes the public sidewalk adjacent to SFAI’s building, the street and the sidewalk on the other side.



2565 Third Street, Suites 202 – 224, 233 – 244, SF, CA 94107

**NON-CAMPUS BUILDING LOCATIONS**

The residence halls at 630 Geary Street, SF, CA 94102 and 717 Sutter Street, SF, CA 94109, are not considered to be on-campus housing locations because they are not in the same geographically contiguous area of the city.



**SAN FRANCISCO POLICE DEPARTMENT MAP**



0 0.375 0.75 1.5 Miles  
This map accurately reflects the information at the time of preparation: August 5, 2016.

**San Francisco Art Institute  
Campus Locations  
500 ft. Radius per Request**

  
San Francisco Police Department

## CAMPUS SECURITY POLICY

The security of SFAl's campuses are affected and influenced by the following realities and constraints:

- SFAl is an urban campus. Our buildings are located in densely populated and desirable neighborhoods such as Russian Hill, near Fisherman's Wharf; the Dogpatch, near AT&T Ballpark; Lower Nob Hill, near Union Square.
- The unique architectural qualities of the main campus with its irregular shape, openness, and numerous access points make it difficult to secure.
- Institutional policies actively encourage public access and involvement.
- Institutional philosophy encourages freedom of expression.
- Institutional policies provide for 24-hour, 365-days-per-year access to some facilities, subject to departmental limitation, for enrolled students.

Despite these constraints and realities, it is the policy of SFAl to provide as safe and secure an environment as possible.

## GENERAL SECURITY POLICIES

Effective campus security is the concern of all SFAl staff, faculty, students, and visitors. SFAl encourages the active participation of all staff, faculty, and students in campus security activities as the most effective means of preventing crimes on campus. All staff, faculty, students, and visitors are strongly encouraged to report any security concerns or problems, including disruptive persons, as soon as possible to responsible personnel as defined in the Reporting Criminal Actions or Emergencies section of this document. Such reports facilitate timely investigation, response, and resolution of the reported concern or problem. All staff, faculty, students, and visitors are encouraged to submit comments or suggestions regarding campus security procedures to the Facilities Office manager or to the Chief Operating Officer, who has primary administrative responsibility for campus security. The Facilities Office manager has direct administrative responsibility for the security staff.

During regular business hours, campus security is the responsibility of all SFAl staff and faculty. Problems should be reported immediately to the Facilities Office manager or the security staff. Security guards are on duty 24 hours a day, including weekends and holidays. Security guards make periodic rounds of the SFAl campus to ensure campus security, permit access to studios, classrooms, and other SFAl facilities by authorized persons in accordance with departmental and institutional policies, enforce SFAl policies, investigate and report security problems, and act as liaisons to local authorities in the event of criminal action and/or other emergencies. All staff, faculty, and students are responsible for the safekeeping of their personal belongings. SFAl encourages everyone to keep all valuables on their person or locked in a secure place. SFAl cannot be responsible for personal belongings of any person. SFAl's Campus Security Policy will be reviewed, revised, and circulated to all SFAl staff, faculty, and students on an annual basis. SFAl will make timely reports to the SFAl community in the event of a crime on campus that is considered to be a threat to SFAl students or personnel. Provision of information about such crimes shall be intended to aid in the prevention of similar occurrences. A campus security plan for improving campus security will be developed and updated on an annual basis. Improvements in campus security will be funded as feasible in the annual budgeting process.

### PHOTO ID REQUIREMENT

All students, staff, and faculty must possess a valid SFAl ID while on the campus premises. Cards can be obtained from Student Affairs. ID cards must be presented to security staff upon request.

## REPORTING CRIMINAL ACTIONS OR EMERGENCIES

Any staff, faculty, student, or visitor at SFAl who witnesses or is informed about a crime or emergency occurring or having occurred on SFAl's campus should immediately inform appropriate SFAl staff. During regular office

hours (Monday–Friday, 9:00 am–5:00 pm), crimes or emergencies should be reported to the **Facilities Office Manager** at x4570 or x4506, or the **security guard** at x4537. If the situation warrants immediate emergency personnel (such as paramedics), dial **911** immediately. During evenings, nights, weekends, and holidays, criminal actions or emergencies should be reported, after dialing **911** immediately, to the **security guard** on duty. The security guard sits in the security office on the main level when not on rounds. Guards can be reached from an internal phone either at x4537 or at **9.624.5529** (mobile); or, from an outside line, either at **415.749.4537** or at **415.624.5529** (mobile).

The SFAI staff person receiving the report of a crime or emergency shall report it to local authorities. SFAI staff will determine whether to verify or investigate the reported crime or emergency before reporting it to local authorities, depending on whether the crime or emergency has already occurred or is in progress, the nature of the reported crime or emergency, or the perceived reliability of the report. SFAI encourages persons reporting crimes or emergencies to identify themselves when making such reports. SFAI will act on reports made anonymously although lack of identification may impair the verifiability of the incident. The SFAI staff person receiving the report shall gather all information available with regard to the reported crime or activity, including the nature of the crime or activity, the person(s) involved, the time of occurrence, witness(es), and any other information. Such information will be recorded in writing and shall also be made available to local authorities. Written records of reported crimes or emergencies shall be maintained by the Facilities Office manager.

At the Third Street Graduate Center, criminal actions or activities should be reported to the Graduate Facilities Manager at **415.351.3575**. After 10pm, the Third Street Security Officer can be reached at 415.933.9101. If no Graduate Center representative is available, crimes or activities should be reported directly to local authorities by dialing **911**. In addition, reports of any criminal actions or activities taking place in the SFAI Graduate Center at 2565 Third Street or involving SFAI personnel, students, or guests occurring on the way to or from the Graduate Center should be reported to the Graduate Facilities Manager. SFAI policies encourages individuals to report all crimes in an accurate and timely manner to campus security and law enforcement.

Other ways to report:

- Always call 911 to report life threatening emergencies or crimes in progress.
- Anonymous reports can be made by submitting the [Silent Witness Form](#) on the Campus Safety & Security page at <http://www.sfai.edu/about-sfai/campus-safety-and-security>.
- Submit the [Report a Threat](#) form at <http://www.sfai.edu/about-sfai/campus-safety-and-security/report-threat>
- Email: [security@sfai.edu](mailto:security@sfai.edu)

## ENTRANCE AND ACCESS TO CAMPUS FACILITIES

### 800 Chestnut Street

The campus is generally open to staff, faculty, and enrolled students 24 hours a day throughout the year. Access to departmental facilities is subject to departmental policies and schedules. Public areas of the campus are generally open to the public 8:00 am to 6:00 pm daily throughout the year. Public access hours are extended until 10:30 pm, Monday through Thursday when classes are in session during the fall and spring semesters. Public hours may be extended for other special public events or curtailed during SFAI vacation times, construction, or for private SFAI functions. Disruptive, vagrant, or threatening persons will be denied access to the facilities or required to leave the facilities by SFAI personnel. Access to the campus may be gained through the 800 Chestnut Street entrance only. Individuals entering the campus after hours must present a valid SFAI ID and sign in and out with the security guard on duty. In the interest of personal and property safety, all doors except the Chestnut Street door are locked in the exit-only position. Also, after 8:00pm opening any doors in response to knocking is prohibited. In recognition of the increased safety risks present late at night, leaving campus between 11:00 pm and 6:30am is limited to the Chestnut Street exit. State and local fire codes prohibit propping doors open at any time during the day or night. In compliance with these regulations and in the interest of fire and personal safety,

propping doors open is prohibited at any time of the day or night. Chaining, locking, or barring doors so that they cannot open readily from the inside is prohibited.

### **2565 Third Street Graduate Center**

The Graduate Center at 2565 Third Street is open only to faculty, staff, and graduate students of SFAL and their guests. Keys are provided to faculty teaching seminars at the Graduate Center and to students maintaining studios at Third Street from the Graduate Facilities Manager upon payment of a security deposit. Individuals working on campus after hours must present their valid SFAL ID to the security officer on duty.

Campus facilities staff are responsible for the testing, maintenance and performance of all campus safety equipment including but not limited to fire extinguishers, exit lighting, emergency communication devices, strobes and other life/safety infrastructure.

## **CAMPUS LAW ENFORCEMENT**

SFAL's contract security personnel, including staff in other departments who substitute for security personnel, have authority and responsibility for enforcing all SFAL policies and regulations and shall report any violations of such policies and regulations to the appropriate SFAL authorities. SFAL's contract security personnel, including staff in other departments who substitute for security personnel, shall report all crimes and emergencies to local police authorities as stated in the Reporting Criminal Actions section in this report.

SFAL cooperates with the San Francisco Police Department to investigate crimes. Campus security personnel do not have the authority to make arrests. SFAL does not have any written memoranda on file with SFPD or other local agencies.

SFAL employs a variety of technology solutions, including CCTV to assist campus security in monitoring and securing campus property. SFAL does not allow local authorities to monitor or record on SFAL property. In addition, SFAL does not have any student organizations in non-campus locations.

## **CRIME PREVENTION**

SFAL's Campus Security Policy describes security procedures designed to prevent crimes on campus. This policy will be distributed to all staff and faculty when they are hired and annually thereafter and to all students upon enrollment so that they can familiarize themselves with campus security procedures. From time to time or as necessary, the SFAL Facilities Office manager will distribute advisories and suggestions for security procedures or activities designed to prevent crimes on campus. SFAL may hold special training or information sessions to inform students and employees about prevention of crimes. SFAL shall make timely reports to the SFAL community of violent crimes that occur on campus and that are considered to pose a potential threat to students and employees. Such reports shall be intended to increase vigilance among the SFAL community in an effort to prevent similar occurrences of such crimes.

## **WORKPLACE VIOLENCE POLICY**

SFAL promotes a safe and secure working environment for all students and employees. Acts or threats of physical violence, whether express or implied, including intimidation, harassment and/or coercion, which involve or affect SFAL or which occur on Institute property, will not be tolerated. This prohibition against threats and acts of violence (including domestic violence) applies to all enrolled students and persons involved in the operation of SFAL, including but not limited to, SFAL personnel, contract and temporary workers and anyone else on SFAL property. Violations of this policy, by any individual, will lead to disciplinary and/or other legal action as appropriate. Examples of workplace violence include, but are not limited to the following:

- Threats or acts of violence occurring on Institute premises, regardless of the relationship between SFAI and the parties involved in the incident.
- Threats or acts of violence occurring off Institute premises involving someone who is acting in the capacity of a representative of SFAI.
- Threats or acts of violence occurring off Institute premises involving an employee of SFAI if the threats or acts affect the business interests of SFAI.
- Threats or acts of violence occurring off Institute premises of which an employee of SFAI is a victim if SFAI determines that the incident may lead to an incident of violence on Institute premises
- Threats or acts resulting in the conviction of an employee, agent of SFAI, or of individual performing services for SFAI on a contract or temporary basis, under any criminal code provision relating to violence or threats of violence (including domestic violence) which adversely affect the legitimate business interests of SFAI.

Specific examples of conduct which may be considered threats or acts of violence under this policy include, but are not limited to, the following:

- Threatening physical or aggressive contact directed toward another individual or engaging in behavior that causes fear of such contact.
- Threatening an individual or his/her family, friends, associates or property with physical harm.
- The intentional destruction or threat of destruction of Institute property or another's property
- Harassing or threatening physical, verbal, written or electronic communications, including verbal statements, phone calls, emails, letters, faxes, website materials, diagrams or drawings, gestures and any other form of communication that causes a reasonable fear or intimidation response in others.
- Surveillance
- Stalking is defined as a pattern of conduct over a period of time, however short, which evidences a continuity of purpose and includes physical presence, telephone calls, emails and any other type of correspondence sent by any means.
- Veiled threats of physical harm or like intimidation
- Domestic violence is defined as a pattern of coercive tactics carried out by an abuser against an intimate partner (the victim) with the goal of establishing and maintaining power and control over the victim. Where the abuser's tactics include any of the above-described conduct on SFAI premises, this policy applies. Where such tactics include any of the above-described behaviors off SFAI premises, this policy applies where the abuser is someone who is acting as an employee or representative of SFAI at the time, where the victim is an employee who is exposed to the conduct because of work for the SFAI, or where there is a reasonable basis for believing that violence may occur against the victim or others in the workplace. The term "intimate partner" includes people who are legally married to each other, people who were once married to each other, people who have had a child together, people who live together or who have lived together, and people who have or have had a dating or sexual relationship, including same sex couples.

Any person who engages in a threat or violent action on Institute property may be removed from the premises as quickly as safety permits and may be required, at SFAI's discretion, to remain off Institute premises pending the outcome of an investigation into the incident.

When threats are made or acts of violence are committed by a SFAI student or employee, a judgment will be made by SFAI as to what actions are appropriate, including possible medical evaluation and/or possible disciplinary action.

Once a threat has been substantiated, it is SFAI's policy to put the threat-maker on notice that he/she will be held accountable for his/her actions and then follow through with the implementation of a decisive and appropriate response.

Under this policy, decisions may be needed to prevent a threat from being carried out, a violent act from occurring, or a life-threatening situation from developing. Decisions under this policy will be made by a team comprised of the President, Chief Operating Officer and a Human Resources representative. No existing Institute policy or procedure should be interpreted in a manner that prevents the above from occurring.

Additionally, where an employee is convicted of a crime of violence or threat of violence under any criminal code provision, SFAI reserves the right to determine whether the conduct involved may adversely affect the legitimate business interests of SFAI, and may implement corrective action up to and including discharge as a result. Any employee convicted of such a crime must report the conviction to SFAI absent a court order to the contrary. Failure to do so is a violation of this policy and subjects the employee to disciplinary action, including termination from employment.

## **CRIME STATISTICS**

SFAI maintains statistics concerning the following criminal offenses occurring on campus at 800 Chestnut Street, at the Third Street Graduate Center, and at the SFAI residence halls: murder and non-negligent manslaughter, negligent manslaughter, forcible and nonforcible sex offenses, robbery, aggravated assault, burglary, motor vehicle theft, and arson. These offenses are reported to campus or local police authorities, and the statistics are kept in a crime log in the Facilities Office. In addition, statistics are kept concerning the number of on-campus arrests or referrals for campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession. As required by the Higher Education Amendments of 1998, SFAI also tracks whether any of the following reported crimes was determined to be a hate crime.

The following is an annual security report for the last three calendar years as required by the Crime Awareness and Campus Security Act of 1990.

## CRIME STATISTICS

OFFENSE	YEAR	GEOGRAPHY						
		ON CAMPUS 800 CHESTNUT	PUBLIC	ON CAMPUS 2565 THIRD	PUBLIC	NON CAMPUS 717 SUTTER	NON CAMPUS 630 GEARY	TOTAL
Murder/Non-Negligent Manslaughter	2015	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0
Manslaughter by Negligence	2015	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0
Rape	2015	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0
Fondling	2015	0	0	0	0	1	0	1
	2014	0	0	0	1	0	0	1
	2013	0	0	0	0	0	0	0
Incest	2015	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0
Statutory Rape	2015	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0
Robbery	2015	0	0	0	2	0	0	2
	2014	1	0	0	1	0	0	2
	2013	0	0	0	2	0	0	2
Aggravated Assault	2015	0	0	0	0	0	0	0
	2014	1	0	0	0	0	0	1
	2013	0	0	0	1	0	0	1
Burglary	2015	0	0	0	0	0	0	0
	2014	1	0	0	0	0	0	1
	2013	1	0	3	0	0	0	4
Motor Vehicle Theft	2015	0	2	0	2	0	0	4
	2014	0	3	0	6	0	0	9
	2013	0	5	0	1	0	0	6
Arson	2015	0	1	0	0	0	0	1
	2014	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0
Domestic Violence	2015	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0

OFFENSE	YEAR	800 Chestnut	Public	2565 Third	Public	717 Sutter	630 Geary	Total
Dating Violence	2015	0	0	0	0	0	0	0
	2014	1	0	0	0	0	0	1
	2013	0	0	0	0	0	0	0
Stalking Incidents	2015	1	0	0	0	0	0	1
	2014	2	0	0	0	0	0	2
	2013	2	0	0	0	0	0	2
Arrests: Weapons, Carrying, Possessing, Etc.	2015	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0
Disciplinary Referrals: Weapons, Carrying, Possessing, Etc.	2015	1	0	0	0	0	0	1
	2014	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0
Arrests: Drug Abuse Violations	2015	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0
Disciplinary Referrals: Drug Abuse Violations	2015	0	0	0	0	11	0	11
	2014	0	0	0	0	13	7	20
	2013	1	0	0	0	6	3	10
Arrests: Liquor Law Violations	2015	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0
Disciplinary Referrals: Liquor Law Violations	2015	0	0	0	0	22	0	22
	2014	0	0	0	0	11	1	12
	2013	1	0	0	0	9	6	16
Theft (Hate Crime)	2015	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0
Simple Assault (Hate Crime)	2015	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0
Intimidation (Hate Crime)	2015	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0
Destruction, Damage to Property (Hate Crime)	2015	0	0	0	0	0	0	0
	2014	0	0	0	0	0	0	0
	2013	0	0	0	0	0	0	0

\*There were no reported Hate Crimes for the years 2013, 2014 or 2015.

\*There were no on-campus, non-campus or public property drug, alcohol or weapons law violations resulting in arrests in 2013, 2014 or 2015.

**The Campus Sex Crimes Prevention Act of 2003 requires sex offenders, who must register under state law, to provide notice of enrollment or employment at any institution of higher education in the state where the offender**

resides, as well as notice of each change of enrollment or employment status at the institution of higher education. This information will be made available by the state authorities to the local law enforcement agency that has jurisdiction where the institution is located. SFAI is not required to request this data from the state, but is responsible for advising the campus community where information concerning registered sex offenders can be obtained. Please refer to the following website for information on Megan's Law and how to contact state-wide police departments for sex offender registration information: [www.klaaskids.org](http://www.klaaskids.org).

## **INFORMATIONAL PROGRAMS TO INFORM STUDENTS AND EMPLOYEES OF CAMPUS SECURITY PROCEDURES AND PRACTICES**

SFAI conducts drills of its emergency procedures and provides annual training on reporting crimes and incidents to the appropriate channels. Policies are updated and shared on an annual basis and can be found in the Student and Campus Handbook or the Campus Safety and Security page on [www.sfai.edu](http://www.sfai.edu) and the SFAI Intranet page.

## **SECURITY AWARENESS PROGRAMS FOR STUDENTS AND EMPLOYEES**

SFAI is committed to providing effective educational and training programs to students, faculty and staff as a key component in maintaining an environment free from discrimination, harassment, and sexual misconduct. Educational programs on discrimination, harassment, and sexual misconduct will be provided for all new faculty and staff, including student employees and will occur, whenever possible within the first four (4) weeks of the fall and spring term. Periodic refresher programs will also be provided, as will training to individuals with specific responsibilities, such as Campus Security Authorities, to ensure their ability to carry out those responsibilities effectively.

Student Affairs staff leads security awareness workshops on an annual basis as part of Orientation. Periodically, groups such as [SF SAFE](#) and [WAR](#) perform additional trainings and workshops.

## **COMMUNICATION WITH VICTIM OF VIOLENT CRIME**

SFAI will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of the crime or offense, the next of kin of such victim shall be treated as the alleged victim.

## **REGISTERED SEX OFFENDERS INFORMATION**

As required by the federal Campus Sex Crimes Prevention Act, institutions of higher education must issue a statement advising SFAI community members where information concerning registered sex offenders may be obtained. Persons convicted of certain sex offenses are required by law to register with the State. Information on registered sex offenders is available at: <http://meganslaw.ca.gov/index.htm>. The Department of Justice National Sex Offender Public Website is also a source for sex offender information. For information on registered sex offenders attending or employed at SFAI, contact the local police department.

## **EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

If a life-threatening situation or emergency arises, dial 911 immediately. In case of an accident or medical emergency at SFAI, notify the Area Manager or nearest staff person and the security guard and refer to the Medical Emergency Procedures posted throughout the facilities. Fire alarms are located throughout campus, and students should become familiar with their locations. School closures and re-openings due to emergencies will be publicized on the SFAI website and in the local media.

Fire and Earthquake Safety Emergency evacuation drills are held regularly in accordance with fire department guidelines.

## CHESTNUT CAMPUS EMERGENCY PROCEDURES

### LIFE THREATENING ACCIDENTS OR MEDICAL EMERGENCIES

- Call 911 (or 9-911 from a campus phone) immediately. Ask for ambulance or immediate medical assistance.
- Call the Security Office at Ext. 4537 or the Security Cell phone at 415-624-5529 with the location of accident/emergency.
- Stay with injured person until help arrives. If possible, ask someone to wait at the main entrance for the arrival of the ambulance to take them to the injured person.

### FIRE

- Pull fire alarm immediately.
- Call 911 (or 9-911 from a campus phone) and give the Fire Department the location and type of fire. Call the Security Office at Ext. 4537 or the Security Cell phone at 415-624-5529 with the location and type of fire.
- When the alarm sounds, all employees and students should leave building quickly and quietly by the nearest exit and remain outside until instructed to return. If possible, turn off equipment and close windows. Do not use the elevator. Evacuees from the old building should gather across the street from the Chestnut Street entrance. Evacuees from the new building should gather across the street from the Francisco Street entrance. Remain at these assembly areas until you are instructed to leave.
- Do not attempt to put out any fires unless you are trained in the use of fire extinguishers and there is no threat to personal safety.

### EARTHQUAKE

- Stay indoors. Take cover under a table, desk or door frame and hang on to it. Stay clear of windows, heavy furniture and appliances. Do not leave cover until the earthquake is over.
- Do not rush outside. Falling glass, building parts, or electrical wires can be extremely hazardous. When possible, turn off lights and electrical equipment to minimize danger of fire. Do not strike matches.
- If an evacuation order is given, leave building via nearest exit. WALK, DO NOT RUN. Leave building area entirely.
- Evacuees from the old building should gather across the street from the Chestnut Street entrance. Evacuees from the new building should gather across the street from the Francisco Street entrance. Remain at these assembly areas until you are instructed to leave.

### ACTIVE THREAT OF VIOLENCE—SHELTER IN PLACE

- Seek immediate shelter.
- Lock yourself in the room that you are in and barricade the door. If possible, lock windows, close blinds or curtains. Take cover and barricade yourself (with others if possible) by placing as much material as possible between you and the threat. If possible, block windows with furniture.
- Silence cell phones but do not turn them completely off. Turn off radios and computer monitors.
- Keep occupants calm, quiet, and out of sight
- If communication is available, call 911. Identify your exact location on campus. Remain calm and answer the dispatcher's questions. Stay on the phone only if it is safe to do so. If not, keep phone on so it can be monitored by the dispatcher. If possible, contact Security at 415-624-5529.
- Don't stay in the open hall.
- Do not sound the fire alarm unless there is a fire. A fire alarm will signal the building occupants to evacuate the building and thus place them in potential harm as they attempt to exit.
- Instruct students and employees to (Shelter in Place) drop to the ground immediately, face down as flat as possible. If within 15-20 feet of a safe place or cover, duck and run to it.

Remain under cover until the threat has passed or you have been advised by law enforcement that it is safe to exit.

## GRADUATE CENTER EMERGENCY PROCEDURES

### FIRE

- Call 911 and give the Fire Department the location and type of fire. Call the Graduate Center Manager at cell phone number 415-302-2807 with the location and type of fire.
- Evacuate the building quickly and quietly by the nearest exit and remain outside until instructed to return. If possible, turn off equipment and close windows. Do not use the elevator. Exit through the nearest stairwell at 615 Illinois Street, 2565 Third Street or 1293 Illinois Street. Remain at these assembly areas until you are instructed to leave.
- Do not attempt to put out any fires unless you are trained in the use of fire extinguishers and there is no threat to personal safety.

### EARTHQUAKE

- Stay indoors. Take cover under a table, desk or doorframe and hang on to it. Stay clear of windows, heavy furniture and appliances. Do not leave cover until the earthquake is over.
- Do not rush outside. Falling glass, building parts, or electrical wires can be extremely hazardous. When possible, turn off lights and electrical equipment to minimize danger of fire. Do not strike matches.
- If an evacuation order is given, leave building via nearest exit. WALK, DO NOT RUN. Leave building area entirely. DO NOT USE ELEVATORS. Exit through the nearest stairwell at 615 Illinois Street, 2565 Third Street or 1293 Illinois Street. Remain at these assembly areas until you are instructed to leave.

### ACTIVE THREAT OF VIOLENCE—SHELTER IN PLACE

- Seek immediate shelter.
- Lock yourself in the room that you are in and barricade the door. If possible, lock windows, close blinds or curtains. Take cover and barricade yourself (with others if possible) by placing as much material as possible between you and the threat. If possible, block windows with furniture.
- Silence cell phones but do not turn them completely off. Turn off radios and computer monitors.
- Keep occupants calm, quiet, and out of sight
- If communication is available, call 911. Identify your exact location on campus. Remain calm and answer the dispatcher's questions. Stay on the phone only if it is safe to do so. If not, keep phone on so it can be monitored by the dispatcher. If possible, contact the Graduate Center Manager at 415-302-2807 and Main Campus Security at 415-624-5529.
- Don't stay in the open hall.
- Do not sound the fire alarm unless there is a fire. A fire alarm will signal the building occupants to evacuate the building and thus place them in potential harm as they attempt to exit.
- Instruct students and employees to (Shelter in Place) drop to the ground immediately, face down as flat as possible. If within 15-20 feet of a safe place or cover, duck and run to it.

Remain under cover until the threat has passed or you have been advised by law enforcement that it is safe to exit.

## TIMELY WARNING

When there is a fire or other major emergency requiring evacuation, employees and other people within the facility will be alerted by a horn/strobe alarm system. In lesser or localized emergencies, SFAI has a public address system able to reach all areas of the school.

In the event that a situation arises, whether on campus or off, that in the judgment of the Director of Operations, constitutes an ongoing or continuing threat, a campus wide timely warning will be issued. This warning will be issued through Everbridge, our emergency alert system, which delivers messages in real time through text message, phone call, and email message. These electronic communications will alert community members to the type of emergency and how to respond. Any person who has information about an incident that might warrant a timely warning should contact the Chestnut Street Security Office at 415.624.5529.

We will occasionally issue emergency notifications through this same system to notify the campus community of emergencies that do not pose a threat but about which community members should be informed. You can update your contact preferences for timely warnings and emergency notifications by logging in to WebAdvisor and selecting Everbridge.

School closures and reopenings due to emergencies will be publicized online at [www.sfai.edu](http://www.sfai.edu) and through alerts using the campus mass notification system.

The receptionist will have current information regarding SFAl program closures and re-openings. If the switchboard is not functioning due to lack of power, 415-771-7020 will function as a single line for emergency calls into and out of SFAl. If students are dislocated temporarily due to an emergency situation, they should attempt to notify the Student Affairs office.

## **EMERGENCY NOTIFICATION**

When there is a fire, employees and other people within the facility will be alerted by a horn/strobe alarm system. In the event of other major emergencies requiring evacuation, the fire alarm system will be used. In lesser or localized emergencies, The San Francisco Art Institute has a public address system able to reach all areas of the school.

SFAl has also invested in an emergency alert system that will notify students, staff and faculty by text and email in the event of an emergency. These electronic communications will alert community members to the type of emergency and will direct occupants whether to evacuate or shelter in place.

## **LOCATIONS WHERE EMERGENCY RESPONSE PLANS AND PROCEDURES ARE PUBLISHED AND WHEN THEY ARE DISTRIBUTED**

Emergency Response plans can be found on the SFAl website and the SFAl Intranet site. In addition, copies are distributed to employees on an annual basis. Students may receive a copy upon request to the Director of Operations.

## **DRILLS, TESTING AND TRAINING OF EMERGENCY RESPONSE AND EVACUATION PROCEDURES ON ANNUAL BASIS**

Drills are performed on an annual basis at all SFAl facilities. Staff and students receive training in hazardous materials handling and storage on an annual basis. Operations, Studio and Student Affairs staff receive annual training and certification for First Aid, CPR and Blood Borne Pathogens. Operations staff participate in Neighborhood Emergency Response Team (NERT) training and certification every two years. Training includes basic disaster preparedness, light search and rescue, first aid and firefighting techniques.

## **CRIME LOG**

SFAl logs the daily activity reports (DAR's) from the Security team. Hard copies of these reports are kept on file for each location and may be reviewed upon request to the Director of Operations.

# **CIVIL RIGHTS POLICIES AND GRIEVANCE PROCEDURES**

## **1. Introduction, Jurisdiction, and Policy Statement**

The San Francisco Art Institute, hereafter referred to as "SFAl" or the "Institute," is committed to maintaining a positive learning, working, and living environment. SFAl does not discriminate on the basis of sex (including pregnancy, childbirth, breastfeeding or related medical conditions), race, religion (including religious dress and grooming practices), color, gender (including gender identity and expression), national origin or ancestry, physical or mental disability, medical condition, genetic information, marital status, age,

sexual orientation, military status, or on any other basis protected by federal, state, or local law, ordinance, or regulation. SFAl maintains, in the institutional diversity statement, that a rigorous artistic and intellectual community is enriched by diversity and inclusion, and as such we aim to provide all community members with a respectful and challenging space in which to address divergent opinions and ideas.

To that end, SFAl will not tolerate actions of discrimination, sexual misconduct, sexual exploitation, or retaliation against or by any employee, third-party, or student, as such behavior seriously undermines SFAl's effectiveness as an educational institution and workplace. Each member of SFAl's community shares in a common responsibility to maintain an environment free from discrimination, harassment, and sexual misconduct. This policy accomplishes three aims: (1) provides a general overview of conduct that may constitute discrimination, harassment, sexual misconduct or retaliation; (2) explicitly prohibits discrimination, harassment, sexual misconduct and retaliation; and (3) establishes procedures to follow when a member of SFAl's community believes that they have been subject to discrimination, harassment, or sexual misconduct.

This policy applies to all SFAl community members, including students, faculty, staff, and third parties (including, but not limited to, volunteers, campus visitors, and vendors) who have contact with members of the SFAl community on campus or at off-campus, Institute-sponsored programs. These policies and procedures apply to conduct occurring on Institute property as well as off-campus Institute-sponsored programs or activities. They may apply to conduct that occurred off-campus but not at an Institute-sponsored program or activity if both parties are members of the SFAl community.

Faculty and staff members who violate this policy will be subject to disciplinary action, up to and including termination of employment. Students who violate this policy will be subject to disciplinary action, up to and including expulsion. The grievance procedures set forth in this policy provide a fair and impartial process for reporting, investigating, making findings, and determining appropriate sanctions in relation to a complaint or other report of discrimination, harassment, and/or sexual misconduct.

Robust discussion and debate are fundamental to the life of SFAl. Consequently, this policy shall be interpreted in a manner that is consistent with academic freedom. Free speech rights apply in the classroom and in all other educational programs and activities of the institution. Great care must be taken not to inhibit open discussion, academic debate, and expression of personal opinion, particularly in the classroom. Nonetheless, speech or conduct of a sexual or hostile nature which occurs in the context of educational instruction may exceed the protections of academic freedom and constitute prohibited discrimination, harassment, or sexual misconduct if it meets the definition of discrimination, harassment, or sexual misconduct as noted through this policy and: (a) is reasonably regarded as non-professorial speech (i.e., advances a personal interest of the faculty member as opposed to furthering the learning process or legitimate objectives of the course), or (b) lacks accepted pedagogical purpose or is not germane to the academic subject matter.

## 2. Definitions

**Consent:** Consent is willingly and knowingly agreeing to engage in mutually understood sexual contact. Consent must be mutual and ongoing, offered freely and knowingly, and cannot be given by a person who is incapacitated, as described below. Non-communication or silence constitutes lack of consent. A verbal "no" constitutes lack of consent, even if it sounds insincere or indecisive. Incapacitation also constitutes a lack of consent.

If at any time during sexual interaction any confusion or ambiguity should arise about consent, it is the responsibility of the person initiating the activity to stop and clarify the other's willingness to continue. Consent can be revoked at any time. If at any time consent is withdrawn, the activity must stop immediately. Consumption of drugs or alcohol does not relieve a party of the responsibility to obtain ongoing consent.

In order for consent to be valid, all parties must be capable of making a rational, reasonable decision about the sexual act and must have a shared understanding of the nature of the act to which they are consenting. 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. It is not possible for a person to give consent if incapacitated by drugs, alcohol, or other physical/mental impairment, or if incapacitated by being threatened, intimidated, or coerced into giving consent.

Examples of incapacitation include, but are not limited to, being highly intoxicated, unconscious or passed out, asleep, unable to communicate, or subjected to violence or intimidation. Physical indicators of incapacitation may include slurred speech, unsteady gait or stumbling, vomiting, unfocused or bloodshot eyes, disorientation, unresponsiveness or outrageous or unusual behavior.

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.

**Hate Crimes and Bias-Related Incidents:** SFAL is committed to providing a campus where all students, faculty, staff, trustees, and volunteers can study and work free from discrimination and harassment. This includes discrimination and harassment in the form of hate crimes. Hate crimes are a violation of SFAL policy and federal and state laws. A hate crime is a criminal offense 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 due to any actual or perceived characteristics of said victim(s) related to race, gender, gender identity, religion, disability, sexual orientation, national origin or ethnicity, or said victim(s) association with a person or group with these actual or perceived characteristics. Specifics on hate crime laws can be found under the following: Title 18, U.S.C., Section 245 (federal hate crimes statute), and 422.55 (PC) and 422.6 (PC) of the California Penal Code.

Hate crimes include any of the following acts if they are motivated by bias: murder and non-negligent manslaughter, 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, dating violence, domestic violence, and stalking. SFAL's policy is broad and includes situations that are not criminal but can be construed as hate incidents. Regardless of a crime being committed, SFAL investigates and responds to hate incident reports through educating the campus community and providing support to those who may feel targeted and for the SFAL community in general. Bias-related incidents are expressions of hostility against an individual or group based on the other person's (or group's) disability, gender identity and expression, national origin, race, color, ethnicity, religion, or sexual orientation. Although some of these incidents may be protected under Freedom of Expression and The First Amendment of the U.S. Constitution, all members of the SFAL community have a right to work and learn in a non-hostile environment. The conduct underlying some bias-related incidents may violate SFAL's policies, including the Student Code of Conduct and the Civil Rights Policy.

The policies stated above are not intended to unduly interfere with normal student-faculty interaction or classroom activity, to infringe on people's personal lives, or to prevent constitutionally protected speech. In establishing this policy, the school acknowledges the special nature of the educational mission of SFAL. In determining whether harassment in the form of a hate crime has occurred, consideration must be given to the record as a whole, and to the context and totality of the circumstances and intent.

SFAL policy and federal and state law forbid retaliation against any individual who voices opposition to, files a complaint about, testifies about, or participates in an investigation about hate incidences. Retaliation is considered a separate act of harassment and is subject to the procedures and sanctions under the Civil Rights Policy. Retaliation includes, but is not limited to, failure to give fair and equal

consideration in employment or educational decisions; failure to make impartial recommendations about employment or educational decisions; or adversely affecting the work or educational conditions of, or otherwise unfairly denying, any benefit to the person in question.

**Unlawful harassment:** Unlawful harassment is conduct that creates an intimidating, offensive, or hostile working, learning, or living environment, or that interferes with work or academic performance based on a person's protected status, including race, color, national origin and ancestry, sex, sexual orientation, gender identity or expression, age, religious creed, physical and/or mental ability, medical conditions, marital status, or other status protected by antidiscrimination and antiharassment statutes. Such harassment can be physical, verbal, or visual. Harassment can be committed by employers, coworkers, students, and third parties.

Specific types of harassment include, but are not limited to:

**Gender-based harassment:** Acts of verbal, nonverbal, or physical aggression, intimidation, stalking, or hostility based on gender or gender-stereotyping constitute gender-based harassment. Gender-based harassment can occur if individuals are harassed either for exhibiting what is perceived as a stereotypical characteristic for their sex, or for failing to conform to stereotypical notions of masculinity or femininity. In order to constitute harassment, the conduct must be such that it has the effect of unreasonably interfering with the individual's academic performance or creating an intimidating, hostile, demeaning or offensive work, academic, or living environment.

**Sexual harassment:** Unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, and physical conduct of a sexual nature constitute sexual harassment. Types of sexual harassment include:

**Quid Pro Quo Harassment:** Quid pro quo sexual harassment may occur when anyone in a position of power or authority over another uses any academic or supervisor reward to subject such other person to unwanted sexual attention or to subject such other person to verbal or physical conduct of a sexual nature. In general, quid pro quo sexual harassment means unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature by one in a position of power or influence when:

- (a) submission by an individual is made either an explicit or implicit term or condition of employment or of academic standing; or
- (b) submission to or rejection of such conduct is used as the basis for academic or employment decisions affecting that student or employee.

Most often quid pro quo sexual harassment arises in the context of an authority relationship or power differential. The relationship may be direct (as in the case of a supervisor/subordinate or teacher/student), or it may be indirect (when the harasser has the power to influence others who have authority over the victim). This definition is intended to be illustrative and is not limited to the stated definition.

**Hostile Environment Harassment:** In general, sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a work place, learning environment, or living environment that is hostile, offensive, intimidates, or humiliates may constitute sexual harassment. Such conduct may create a hostile environment for the individuals other than those at whom the conduct is directed. Hostile environment harassment includes peer harassment, such as student-to-student or colleague-to-colleague. To constitute a hostile environment, the harassment must be sufficiently severe or pervasive to affect the conditions of the complainant's employment, academic standing, or participation in an educational program or activity, and must create an offensive or abusive environment. A single incident or isolated incidents of offensive sexual conduct or remarks may create a hostile environment, but generally do not unless the conduct is quite

severe. Even instances that may not constitute a hostile environment should be addressed under the informal procedures of this policy, so that they are not repeated.

While it is not possible to list all the conduct or circumstances that may constitute sexual harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- unwelcome sexual advances—whether they involve physical touching or not—and unwanted discussions of sexual matters;
- sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one’s sex life; comment on an individual’s body, comment about an individual’s sexual activity, deficiencies, or prowess;
- displaying sexually suggestive objects, pictures, or cartoons;
- unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- sexist remarks and sexist behaviors;
- requests or demands for sexual favors accompanied by implicit or explicit promised rewards or threatened punishments;
- inquiries into one’s sexual experiences; and
- discussion of one’s sexual activities.

This definition of harassment is intended to be illustrative and is not limited to the stated definition.

**Sexual Assault:** Defined as non-consensual physical contact of a sexual nature, sexual assault includes rape, acts using force, threat, intimidation, or coercion or using advantage gained by the victim’s inability (temporary or permanent) to make rational, reasonable decisions about sex of which the respondent was aware or should have been aware.

Examples of sexual assault include non-consensual sexual intercourse (anal, oral, or vaginal), however slight, with any object, between any genders, without consent and non-consensual sexual contact, which is any sexual touching (including disrobing or exposure), however slight, with any object, between any genders, without consent.

**Sexual exploitation:** When a person takes non-consensual, unjust, or abusive sexual advantage of another person for their own benefit or for the benefit of anyone other than the person being exploited and which conduct does not otherwise constitute sexual harassment or assault under this policy. Examples of conduct prohibited include, but are not limited to: non-consensual video/audio taping of sexual activity by any electronic device; non-consensual sharing of a consensually made video/audio tape of sexual activity; prostituting another individual; going beyond the boundaries of consent given, such as by secretly allowing others to watch consensual sex; or voyeurism of a sexual nature. Sexual exploitation is prohibited and will be treated as sexual misconduct.

**Dating violence:** Violence committed by a person: (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship shall be determined based on a consideration of the following factors: (i) the length of the relationship; (ii) the type of relationship; and (iii) the frequency of interaction between the persons involved.

**Domestic violence:** Felony or misdemeanor crimes of violence committed by a current or former spouse 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, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction receiving grant monies, 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.

**Stalking:** Engaging in a course of conduct directed at a specific person, including following, harassing, and/or threatening someone, that would cause a reasonable person to: (a) fear for his or her safety or the safety of others; or (b) suffer substantial emotional distress. This course of conduct can occur in person, remotely (though social media, text messages, e-mail messages, phone calls, and other communication tools), or through a combination of the two.

**Sexual misconduct:** Includes sexual harassment, sexual assault, sexual exploitation, dating and domestic violence, and stalking.

**Consensual relationships:** In order to avoid possible complaints of favoritism, claims of sexual harassment and employee morale concerns that may result from personal relationships between employees, faculty, or students, the Institute has a "Relationship Disclosure Policy". While these personal, intimate relationships are not prohibited, the Institute requires two employees, or the faculty/staff in the case of relationships with students, who become romantically involved to disclose their relationship to the Dean of Academic Affairs (faculty) or human resources administrator (staff). Because their personal relationships may create a potential conflict of interest, or present concerns regarding classroom interactions, grading, and/or supervision, the Institute will address the situation by transferring the student to another classroom or employee to another department. If this is not feasible, comparable arrangements will be decided.

If two employees, or an employee and student marry, become related, or romantically involved they may not remain in a reporting relationship or in positions where one individual may affect the educational experience, grades, compensation or other terms or conditions of employment of the other individual. The Institute will attempt to identify other available positions or opportunities, and the individuals affected will have 30 days to decide which individual will remain in his/her current position, department, or class. For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

### 3. Care and Support

SFAI is committed to treating all members of the community with dignity, care, and respect. Any community member who experiences or is affected by the behaviors outlined in these policies, whether as a complainant, respondent, or third party, will have equal access to care and support from the Institute. Interim remedies are available to all parties, and are detailed in the grievance procedure section of this policy.

The Institute encourages all individuals to seek support from the resources listed below, regardless of when or where the incident occurred.

#### General Care and Support Resources

Counseling Center (students)  
415. 749. 4587

The Counseling Center is a confidential support resource for students. Counselors are prohibited by law from breaking confidentiality unless there is an imminent threat of harm to self or others, or when a report involves suspected abuse of a minor.

Employee Assistance Program (faculty and staff)  
800. 386. 7055

The Employee Assistance Program offers 24-hour confidential counseling to all employees.

## Sexual Assault and Misconduct Care and Support

Individuals who have experienced sexual assault should take the following steps:

- Call campus security at 415. 749. 4537 immediately. The security office on duty will notify the Dean of Students of the report, or will notify the professional staff member on call after-hours or on weekends.
- If you are in a safe location, stay there. If you do not feel safe, call a friend, family member, or someone you trust and ask them to stay with you. If the assault occurred in the room you are in, do not allow anyone else to enter the room. Once a support person arrives, secure the room and go to a safe area.
- Preserve all physical evidence of the assault. Do not bathe, shower, douche, or brush your teeth. Do not wash or discard any articles of clothing worn during the assault.
- Seek support from any of the resources listed below:
  - Director of Human Resources and Title IX Coordinator: 415. 749.4576
  - SFAI Counselors: 415. 749. 4587
  - San Francisco Women Against Rape 24-Hour Hotline: 415. 647. 7273
  - Bay Area Women Against Rape 24-Hour Hotline: 510. 845. 7273
- Seek medical attention. Even if you do not think that you have any physical injuries, you may want to have a medical examination and discuss with a health care provider the risk of exposure to sexually transmitted infections and the possibility of pregnancy, if applicable.

Listed below are hospital treatment options in both San Francisco and Oakland. Both hospitals offer special services for rape and trauma treatment. If you seek medical attention, it is helpful to call one of the hotlines listed above so that you can obtain support from an experienced advocate throughout the hospital visit.

San Francisco General Hospital, Trauma Recovery Center  
1001 Potrero Avenue, San Francisco  
415. 437. 3000—crisis line

Highland Hospital, Emergency Room  
1411 East 31<sup>st</sup> Street, Oakland  
510. 534. 9290—sexual assault hotline  
510. 437. 4550—emergency department

In the context of sexual violence, medical providers in California are required to notify law enforcement if a patient tells a provider that they have experienced sexual violence. The patient has the right to request that a survivor advocate be present with them when they speak with the police and to request that criminal charges not be pursued. Medical providers will not notify the Institute of the report.

## 4. Grievance Procedures

These grievance procedures have been adopted by the Institute to provide a prompt and equitable method for reporting, investigating, and resolving complaints of alleged violations of the Institute's Civil Rights policies outlined in this policy.

## **Reporting to Law Enforcement**

In cases involving potential crimes, including sexual assault, dating or domestic violence, or stalking, individuals are encouraged to file a report with the local law enforcement which has jurisdiction over the location in which the misconduct occurred. SFAI will provide a support person to assist the complainant in contacting local law enforcement and making a report.

SFAI's grievance procedures and the legal system work independently from one another and SFAI will proceed with its process, regardless of action or inaction by outside authorities. Decisions made or sanctions imposed through these grievance procedures are not subject to change because criminal or civil charges arising from the same conduct are dismissed, reduced, or rejected in favor of or against the respondent.

In certain instances, the Institute may need to report conduct to appropriate law enforcement agencies even when the subject of the conduct has decided not to do so. Such circumstances include situations that present a clear and imminent danger or risk to any member of the school community or the community as a whole, when a weapon is involved in the incident, or when the alleged conduct involves sexual misconduct and the complainant is a minor. In such cases where SFAI deems it necessary to notify law enforcement, the decision to report will be shared with the complainant.

## **Reporting to the Institution**

Any member of SFAI's community—whether faculty, staff, or student—who wishes to report an incident of discrimination, harassment, or sexual misconduct as defined above should first bring this matter to the appropriate SFAI representative listed below. Under no circumstances is an individual required to report discrimination, harassment, and/or sexual misconduct to a supervisor or academic instructor who is the alleged perpetrator. The persons charged with handling and investigating discrimination, harassment, and/or sexual misconduct complaints may consult with legal counsel at any point during the process. The procedures should be followed in a manner that is as confidential and sensitive as possible in order to protect all the individuals involved.

There may be situations or circumstances when a member of SFAI's community is subjected to discrimination, harassment, and/or sexual misconduct, but does not wish to come forward to pursue a complaint, or when a person observes discrimination, harassment, and/or sexual misconduct directed at another member of the community. SFAI will do all it can to respect the victim's wishes, but may proceed to address allegations of discrimination, harassment, and/or sexual misconduct if and when SFAI administrators become aware of such allegations, especially where the circumstances present a threat of harm or injury to the victim or other members of the community.

To make a report or complaint, contact:

Heather Groninger, Director of Human Resources & Title IX Coordinator  
800 Chestnut Street  
hgroninger@sfai.edu  
415. 749.4576  
(after hours, contact Campus Security at 415. 749. 4537)

Reports may be made orally or in writing.

Any person who brings a complaint of discrimination, harassment, or sexual misconduct under this policy may seek a campus "active avoidance" order pending disciplinary action. These are written orders issued to the respondent that restrict or prohibit contact with the complainant or impose other restrictions as may

be appropriate. Request for such orders may be made to the administrators handling the complaint. Complainants may also seek protective measures from outside law enforcement agencies.

### **Interim Measures**

SFAI may take whatever measures deemed necessary in response to an allegation in order to protect an individual's rights and personal safety and the safety of the SFAI community. Such measures include, but are not limited to, an interim suspension (immediate, temporary suspension pending the outcome of the grievance process), an active avoidance order (an order that an individual refrain from direct or indirect contact with another person or persons), restrictions on access to campus or areas of campus, and/or appropriate changes in academic schedule. Interim measures may include reporting the matter to the local police. Failure to adhere to the parameters of any interim measure is a violation of SFAI policy and may lead to additional disciplinary action. Interim measures will be determined by the Dean of Students or the HR Manager, as appropriate.

Such interim measures may be imposed:

- In instances where it is determined that the accused party poses a potential threat to another;
- To ensure the safety and well-being of members of the SFAI community and/or preservation of SFAI property;
- To ensure the accused party's own physical or emotional safety and well-being; or
- If the accused party poses a threat of disruption or interference with the normal operations of SFAI.

### **Support Person**

Each party may have a support person present with them at all meetings and any hearing associated with the complaint and in which the respective individual is participating. The support person must be a current member of the SFAI community. The support person may attend, but shall not participate in, meetings or the hearing. Legal counsel will not be permitted, except in cases in which any party to the grievance faces potential criminal charges or if required by applicable law. In such cases, an attorney will only be permitted in a non-participatory advisory role at the party's expense.

### **Informal Complaint Procedure**

NOTE: The informal procedure is not appropriate for and will not be used in the case of sexual misconduct.

When an incident arises in which a person feels that they have been subjected to discrimination, harassment, or sexual misconduct as defined in this policy, it should be addressed as soon as possible. In many cases, informal actions can be taken that will effectively stop the misconduct; however, informal resolution is never required. The person may choose to confront the offender, making clear that they do not want any further incidents to occur. If this does not stop the misconduct, or if the person does not feel that they can confront the offender or needs help in the process, the following procedure should be followed:

When the offender is a student, the Dean of Students should be contacted.

When the offender is a staff or faculty member, the HR Manager should be contacted.

The administrator can provide the person with support and advice on how to confront the offender and how to discourage further misconduct. At the person's request, the administrator may also intervene directly with the offender. In this case, the administrator will provide the offender an opportunity to respond to allegations and after discussions with both parties, may attempt to mediate or suggest another person to mediate a solution, which may result in a written agreement between the parties. Other remedial action

may also result. The administrator will make every effort to resolve the informal complain in a timely manner.

At any time, either party may end the informal process and begin the formal complaint procedure. The formal procedures may also be started if the informal complaint procedure has not resulted in satisfactory resolution to the complainant.

### **Formal Complaint Procedure**

Prompt reporting of a complaint of discrimination, harassment, and/or sexual misconduct as defined in this policy is strongly encouraged, as it facilitates a faster resolution. However, SFAI may need to investigate and take appropriate action in response to all reports regardless of when the alleged conduct occurred. The ability of SFAI to respond is limited if the respondent is no longer a member of the SFAI community. If an SFAI staff member, faculty member, or student leaves SFAI with a pending complaint against them, they will not be permitted to return to SFAI until the case is resolved through these grievance procedures.

The following outlines the formal complaint procedure that will be used to address violations of this policy and any appeals based on the same. No other available grievance or appeals procedures may be applied to violations of this policy or sanctions based on those violations.

Upon receipt of a report of a violation of this policy, SFAI will activate the following grievance procedures.

1. Reports of complaints of alleged violations of this policy should be submitted to (or will be forwarded to) SFAI's responsible administrator as follows:
  - a. If the respondent is a student, the Dean of Students should be notified.
  - b. If the respondent is a staff or faculty member, the HR Manager should be notified.
2. Within five (5) business days, unless unusual or complex circumstances exist, the responsible administrator will meet with the complainant to review the complaint, related policies, and the grievance procedures. The responsible administrator will also identify support resources and interventions or interim measures available to the complainant.
3. In cases where the alleged violation is reported to SFAI by a third party, the victim will be notified by the responsible administrator that a complaint has been received. The responsible administrator will meet with the victim to discuss their options and resources available to them at SFAI and in the community.
4. Within five (5) business days of meeting with the complainant, unless unusual or complex circumstances exist, the responsible administrator will appoint a trained investigator to conduct a thorough, impartial, and prompt investigation of the complaint which shall be completed within sixty (60) days, unless unusual or complex circumstances exist.
5. The investigator, in consultation with the responsible administrator, will establish a timelines and process for the investigation, including a plan for notifying the respondent (the subject of a report or complaint).

The investigator will conduct interviews as needed with all appropriate individuals including the complainant and respondent, and will gather any pertinent evidentiary materials. Upon completion of the investigation, the investigator will prepare a report detailing the investigation, including a summary of the interviews and the evidentiary materials gathered. Based on the results of the investigation, the investigator will make an appropriate finding based on the preponderance of the evidence, either:

1. It is more likely than not that the alleged conduct did not occur and the respondent is not responsible for violating this policy; or
2. It is more likely than not that the alleged conduct did occur and the respondent is responsible for violating this policy.

The investigator will share the investigation report and findings with the responsible administrator.

If the investigator finds that the respondent is not responsible for a policy violation, the investigation shall be closed and the responsible administrator shall notify the complainant and respondent of this outcome, consistent with SFAL's obligations under FERPA.

In some circumstances involving a finding of no violation, SFAL may institute other forms of remedial, community-based responses, such as educational initiatives and/or trainings, as the responsible administrator determines appropriate under the circumstances.

The complainant may appeal the outcome of the investigation if the finding is not responsible (see Appeals section below). If the investigator finds that the respondent is responsible for violation of this policy, then the responsible administrator and/or the investigator will present the findings to the respondent and the complainant separately. The respondent may accept the findings as presented, accept the findings in part and reject them in part, or reject all of the findings. If the respondent accepts the findings, the appropriate administrator, as outlined below, will impose sanctions appropriate for the violation. If the respondent is a student, the Vice President for Enrollment and Student Affairs will impose sanctions. If the respondent is a faculty member, the Vice President and Dean of Academic Affairs will impose sanctions. If the respondent is a staff member, the Controller will impose sanctions.

If the respondent rejects the findings in part or entirely, the responsible administrator will forward the complaint to the administrative hearing process (see below). In cases in which the respondent accepts some of the findings and rejects other, the findings accepted by the respondent will stand and the hearing will be convened solely to resolve the contested findings.

## **Sanctions**

SFAL may consider the following determining sanctions(s): the nature of the circumstances surrounding the violation, the respondent's prior disciplinary record, precedent cases, SFAL safety concerns and other information deemed relevant. The sanction(s) will be structured to end such conduct, prevent its recurrence, and remedy its effects on the complainant and the SFAL community. The administrator will render a sanction decision within five (5) business days of receiving the investigator's findings. Not all violations will be deemed equally serious offenses, and SFAL reserves the right to impose different sanctions, ranging from warning to expulsion/termination, depending on the severity of the offense. SFAL will consider the concerns and rights of both the complainant and the respondent. Where appropriate, the sanctions will be reported to the complainant and the respondent in writing. The sanctions(s) imposed will be implemented immediately and will be in effect pending the outcome of the appeal. Possible sanctions include but are not limited to:

- Students: up to and including suspension or dismissal
- Faculty: up to and including suspension without pay and dismissal/termination of employment
- Staff: up to and including dismissal/termination of employment
- Third Parties: up to and including removal from campus and termination of contractual agreements.

## **Formal Administrative Hearing Procedure**

Formal complaints of discrimination, harassment, and/or sexual misconduct as defined by this policy will be received and decided by an administrative hearing process. The staff member conducting the administrative hearing is charged with determining, based on the preponderance of the evidence, whether or not the respondent violated any SFAl policies specific to the alleged conduct. The administrative hearing officers will be assigned as follows:

- When the respondent is a student, the Dean and Vice President of Academic Affairs.
- When the respondent is a faculty member, the Dean and Vice President of Academic Affairs.
- When the respondent is a staff member, the Controller.

An alternate staff member may serve as the hearing officer when one of the appointed members is unavailable or must be recused from a particular case due to conflict of interest.

Both parties will be given the opportunity to respond to the issues before the hearing officer. Such responses may be in writing or in person, and shall be made within the timeframe established by the hearing officer. The hearing officer will review all the documentation of the investigation, any other evidentiary material as needed, and may also call witnesses as deemed appropriate. The hearing officer will determine an appropriate finding based on a preponderance of the evidence either that: (1) it is more likely than not that the alleged conduct did not occur and that the Respondent is not responsible for violating SFAl policy; or (2) it is more likely than not that the alleged conduct did occur and the respondent is responsible for violating SFAl policy.

If the officer finds that a violation occurred, they will issue a written decision that includes the imposition of sanctions, if appropriate. In determining sanctions, the officer will take into account any previous violations of this policy.

If the respondent is an SFAl employee, copies of the decision are provided to the complainant and the respondent to the extent appropriate. If the respondent is a student, a copy of the written decision is provided to the respondent. The complainant shall also be advised of the officer's decision to the extent permitted by the provisions of FERPA and required by the Clery Act.

If the officer determines that the respondent has violated the discrimination, harassment, and/or sexual misconduct policy, the appropriate administrator shall implement any sanctions imposed by the officer. When the respondent is an employee, the HR Manager shall institute sanctions together with the respondent's supervisor and/or department head. Sanctions may include, but are not limited to:

**Students:** An oral warning; a written letter of warning; a letter of reprimand, mandatory attendance of an educational program on discrimination, harassment, and/or sexual misconduct; mandatory referral for psychological assessment and compliance with any resulting treatment plan; change in room assignment; probation; cancellation of residence hall contract and removal from the residence halls; suspension; or dismissal from SFAl.

**Faculty:** An oral warning; a written letter of warning; a letter of reprimand, mandatory attendance of an educational program on discrimination, harassment, and/or sexual misconduct; restriction of responsibilities; reassignment; denial of salary increase; suspension without pay; or termination.

**Staff:** An oral warning; a written letter of warning; a letter of reprimand, mandatory attendance of an educational program on discrimination, harassment, and/or sexual misconduct; restriction of responsibilities; reassignment or transfer to another department; denial of salary increase; suspension without pay; or termination.

The sanctions described in this policy are not exclusive of and may be in addition to other actions taken or sanctions imposed by outside authorities. Sanctions imposed will be determined on the basis of the facts and the extent of harm to the individuals involved and SFAl's interests. The sanctions imposed will be implemented immediately and will be in effect pending the outcome of any appeal.

## **Appeals**

Either party may appeal the hearing officer's decision in accordance with the policy detailed below.

An appeal is not intended to be a new investigation or a full re-hearing of the complaint. In most cases, an appeal is confined to a review of the written documentation and/or record of the investigation and/or administrative hearing and pertinent documentation regarding the grounds for appeal. An appeal is not an opportunity for the appeals officer to substitute their judgment for that of the investigator or the hearing officer merely because the appeals officer disagrees with the finding and/or sanction. Appeal decisions are to be deferential to the investigator and the hearing officer, making changes to the finding only where there is clear error and to the sanction only if there is a compelling justification to do so.

Disagreement with the finding or sanction is not, by itself, grounds for an appeal. The ONLY grounds upon which an appeal may be made are:

**Procedural Error:** A procedural error occurred that significantly impacted the outcome of the investigation and/or administrative hearing as it applies to the appealing party (e.g. substantiated bias, material deviation from established procedures, etc.). A description of the error and its impact on the outcome of the case as it applies to the appealing party must be included in the written appeal.

**New Information:** New information has arisen which was not available or known to the appealing party during the investigation or hearing and that could have substantially impacted the original finding or sanction(s) had it been available at that time. Information that was known to the appealing party at the time of the investigation or hearing but which they chose not to present is not new information. A summary of this new evidence and its potential impact on the findings and/or sanction must be included in the written appeal; or

**Disproportionate Sanction(s):** The sanctions imposed are substantially disproportionate to the severity of the violation(s). An explanation of why the sanction(s) are disproportionate to the severity of the violation must be included. Mere dislike or disagreement with the sanction(s) or the impact of the sanction(s) on the appealing party is not grounds for an appeal.

The written appeal should be submitted to the Title IX Coordinator or Deputy Coordinator within two (2) business days following the date of the administrative hearing outcome letter. The non-appealing party will receive notice of the appeal from the Title IX Coordinator or Deputy Coordinator and will have two (2) business days to submit a written response to the appeal to the Title IX Coordinator or Deputy Coordinator. If the appeal is related to disproportionate sanctions, the Administrator will have two (2) business days to submit a written explanation for the sanctioning decision to the Title IX Coordinator or Deputy Coordinator for submission to the appeals officer.

## **Confidentiality**

Cases involving sexual misconduct are particularly sensitive and demand special attention to issues of confidentiality. Those responsible for carrying out the responsibilities outlined in this policy will respect the confidentiality and privacy of the individuals involved, to the extent reasonably possible. Those individuals reporting, involved in, respondent of, or otherwise involved in a discrimination, harassment, and/or sexual misconduct complaint are also required to keep the matter as confidential as is reasonably possible. Absolute confidentiality may not be maintained in all circumstances, including when SFAl is required to disclose information in response to legal process or when SFAl's need to protect the rights of others must

outweigh confidentiality concerns. Often, the person reporting or otherwise concerned about discrimination, harassment, and/or sexual misconduct wants the conversation to be considered confidential or off the record. Faculty, staff and other SFAI employees may be required to disclose information concerning discrimination, harassment, and/or sexual misconduct that is not personally identifiable, or if a member of SFAI's community is at risk, to disclose personally identifiable information to the appropriate SFAI leaders.

### **Anonymous Complaints**

SFAI will reasonably respond to all allegations of discrimination, harassment, and/or sexual misconduct. However, due to the inherent difficulty of investigating and resolving allegations from unknown persons, it may difficult for SFAI to resolve an anonymous complaint. SFAI may be unable to impose disciplinary action against a person who has allegedly committed discrimination, harassment, and/or sexual misconduct if a complainant insists that his or her name not be revealed.

### **Frivolous Complaints**

The purpose of this Policy is to promote and maintain an environment at SFAI that is free from discrimination, harassment, and/or sexual misconduct. Any member of SFAI's community who believes that he/she has been subjected to discrimination, harassment, and/or sexual misconduct is encouraged to use the procedures provided in this policy, not only for the benefit and protection of that individual, but ultimately for the entire SFAI community. However, false charges of discrimination, harassment, and/or sexual misconduct undermine the purpose and effectiveness of this Policy. Accordingly, persons who knowingly make false charges of discrimination, harassment, and/or sexual misconduct may be subject to disciplinary action. The failure of a complaint to result in a finding of discrimination, harassment, and/or sexual misconduct is not alone evidence that the charges were knowingly false.

### **Training**

SFAI is committed to providing effective educational and training programs to students, faculty and staff as a key component in maintaining an environment free from discrimination, harassment, and sexual misconduct. This Policy will be available via SFAI's website, and will be included in other sources of media as is deemed appropriate. Educational programs on discrimination, harassment, and sexual misconduct will be provided for all new faculty and staff, including student employees and will occur, whenever possible, within the first four (4) weeks of the fall and spring terms. Periodic refresher programs will also be provided, as will training to individual with specific responsibilities as defined within this Policy to ensure their ability to carry out those responsibilities effectively.

Investigators and hearing officers shall also receive training on issues pertaining to sexual misconduct, effective consent, and the impact of alcohol on cases of sexual misconduct.

### **Record Retention**

Records of investigations and hearings are maintained by SFAI for five (5) years as indicated below.

Students: If the Respondent is a student, the records will be maintained for five (5) years past the student's graduation or if the student leaves SFAI before graduation, for five (5) years past their original expected graduation date.

Faculty or Staff: If the Respondent is a faculty or staff member, the records will be maintained for five (5) years past the conclusion of the investigation and any hearing.

## MISSING STUDENT PROCEDURES AND POLICIES

### Practice:

- Upon check-in to the residence hall, all students will have the opportunity to identify an individual to be contacted by the Institute in case the student is determined to be missing.
- For students under the age of 18, that notification will be made to the student's parent or legal guardian within 24 hours of the time that the student is determined to be missing.
- There is no waiting period for reporting a student missing and a student shall be deemed missing when he or she is reportedly absent from the Institute for more than 24 hours without any known reason.
- All reports of missing residential students shall be directed to the Residence Director. The Residence Director, in conjunction with the Assistant Dean of Students, will determine whether the student is missing in accordance with this policy.
- The San Francisco Police Department will be notified within 24 hours of a student being determined missing.

### Procedure:

- Any report of a missing student should immediately be directed to the Residence Director.
- The Residence Director will immediately notify the Assistant Dean of Students and the two will work in conjunction, attempting to do the following:
- Make contact with the student reported missing by calling the student's cell phone number on file, going to the student's room (keying in if no answer), interviewing the student's roommate(s) and floormates to find out the last time the student was seen and find any known plans.
- Check social media sites for activity.
- Check the building access log to determine when the student last entered the residence hall using their building entrance card.
- Contact the Cashiers Office to check when the student last used their meal plan.
- Check the student's class schedule and look for the student in the classroom.
- Contact the student's faculty members regarding attendance in the classroom.
- Determine a timeline of when the student was last heard from or seen.

The Assistant Dean of Students will notify the Dean of Students who will initiate whatever action deemed appropriate under the specific incident's circumstances.

If the Dean of Students, after investigation, determines that a residential student has been missing for more than 24 hours, the Institute will, within 24 hours after making such a determination, notify both the student's designated contact person and local law enforcement that the student is missing. If such student is under the age of 18 and is unemancipated, the Institute will also notify the student's parent or legal guardian within the 24 hour period after the Dean of Students has determined that the student is missing.

Any notification to parents, legal guardians, designated contacts, or local law enforcement will be made by the Dean of Students or their designee.

If it has been less than 24 hours, and the student's absence does not appear irregular or suspicious, a note will be left at the student's room requesting that they contact a staff member immediately upon their return. If at the 24 hour mark the student still has not returned or contacted a staff member, then the above stated actions will take place.

Reports of students missing from off-campus will be referred to the police department having jurisdiction over the student's local residence, if known, or the student's permanent residence if a local residence

cannot be determined. For students who do not reside in campus provided housing, they will have the option of filling out a Missing Person's Form.

## CAMPUS SAFETY AUTHORITIES (CSA'S)

### Required Reporters and Campus Security Authorities

Required reporters under Title IX are responsible school officials who can affect action. We include in this definition all faculty, both visiting and permanent; all professional staff members, with the exception of clinicians in Counseling Services; and Resident Advisors.

Under the Clery Act, we define all faculty, both visiting and permanent; all professional staff members, with the exception of clinicians in Counseling Services; and Resident Advisors as Campus Security Authorities, as all professional employees develop relationships with students in the course of their work. All professional staff and faculty members are given an annual training on their responsibilities in these roles as reporters. In addition, Resident Advisors are trained each fall in advance of job responsibilities beginning on their requirements in reporting.

## GUIDELINES FOR MANDATORY REPORTING

1. When an employee learns of a student alleging any of the acts listed below, the employee must promptly contact Heather Groninger (Title IX Coordinator). Employees are required to disclose the nature of the incident as well as the names of those involved.
  - a. **Sexual harassment:** unwelcome conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, and physical conduct of a sexual nature.
  - b. **Gender-based harassment:** acts of verbal, nonverbal, or physical aggression, intimidation, stalking, or hostility based on gender or gender-stereotyping.
  - c. **Domestic Violence:** felony or misdemeanor crimes of violence committed by a current or former spouse 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 by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction, 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.
  - d. **Dating Violence:** violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.
  - e. **Stalking:** engaging in a course of conduct directed at a specific person, including following, harassing, and/or threatening someone, that would cause a reasonable person to: (a) fear for their safety or the safety of others; or (b) suffer substantial emotional distress.
  - f. **Sexual Assault:** non-consensual physical contact of a sexual nature, including rape, acts using force, threat, intimidation, or coercion or using advantage gained by the victim's inability (temporary or permanent) to make rational, reasonable decisions about sex of which the respondent was aware or should have been aware.
  - g. **Sexual Exploitation:** when a person takes non-consensual, unjust, or abusive sexual advantage of another person for their own benefit or for the benefit of anyone other than the person being exploited and which conduct does not otherwise constitute sexual harassment or assault under this policy.

2. Employees are also required to report the following serious crimes to the Security Office immediately upon learning about them:
  - a. **Murder and Manslaughter:** killing of one human being by another, either willfully or through gross negligence
  - b. **Robbery:** taking or attempting to take anything of value from the care, custody, or control of a person by force or threat of force or violence and/or by putting the victim in fear
  - c. **Aggravated Assault:** unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm.
  - d. **Burglary:** the unlawful entry of a structure to commit a felony or a theft.
  - e. **Motor Vehicle Theft:** the theft or attempted theft of a motor vehicle.
  - f. **Arson:** willful or malicious burning or attempt to burn, with or without the intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.
  - g. **Weapon Law Violation:** violation of laws or ordinances dealing with weapon offenses
  - h. **Drug Abuse Violation:** violations of state and local laws relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs and dangerous nonnarcotic drugs
  - i. **Liquor Law Violation:** violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages
  - j. **Hate Crimes:** criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias towards the target's race, religion, gender, gender-identity, sexual orientation, ethnicity, disability, or national origin.
  - k. **Sex Offenses:** any sexual act directed against another person, forcibly and/or against that person's will, or non-forcibly where the victim is incapable of giving consent.

An employee should never promise a student confidentiality in any conversation. Employees can promise privacy and discretion, but complete confidentiality, in many cases, is not possible, as referenced above. If the student wishes to speak to someone confidentially, refer or accompany the student to Counseling Services.

## ADDRESSING CRIMINAL ACTIVITY OFF CAMPUS

Off-campus criminal activity at SFAI sponsored events or other activities associated with instruction or employment at SFAI must reported to campus authorities immediately.

## ALCOHOL & DRUG POLICIES

In conjunction with the directive of the U.S. Department of Education as set forth in Title 34 of the Code of Federal Regulations (CFR), part 86 to maintain and run drug-free schools and campuses, SFAI has established the following policies and procedures regulating the possession, use, and sale of alcoholic beverages; the enforcement of underage drinking laws; the possession, use, and sale of illegal drugs; the enforcement of federal and state drug laws; and drug and alcohol abuse education programs.

### Standards of Conduct

In line with federal and state laws, the underage (under 21 years of age) possession and use of alcoholic beverages and/or sale or distribution of alcohol to the underage is prohibited. Unlawful manufacture, possession, use, sale, or distribution of illicit drugs by students or employees on SFAI property (owned, leased, or rented) or at any SFAI activities is also prohibited. Failure to comply with

these policies is a direct violation of the Student Code of Conduct and all sanctions therein may be enacted.

### Alcohol Use Policy

The following guidelines must be adhered to by all members of the SFAL community at all SFAL functions, including those held at the Chestnut Street campus, the Graduate Center, and at any off-campus venue, especially where SFAL funds are used to purchase the alcohol or to pay for any portion of the event:

1. An event form, available in the Student Affairs Office and in the General Services Office, must be completed whenever alcohol is proposed as part of any event or activity at SFAL. The Assistant Dean of Students must approve the use of alcohol at all events that students are expected to attend.
2. Only faculty or staff members currently employed by SFAL and/or licensed bartenders under contract with SFAL are permitted to serve alcohol at SFAL functions. Alcohol must never be left unattended. If bartenders have been hired to serve at an event, a current faculty or staff member must also be present while alcohol is being served.
3. No alcohol shall be served to individuals who are under 21 years of age. Valid photo identification with proof of age is required. Alcohol will not be served to those who cannot provide identification.
4. Food and non-alcoholic beverages must be provided at all events where alcohol is served.
5. No alcohol will be served to persons who appear to be intoxicated. Security guards may be called to remove intoxicated persons from the premises if they cause a disturbance.
6. Only wine and beer may be served on campus. Hard alcohol and beer served in glass bottles are expressly prohibited.
7. Alcohol may not be served before 4:00 pm on weekdays.
8. All alcohol containers must be cleaned up and removed from public areas at the close of the event.
9. The sale of alcohol is permitted only for approved fundraising events and only after an application for a temporary license has been obtained through the Department of Alcoholic Beverage Control in San Francisco. This includes events where only an entrance fee is collected.
10. Drinking games are expressly prohibited on all property, owned, leased or rented including both campuses, the residence halls, and any location used for SFAL-related functions.

Any exceptions to this policy must be made in writing by the Dean of Students.

### Disciplinary Sanction for Violations of the Alcohol and Other Drugs Policy

SFAL's Code of Conduct prohibits the illegal use of drugs and alcohol. Disciplinary sanctions for violations of the Alcohol and Other Drugs Policy include written warning, censure, loss of privileges, exclusion from areas and activities, restitution, interim suspension, suspension, and/or dismissal.

The following reference to federal and state laws and sanctions are not comprehensive of all laws and disciplinary actions pertaining to alcohol and other drugs. Regulations and resulting actions may change over time. The

following is meant to provide a general summary of federal and state laws and possible sanctions pertaining to the illegal use of alcohol and illicit drugs. More information regarding federal, state, and local laws and sanctions can be found online at the U.S. Department of Drug Administration and the State of California websites: [www.fda.gov](http://www.fda.gov) and [www.ca.gov](http://www.ca.gov), respectively.

### Federal Legal Sanctions for the Unlawful Possession or Distribution of Alcohol and Illicit Drugs

Federal law penalizes the manufacture, distribution, possession with intent to manufacture or distribute, and simple possession of drugs ("controlled substances"). Federal penalties and sanctions for the simple possession of a controlled substance are quite severe. The law sets forth sentences and fines that include the following:

- First conviction: up to one-year imprisonment, a fine of at least \$1,000, or both. After one prior drug conviction: at least 15 days in prison, not to exceed two years, and a fine of at least \$2,500. After two or more prior drug convictions: at

least 90 days in prison, not to exceed three years, and a fine of at least \$5,000. A special, harsher sentencing provision applies for possession of crack cocaine. (21 U.S.C. Section 844(a))

- Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one-year imprisonment, as well as forfeiture of vehicles, boats, aircraft, or any other conveyance used to transport or conceal a controlled substance. (21 U.S.C. Sections 853(a) & 881(a))
- Denial of federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to one year for the first offense and up to five years for second and subsequent offenses. (21 U.S.C. Section 862)
- Ineligibility to receive or purchase a firearm. (18 U.S.C. Section 922(g))
- Moreover, revocation of certain federal licenses and benefits (e.g., pilot licenses, public housing tenancy) are vested within the authorities of individual federal agencies.
- These penalties may be doubled, however, when a person at least 18 years old: (1) distributes a controlled substance to a person under 21 years of age (a term of imprisonment for this offense shall not be less than one year), and/or (2)
- distributes, possesses with intent to distribute, or manufactures a controlled substance in or on, or within one thousand feet of, the real property comprising a public or private elementary or secondary school, or a public or private college. (21 U.S.C. Sections 859 & 860).

#### State Legal Sanctions for the Unlawful Possession or Distribution of Alcohol and Illicit Drugs

- The Uniform Controlled Substances Act is found in California Health and Safety Code, Section 11000, et seq. Sanctions for illegal possession of controlled substances are found at Health and Safety Code, Section 11350, et seq.
- Controlled substances are listed in schedules contained in Health and Safety Code, Sections 11054, 11055, 11056, 11057, and 11058. They include opiates, opium derivatives, hallucinogenic substances, depressants, narcotic drugs, cocaine, heroin, marijuana, peyote, methamphetamine, phencyclidine, and certain mushrooms.
- As set forth in Health and Safety Code, Section 11350, et seq., if convicted under the Uniform Controlled Substance Act, one may be sentenced to terms in state prison from two to five years plus substantial fines. The exact prison term and fine depend upon the number of past convictions and circumstances of each arrest and conviction.

#### Local Legal Sanctions for the Unlawful Possession or Distribution of Alcohol and Illicit Drugs

- Medical Cannabis User and Primary Caregiver Identification Cards (28 S.F.H.M.C. Section 1808) Any person who shall present false information or falsify, forge, or alter a document to support a request for a medical cannabis user identification card or a primary caregiver identification card or make, create, sell, or use a false medical cannabis user identification card or a primary caregiver identification card shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed \$250, or by imprisonment in the County Jail for not more than three months, or by both such fine and imprisonment.

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

##### Alcohol

Alcohol consumption causes a number of marked changes in behavior. Even small amounts significantly impair the judgment and coordination required to drive a car safely or operate other machinery, increasing the likelihood that the driver will be involved in an accident. Low to moderate consumption of alcohol also increases the incidence of a variety of aggressive acts, including spouse and child abuse. Moderate to high consumption of alcohol causes marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described. Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety,

tremors, hallucinations, and convulsions. Alcohol withdrawal can be life threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and liver. Women who drink alcohol during pregnancy may give birth to infants with fetal alcohol syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk for becoming alcoholics than their peers.

### Drugs

The use of any amount of drug—prescription, illicit, or legal—will alter the chemical balance of the body. Misuse of drugs may lead to lifelong chemical dependency, the disease of addiction, and possible death. Abuse and addiction to drugs often cause serious damage to major body organs such as brain, stomach, lungs, liver, kidneys, and heart, as well as the immune and reproductive systems. The sharing of needles when using drugs is known to be a major cause of the spread of HIV. A detailed list of health risks associated with various controlled substances can be found on the U.S. Department of Justice website.

## SUBSTANCE ABUSE EDUCATION

### *ALCOHOL AND DRUG COUNSELING, TREATMENT/REHABILITATION PROGRAMS, AND EDUCATION*

SFAI's Counseling Center is available to provide services and/or referrals for substance abuse and recovery issues. Following are additional resources available to the SFAI community. SFAI does not endorse any particular treatment program or organization.

### Resources

**The National Council on Alcoholism and Drug Dependence 415.296.9900**  
**San Francisco Drug Line 415.362.3400**

### Crisis Intervention

**Alcohol Helpline 800.252.6465, 24-hour phone**  
**Alcoholics Anonymous 415.674.1821**  
**Cocaine Anonymous 415.821.6155**  
**Haight-Ashbury Alcohol Treatment 415.487.5634**  
**Iris Project/Women's Counseling and Recovery Center 415.864.2364**  
**Narcotics Anonymous 415.621.8600**  
**National Council on Alcoholism and Other Drug Addiction 415.296.9900**  
**Poison Control Center 800.876.4766**  
**San Francisco General Hospital 415.206.8125, or Opiate Treatment Outpatient Program 415.206.8412**  
**Suicide Prevention 781.0500 or TYY, 781.2224**  
**Walden House 415.554.1130; 415.703.9702**  
**Women's Alcoholism Center 415.282.8900 or 415.776.1001**

## PREPARING ANNUAL DISCLOSURE OF CRIME STATISTICS

SFAI requests that crimes are reported to Security immediately. In addition, SFAI makes an annual call for statistics from CSA's and combines the data with the San Francisco Police Department statistics for the reportable locations in and around SFAI's on-campus and non-campus facilities.

