

**HARVEY MUDD COLLEGE  
ANNUAL FIRE SAFETY AND SECURITY REPORT  
2018**

**January 1, 2017 – December 31, 2017**

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## **FROM PRESIDENT KLAWE**

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

*Maria Klawe*  
*President, Harvey Mudd College*

## **FROM THE ASSISTANT VICE PRESIDENT FOR CAMPUS SAFETY**

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

Harvey Mudd College and TCCS Campus Safety Department publish this report because it contains valuable information for our campus community. This report also complies with important provisions of the Jeanne Clery Act. Campus safety and security, and compliance with the Clery Act, continues to be a part of everyone's responsibility at The Claremont Colleges. We encourage you to review the information made available to you in this report, where you will find information about our organization including descriptions of services that we provide.

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

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

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

Stan Skipworth



Assistant Vice President, TCCS Campus Safety

## **ACCESSIBILITY TO INFORMATION AND NON-DISCRIMINATION STATEMENT**

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

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

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

As an educational institution, Harvey Mudd College is committed to the principle of free expression and the exploration of ideas in an atmosphere of civility and mutual respect. Thus, in keeping with the principles of academic freedom, there can be no forbidden ideas. Harvey Mudd College also recognizes that the educational process can often be disturbing and unsettling, particularly when one's current ideas or values are being challenged. This means that the learning, working, and living environments might not always be comfortable for all members of the college community. The College does not proscribe speech simply because it is offensive, even gravely so. In determining whether an act constitutes discrimination or harassment, the context must be carefully reviewed, and full consideration must be given to protection of individual rights, freedom of speech and academic freedom. In addition, consistent with California Education Code Section 94367, the definition of harassment contained in this policy and its application to student speech shall be subject to the limitations of the First Amendment to the United States Constitution and Article 1, Section 2 of the California Constitution.

## **PREPARATION OF THE ANNUAL SECURITY REPORT AND DISCLOSURE OF CRIME STATISTICS**

Campus Safety and Harvey Mudd College prepare this report to comply with the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act using information maintained by the Campus Safety, information provided by other offices such as the Harvey Mudd Division of Student Affairs, and other Campus Security Authorities as well as information provided by local law enforcement agencies surrounding the main campus. Each of these offices provides updated policy information and crime data.

This report provides statistics for the previous three years concerning reported crimes that occurred on campus, in certain off-campus buildings or property owned, leased or controlled by Harvey Mudd College. This report also includes institutional policies concerning campus security, such as policies regarding sexual assault, alcohol and other drugs.

The College distributes a notice of the availability of this Annual Security and Fire Safety Report by October 1 of each year to every member of the College community. Anyone, including prospective students and employees, may obtain a paper copy of this report by contacting Harvey Mudd College or download a copy by visiting the Campus Safety website:  
<https://services.claremont.edu/campus-safety/safety-security-reports/>

## **ANNUAL SECURITY REPORT**

### **REPORTING CRIMES AND OTHER EMERGENCIES**

Harvey Mudd College has a number of ways for campus community members and visitors to report crimes, serious incidents and other emergencies to appropriate Harvey Mudd College and Campus Safety officials. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire Harvey Mudd College community that you immediately report all crimes/emergencies to 911 and Campus Safety at 909.607.2000. When crimes, serious incidents and other emergencies are reported, Campus Safety and Harvey Mudd College will conduct investigations and initiate appropriate follow-up actions, including issuing a Crime Alert or emergency notification.

#### **Voluntary, Confidential Reporting**

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

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

Anyone may call Campus Safety at 909-621-8170 or 909-607-2000 to report concerning information. A caller's information may remain confidential.

## **Reporting to Campus Safety**

We encourage all members of the College community to report all crimes and other emergencies to Campus Safety in a timely manner. Campus Safety has a dispatch center that is available by phone at 909-621-8170 or 909-607-2000 or in person twenty-four hours a day at the Pendleton Business Building, 150 East Eighth Street, Claremont, CA 91711. Though there are many resources available, Campus Safety should be notified of any crime, whether or not an investigation continues, to assure the College can assess any and all security concerns and inform the community if there is a significant threat to the College community.

All crimes can be called in to the Claremont Colleges Services Office of Campus Safety at (909) 607-2000 or (909) 621-8170. Callers who wish to remain confidential should share with the Dispatcher who answered the call that they wish to keep their name private. Campus Safety Dispatch will honor that request and not press the caller for their information. However, please note that the Cisco IP Phones often times still records a phone number that Dispatch may call back if additional information is necessary. Should a Campus Safety Incident Report result from the phone call, the caller information will be written as "Jane Doe" or "John Doe".

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

## **Anonymous Reporting**

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

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

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

## Reporting to Other Campus Security Authorities

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

While Harvey Mudd College prefers that community members promptly report all crimes and other emergencies directly to Campus Safety at 909.607.2000 or 911, we also recognize that some may prefer to report to other individuals or College offices. The Clery Act recognizes certain College officials and offices as “Campus Security Authorities (CSA).” The Act defines these individuals as an “official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.”

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

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

## Pastoral and Professional Counselors

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

## It's Up to Each of Us

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



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

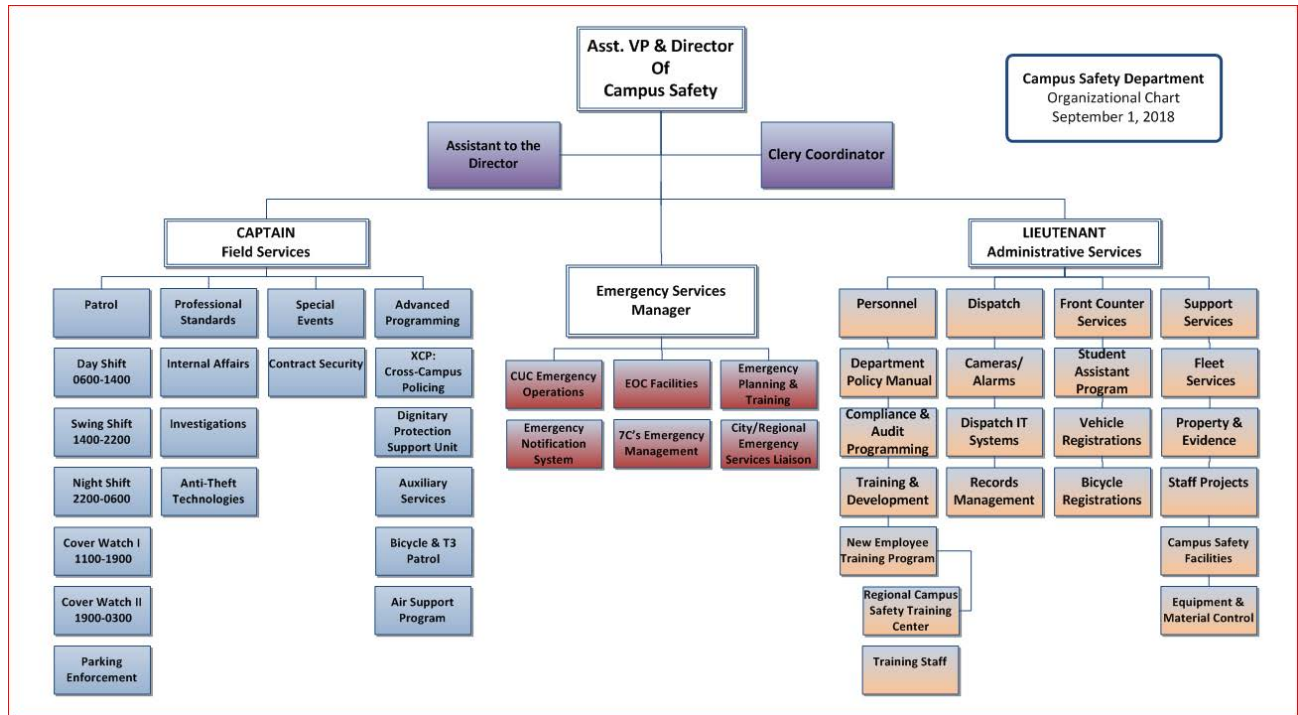
## **About The Claremont Colleges Services Department Of Campus Safety**

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

TCCS Campus Safety protects and serves The Claremont Colleges community 24 hours a day, 365 days a year. The Department is responsible for a number of campus safety and security programs that includes Emergency Management, Community Safety and Security Education, Physical Security, including security technology, Behavioral Threat Assessment, and Special Event Management. Other specific tasks include but are not limited to the following:

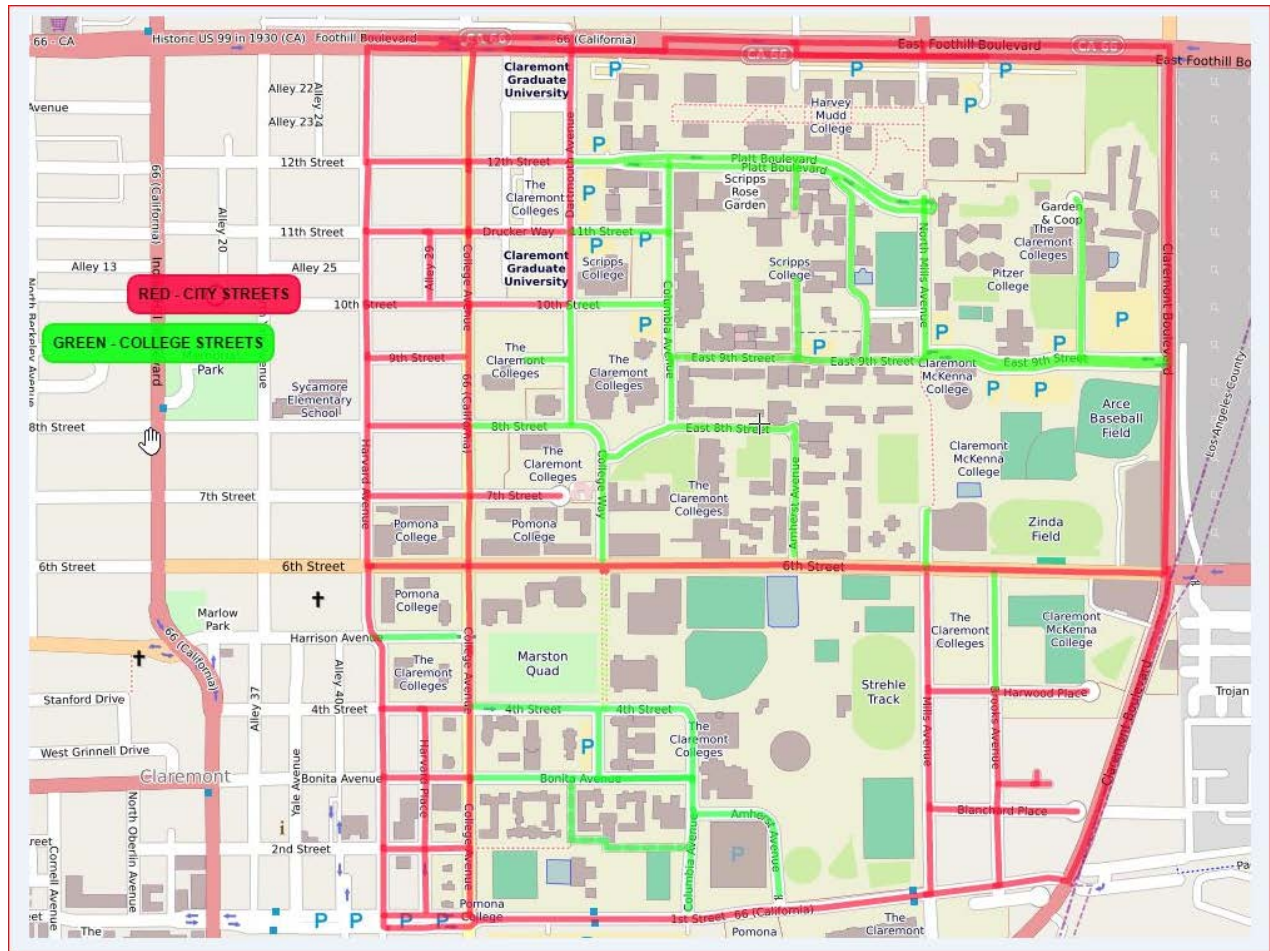
- First responders to emergencies of any kind.
- Protect the persons and property of students, faculty, staff and visitors to The Claremont Colleges.
- Patrol by vehicle, electric carts and on foot all campus streets, byways and interior areas.
- Apprehend criminals.
- Provide first aid until the arrival of paramedics.
- Provide security and traffic control at parties, special events and performances.
- Monitor fire alarms, intrusion alarms, theft alarms, panic alarm systems and a variety of temperature alarms campus-wide.
- Enforce traffic and parking regulations.
- Take reports of crimes and incidents and forward them to the Claremont Police Dept. for investigation.
- Provide incident reports to student deans and maintain records of crimes, incidents and reported activities for analysis purposes.
- Assist law enforcement and other emergency service providers as needed.
- Offer security survey/audit services to campus administrators.
- Provide security/crime prevention presentations to students and staff.

The Campus Safety Department is led by the Assistant Vice President, and staffed by a Captain, Lieutenant, six (6) Sergeants, a Dispatch Supervisor, seven (7) Dispatchers, 23 full-time uniformed Campus Safety Officers, an Assistant to the Director/Assistant Vice President, an Emergency Services Manager and a Clergy Compliance Coordinator.



Campus Safety officers are unarmed and have no police powers. Their arrest powers are identical to those of a private person, as provided in the California Penal Code section 837. All officers successfully complete and receive certification for the following: guard registration, Oleoresin Capsicum (Pepper Spray), First Aid and CPR. Employees undergo continuous education and training to upgrade their skills. Campus Safety is not a police department but is responsible for law enforcement, security, and emergency response protocols at the Claremont Colleges. Campus Safety also provides support services tailored to meet the needs of the Colleges including, high visibility patrols to prevent and detect crime, responding to suspicious activity and crime reports, as well as respond to: medical emergencies, fire and intrusion alarms, traffic accidents, parking enforcement, and enforcement of college rules and regulations.

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



## Working Relationship with Local, State, and Federal Law Enforcement Agencies

TCCS Campus Safety works closely and cooperatively with the City of Claremont Police Department, and we maintain a Memorandum of Understanding with our local law enforcement agency to ensure effective operational roles and responsibilities. The police are notified immediately and respond to: crimes against persons, violent crimes, major felonies, crimes involving a known or identified suspect, all private persons arrests on campus, and are called when police presence and/or assistance is deemed appropriate for the situation. As appropriate, and in accordance with Uniform Crime Reports (UCR) standards, crime reports initiated by Campus Safety may be forwarded to the police for investigation and mandated reporting. An MOU will be maintained on file at all times pursuant to the Kristen Smart Act.

In addition, Campus Safety staff assists local fire/paramedic personnel as well as other local and county, state and federal law enforcement agencies when they respond to campus.

## TIMELY WARNING REPORTS

**Purpose:** The purpose of this policy is to outline procedures The Claremont Colleges will use to issue Timely Warning Notices in compliance with the Clery Act. TCCS are comprised of Claremont Graduate University, Claremont McKenna College, Harvey Mudd College, Keck Graduate Institute, Pitzer College, Pomona College, Scripps College and The Claremont Colleges Services (TCCS).

**Procedures:** A Timely Warning Notice will be issued in the event any of TCCS receives notice of an alleged Clery Act reportable crime (identified below) occurring on campus, on public property within or immediately adjacent to one of the campuses of TCCS, or in or on non-campus buildings or property controlled by any of TCCSs, where the College determines, in its judgment, that the allegations present a serious or continuing threat to the TCCS community. For purposes of this policy, “timely” means as soon as reasonably practicable after an incident has been reported to: Campus Safety, one of the Campus Security Authorities (CSAs) identified by each college, or a local police agency. The TCCS Assistant Vice President for Campus Safety or in his/her absence or unavailability, his/her designee, and the dean on-call or the senior administrator on-call (as designated by each of the colleges), impacted by the reported crime, are responsible for determining whether to issue a Timely Warning Notice.

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

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

The above individuals determine if an alert should be sent and are the senders of the notices. In determining whether to issue a Timely Warning Notice, the responsible individuals described above will consider any factors reflecting on whether the reported crime represents a serious or continuing threat to the TCCS community, including, but not limited to, (a) the nature of the incident; (b) when and where the incident occurred; (c) when it was reported; (d) the continuing danger to the TCCS community; and (f) the amount of information known by TCCS and Campus Safety. TCCS will follow its Emergency Notification procedures upon the confirmation of a significant emergency or dangerous situation (including a Clery reportable crime), involving an immediate threat to the health or safety of students or employees occurring on TCCS. A Timely Warning Notice Decision Matrix/Timely Warning Notice Determination Form will be used in the decision making process to document the decision to alert or not to alert the community. Once completed the form and any and all information related to the decision will be maintained by TCCS for a seven-year period.

Timely Warning Notices will be distributed via email to all TCCS students and employees.

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

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

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

## **EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

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

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

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

### **Emergency Management**

#### Incident Management Team

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

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

#### Damage Assessment

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

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

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

#### Light Search and Rescue

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

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

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

#### First Aid Team

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

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

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

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

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

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

Mudd emergency preparedness exercises.

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

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

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

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

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

## **Emergency Notification**

This policy statement summarizes Harvey Mudd College's emergency response and evacuation procedures, including protocols for sending Emergency Notifications. An Emergency Notification will be issued in the event that Harvey Mudd College or the Campus Safety receives notice of a situation that presents a significant emergency or dangerous situation at Harvey Mudd College or in the local area affecting the health and/or safety of Harvey Mudd College community, in whole or in part. Harvey Mudd College will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system after an incident has been reported to: Campus Safety, one of the *Campus Security Authorities* (CSAs) identified, or a local police agency. The Assistant Vice President of Campus Safety or in his/her absence or unavailability, his/her designee (generally the Captain, Lieutenant or on-duty Watch Commander), and the Dean on-call are responsible for determining whether to issue an Emergency Notification.

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

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

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

Safety Dispatch or upon discovery during patrol or other assignments.

Once staff confirms that there is, in fact, an emergency or dangerous situation that poses an immediate threat to the health or safety to some or all members of TCCS community, the staff will notify Campus Safety, Harvey Mudd College authorized staff or other authorized TCCS staff to issue an Emergency Notification.

TCCS's authorized representatives, including supervisors in Campus Safety, Harvey Mudd College On-Call Dean, Senior Administrator on Call, or other delegated Emergency Response Team member, will immediately initiate all or some portions of the emergency notification system, which at Harvey Mudd, includes Everbridge (Mudd Alert). If, in the professional judgment of TCCS designated officials, issuing an Emergency Notification potentially compromises efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, TCCS may elect to delay issuing an Emergency Notification. As soon as the condition that may compromise efforts is no longer present, TCCS will issue the Emergency Notification to TCCS community or applicable segment of the College community.

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

TCCS and first responders on the scene of an Emergency will assist those preparing the Emergency Notification with determining what segment or segments of TCCS community should receive the notification. Generally, TCCS community members in the immediate area of the dangerous situation (i.e. the building, adjacent buildings, or surrounding area) will receive the Emergency Notification first. TCCS may issue subsequent notifications to a wider group of community members. In addition to the Emergency Notification that may be issued via the Backboard Connect (Mudd Alert) mass notification system, TCCS may also post applicable messages about the dangerous condition on their respective homepages to ensure the rest of the campus is aware of the situation and the steps they should take to maintain personal and campus safety. If the emergency affects a significant portion of or the entire campus, TCCS officials will distribute the notification to the entire TCCS Campus community.

#### Determining the Contents of the Emergency Notification:

The office responsible for issuing the Emergency Notification (usually Campus Safety Dispatch and supervisors) will, with the assistance of campus and local first responders, determine the content of the notification. Campus Safety has developed a wide range of template messages addressing several different emergency situations. The communications officers (or others issuing the Emergency Notification) will select the template message most appropriate to the situation and, in accordance with the following guidelines, modify it to address the specific Emergency. Those issuing the notification will use the following guidelines when determining the contents of the emergency message.

1. The first message is intended to **Alert** the appropriate segment of TCCS community of the Emergency and the actions they should take to safeguard their and their neighbor's safety. Examples include:
2. The second message is intended to **Inform** the appropriate segment of TCCS community about additional details of the situation. This message is generally distributed once first responders and the Emergency Operations Center has additional information about the dangerous situation.



3. Finally, the third message is the **Reassure** notice that is generally distributed once the situation is nearly or completely resolved. The purpose of this message is to reassure TCCS community that TCCS or the college is working diligently to resolve or has resolved the dangerous situation. It can also be used to provide additional information about the situation and where resources will be available.

#### Procedures Used to Notify TCCS Community:

In the event of an Emergency, TCCS have various systems in place for communicating information quickly. Some or all of these communication methods may be activated in the event an Emergency Notification needs to be sent to all or a segment of TCCS community. These methods of communication at Harvey Mudd College include the mass notification system, Everbridge (Mudd Alert), Harvey Mudd College email system, campus PA system and/or emergency messages that scroll across computer screens. Harvey Mudd College will post updates during a critical incident on our emergency page: <http://www.hmc.edu/emergency/>.

### **SECURITY OF AND ACCESS TO HARVEY MUDD COLLEGE FACILITIES**

In addition to the services provided by Campus Safety, Harvey Mudd College has precautionary measures in place that are intended to enhance the quality of life and to assure the safety and security of the students, staff and faculty. Harvey Mudd College is a residential college; nearly all students live on campus. The Vice President for Student Affairs/Dean of Students is the College officer responsible for residential and campus life issues.

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

- A dean or professional staff member of the Division of Student Affairs is on-call at all times, 24 hours a day, seven days a week, throughout the academic year and summer.
- All residence halls are served by live-in proctors who are available and on-call throughout the school year to supervise and help govern residential life.
- Security alerts are distributed campus-wide in a timely manner to inform the campus community of crimes or suspected crimes that may threaten the safety of Harvey Mudd students and employees.
- Safety escort services are available through Campus Safety.
- Exterior emergency telephones linked directly to Campus Safety are located throughout the campus.
- An electronic alarm system connected directly to Campus Safety monitors a comprehensive network of intrusion and fire alarms campus wide.
- Campus Safety and campus maintenance and facilities staff conduct regular inspections of exterior lighting, doors, windows, hardware and grounds.
- Fire extinguishers are located in every building. Fire sprinklers are in many buildings and smoke detectors are in each residence hall.
- The entire campus is secured with high security keyways not reproducible outside of the College's system. Lost keys may result in a lock re-keying and new key issue. Dorm keys are collected at the end of each semester or academic year to identify unreported lost keys. A lost building master key may result in the entire building being re-keyed.
- Administrative and academic buildings are locked and unlocked electronically and where appropriate by custodial staff on a daily schedule.
- The Office of Facilities and Maintenance controls key access. Sign-in and sign-out procedures are closely monitored and stored in a database system. Access to key lock boxes is restricted.
- All students, faculty and staff are enrolled in at least one means of instant notification through

the Everbridge (Mudd Alert) emergency notification system. Emergency messages can be sent from Campus Safety and/or other College officials utilizing email, cell phones, landline phones and text messaging.

- All residential exterior doors are equipped with automatic lock mechanisms. A swipe card lock system has been installed where feasible—in campus residences. The system administrator in the Office of Facilities and Maintenance can customize access and update the system. The swipe card system prohibits residential access when students are not in residence.
- Exterior public address speakers are installed in areas of heaviest pedestrian traffic.
- A preventative maintenance program including scheduled checks for battery back-up systems, generator operations and other devices needed to preserve security is in place.
- Laundry room doors, windows and dorm room doors have peepholes.
- Campus-wide Emergency Evacuation Drills are held each semester.
- The Campus Emergency Response Plan is continually updated. Student, staff and faculty volunteers are continuously being trained for their emergency roles.
- Maps of below-grade utilities are kept updated.
- Exterior-mounted key safes (Knox Boxes) are installed for Campus Safety and Fire Department use.
- Student mailroom and music practice rooms are locked and secured facilities.
- Key staff members are trained to use AED devices, which are located in the Linde Activity Center, Galileo Auditorium Foyer, Platt Campus Center, Shanahan Center for Teaching and Learning, Olin Science Building, Kingston Hall, Hoch Shanahan Dining Commons and North Residence Hall.
- Facilities and maintenance staff members utilize hand-held radios to enhance rapid response to campus needs.
- The College uses LiveSafe, a personal safety mobile application that can be used to engage in two-way conversation with Campus Safety. It allows students, staff, and faculty direct access to Campus Safety and 911 emergency services and creates greater situational awareness and safety preparedness by educating the user on daily safety-related updates and statistics.

## **CAMPUS SECURITY POLICIES, CRIME PREVENTION & SAFETY AWARENESS PROGRAMS**

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

In addition to the information and programs offered by Campus Safety and other College offices during new student and employee orientation, HMC has established a number of policies and procedures related to ensuring a reasonably safe campus. These policies may be found at the Emergency Preparedness web page (<https://www.hmc.edu/emergency-preparedness/>), the Policies, Procedures and Guidelines page (<https://www.hmc.edu/human-resources/policies-procedures-and-guidelines/>), and the Student Handbook (<https://www.hmc.edu/student-life/student-handbook/>).

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

In 2013 The Claremont Colleges partnered to implement a bystander intervention training program that demonstrates a way for all campus constituents to contribute to a safer environment, regardless of campus, affiliation, commitments, interests. Teal Dot was created specifically for the Claremont College community and adapted from Green Dot, a national model out of the University of Kentucky. The mission of Teal Dot is to engage a critical mass of community members and empower them to take action when they see potentially dangerous behavior. Teal Dot is about

culture change – harnessing the power of individual choices to shift our current norms. Teal Dot is offered to faculty, staff, and students every semester, including summers, on every campus. Trainees also have the opportunity to learn how to lead future sessions for peers.

### **On-Call Deans**

In order to extend our efforts of emergency preparedness and prevention, Harvey Mudd College has established a 24/7 on-call dean team. The on-call deans are often the first responders to calls from Campus Safety about student situations, disruptive behaviors or crises. The on-call dean will determine the appropriate steps given the situation and keep a detailed record on the interaction and intervention. The on-call team serves as the primary resource for managing referrals and student issues and follow up services.

### **Explosives and Weapons**

Fireworks and all forms of explosives shall not be used or possessed anywhere on campus, except for the approved use of potentially explosive materials in campus laboratories. These prohibited materials include combustibles in containers, such as gasoline in cans and dry ice bombs. Students are reminded that California laws, Sections 12303.2 and 12312 of the Penal Code, establish stringent restrictions on these items. Students should also be aware of the Claremont municipal code that pertains to these areas. That code can be found at Chapter 9.92 at [ci.claremont.ca.us/municipalcode.cfm](http://ci.claremont.ca.us/municipalcode.cfm).

All firearms, BB guns, pellet guns, projectile weapons (e.g., potato cannon), slingshots, illegal knives (those with blades longer than 2.5 inches), switchblades and display or collectible swords are prohibited on the HMC campus. Exceptions may be made if there is a legitimate academic component to the item as part of an official College course the student is registered for. In such cases, students should notify the DSA office of the item and the associated course. DSA reserves the right to determine and prohibit the use of any object not specifically named if it is determined that the object itself or how it is being used poses a potential or real risk to the safety of others.

Artificial, toy or handmade play weapons must be decorated with bright colors so they can be identified from a distance as safe. Use of these items is limited to recreation in the residences and dorm courtyards. They are not permitted in academic or administrative areas of campus without advance approval from DSA. If one of these items is perceived as dangerous or intimidating by a member of the community, the vice president for student affairs/dean of students will ask the owner to remove it from public areas on campus.

### **Parental Notification Policy**

The College reserves the right to report student discipline information to the parents or legal guardians of students. Federal legislation authorizes Harvey Mudd College to disclose disciplinary records concerning violations of the College's rules and regulations governing the use or possession of alcohol or controlled substances that involve students who are under the age of 21 regardless of whether the student is a dependent. The College may also notify parents when there is grave concern for a student's health, welfare or wellbeing.

### **Personal Safety**

Theft, disorderly conduct, and alcohol related offenses are very common on College campuses. It is important to report any suspicious incidents to police and always remain alert and vigilant. One of

the more serious crimes that is too often unreported is sexual assault. It is important to know what these crimes are, because in many cases, victims do not realize that have been victimized. Additionally, crimes of this nature are very difficult for victims to report for a number of very complex reasons. We provide the following information to assist those who may have been survivors of sexual assault or who have a friend who has been sexually assaulted.

## **Education Programs**

Harvey Mudd College is committed to increasing awareness and the prevention of sexual violence. All incoming students and new employees are provided with programming and strategies intended to prevent rape, acquaintance rape, sexual assault, domestic violence, dating violence and stalking before it occurs through the changing of social norms and other approaches; that includes a clear statement that HMC prohibits such acts, their definitions, the definition of consent, options for bystander intervention, information about risk reduction and our policies and procedures for responding to these incidents. Ongoing prevention and awareness campaigns are also offered throughout the year. These programs include:

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

## **HARVEY MUDD COLLEGE'S RESPONSE TO SEXUAL AND GENDER VIOLENCE**

### **Our Commitment to Addressing Sexual Assault/Rape**

It is the policy of Harvey Mudd College to maintain an environment for students, faculty, and staff that is free of racial, sexual, and other forms of unlawful discrimination and harassment, including sexual misconduct. Harvey Mudd College prohibits the crimes of domestic violence, dating violence, sexual assault, and stalking.

All members of the College community should be aware that the College is concerned about unlawful discrimination and harassment, and is prepared to take prompt remedial action to prevent and address such behavior and remedy its effects.

[The Sexual Misconduct and Complaint Resolution Policy](#) and the [Prohibited Discrimination, Harassment, and Retaliation](#) policies outline the College's commitment to addressing unlawful discrimination and harassment, including sexual harassment and sexual and gender-based misconduct, within our community, pursuant applicable law.

Discrimination and harassment includes discrimination and harassment on the basis of race, color, religion, sex, gender, gender identity, sexual orientation, age (over 40), religious belief, national origin, marital status, physical or mental disability, or any other consideration made unlawful by federal, state,

or local law. Sexual harassment and sexual misconduct are specific forms of harassment and are strictly prohibited by the College. Retaliation is prohibited against a person who reports, complains about, or who otherwise participates in good faith in any matter related to these policies.

The College's process for investigating and responding to reports of violations of these policies, including the procedures related to the imposition of interim measures or disciplinary measures against an individual alleged to be responsible for a violation, is set out in the College's Sexual Misconduct and Complaint Resolution Policy on the College's Title IX webpage.

Harvey Mudd College maintains publicly available recordkeeping of Clery reported crimes and annual Title IX statistics without the inclusion of personally identifying information about the Reporting Party as defined in the Violence Against Women Act of 1994. Further, the accommodations that the Reporting Party received will be kept confidential, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

### **Education and Prevention Measures**

For 2017-2018, HMC focused on presenting a major cultural change in regards to sexual assault and intimate partner violence. This campaign will be specifically responsive to our community needs based on the results of the 2015 Higher Education Data Sharing Consortium survey findings.

In addition to the current prevention programs that are currently in place, the campaign increased staff and faculty trainings; focused on additional in-person and online trainings for 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> year students; planned trainings geared towards transfer students specifically; coordinated monthly outreach and programming through the EmPOWER center focusing on cultural change, sexual assault, healthy masculinity and intimate partner violence. HMC also assisted the HMC survivor advocates in developing an annual consent week, increasing encouragement for participation in international Denim day, and the EmPOWER Center's Take Back the Night; and promoted a cultural change towards reporting and bystander intervention.

Harvey Mudd College takes education and prevention on sexual misconduct, intimate partner violence, and stalking seriously and has programs designed to educate the College community about these important issues.

With respect to the specific area of sexual misconduct, all students participate annually in a web-based program about sexual assault that addresses issues of consent, alcohol, and sexual violence as well as bystander intervention.

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

The College also provides in-person educational sessions and bystander intervention training to key student leaders (including, but not limited to, Proctors (resident advisors), orientation leaders, and student activities leaders) each year as well as providing all students the opportunity to participate in

open sessions throughout the school year. Additional education and prevention programs are offered periodically during the year, including speakers and talks sponsored by the EmPOWER Center, HMC Survivor Advocates, HMC Health and Wellness, HMC Office of Institutional Diversity, as well as student groups. These organizations provide a variety of in-person educational sessions customized to specific groups and more general sessions for our general campus community.

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

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

### **The EmPOWER Center**

The EmPOWER Center formally opened in late Fall of 2015 and is the Sexual Assault Prevention and Support Center of The Claremont Colleges. Directed by Rima Shah, The EmPOWER Center's mission is to create a culture where all members of The Claremont Colleges respect and look out for each other, and where students impacted by sexual violence, dating/domestic violence, and stalking receive holistic support and care. The center works closely with students and collaboratively with each of the seven institutions to support well-integrated educational programs, and provide holistic and confidential support to students impacted by sexual violence, dating/domestic violence, or stalking. In addition to these services, free and confidential counseling services are offered through the center in collaboration with Project Sister Family Services.

### **Bystander Intervention**

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

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

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

- Provide options and a listening ear

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

### **Providing A Distraction**

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

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

### **Being A Proactive Bystander**

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

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

### **Teal Dot**

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

“red dots.” The color of the program was also changed from green to teal, a color that is associated with sexual assault awareness, one of the many areas of power violence that will be covered by the training.

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

### **Risk Reduction**

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

- Trust your instincts
- Don’t worry about offending someone—just get out of there
- Make your limits known as early as possible
- Say “NO” clearly and firmly
- Notice when your boundaries aren’t being respected
- Assert your right to have those boundaries respected
- Be “situation ally aware” by taking note of your surroundings and who is present
- Don’t be afraid to ask for help in situations where you don’t feel safe
- Take responsibility for your alcohol/other drug intake, and acknowledge that these substances lower your inhibitions, making you vulnerable to someone who views a drunk/high person as a sexual opportunity
- Walk with others
- Lock doors and windows in your car and living space
- Look out for your friends and ask that they look out for you, too
- Respect a friend who challenges you if you’re about to make a poor decision

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

### **Reducing The Risk Of Being An Aggressor**

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

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

### **Definitions**



Harvey Mudd College has adopted definitions that are consistent with the spirit of both the California jurisdictional definitions and the Violence Against Womens Act (VAWA) definitions.

### **Dating Violence**

The California definition of “Dating Violence” is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the person subjected to such violence. Whether there was such a relationship will be determined based on, among other factors, the Reporting Party’s and Responding Party’s statements, and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the parties involved in the relationship.

“Abuse” means intentionally or recklessly causing or attempting to cause bodily injury, or placing another person in reasonable apprehension of imminent serious bodily injury to himself or herself, or another.

Harvey Mudd College defines Intimate Partner Violence as any act of violence or threatened act of violence, sexual or otherwise, against a person with whom one is or has been involved in a sexual, dating, domestic, or other intimate relationship. Intimate partner violence is often referred to as “dating violence,” “domestic violence,” or “relationship violence.” Intimate partner violence encompasses a broad range of behaviors, including but not limited to physical violence, sexual violence, emotional violence, and economic abuse.

The definition of dating violence from VAWA is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

### **Domestic Violence**

California defines "Domestic violence" as abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. For purposes of this subdivision, "cohabitant" means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to, (1) sexual relations between the parties while sharing the same living quarters, (2) sharing of income or expenses, (3) joint use or ownership of property, (4) whether the parties hold themselves out as husband and wife, (5) the continuity of the relationship, and (6) the length of the relationship.

Harvey Mudd College defines “Domestic Violence” as “Intimate Partner Violence” and it is discussed just above.

The definition of domestic violence from VAWA is a felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;

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

## **Sexual Assault**

California defines Sexual battery as harmful or offensive touching of a person's intimate areas, while she or he is restrained, institutionalized, or unconscious, for sexual gratification. This is defined under California Penal Code 243.4 and sometimes referred to as sexual assault.

Harvey Mudd College defines sexual assault Non-Consensual Sexual Touching/Contact as any intentional sexual contact or touching of another person's intimate parts, or of any other part of another person's body when touching/contact is in a sexual manner, no matter how slight, with any object (e.g., penis, object, finger, hand), when such touching is without the person's consent or is done by force.

Harvey Mudd College defines sexual assault Non-Consensual Sexual Penetration/Intercourse as any sexual intercourse (vaginal, anal, or oral) with a person, no matter how slight, with any object (e.g., penis, object, finger, hand), that is without the person's consent or is done by force.

The definition of Sexual Assault as defined by VAWA is an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, A sex offense is "any sexual act directed against another person, without the consent of the Reporting Party, including instances where the Reporting Party is incapable of giving consent."

Sexual (including gender-based) misconduct encompasses a broad range of behavior, including sexual assault and violence, which refers to physical sexual acts perpetrated without a person's consent (consent is further defined below). Sexual assault includes the following forms of misconduct under Harvey Mudd College's Policy. This involves non-consensual sexual intercourse and non-consensual sexual contact. More detailed definitions can be found in our Title IX policy.

## **Stalking**

California defines stalking in the California Penal Code as any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking, punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment, or by imprisonment in the state prison.

Stalking as defined by Harvey Mudd College is a course of physical or verbal conduct, consisting of at least two acts, directed at another individual which could reasonably be regarded as likely to alarm, harass, or cause fear of harm or injury to the individual or to a third party. The feared harm or injury may be physical, emotional, psychological, or otherwise related to the personal safety, property, education, or employment of the individual or third party. Stalking may include but is not limited to

pursuing, following, waiting for, surveying/monitoring, or cyber-stalking the individual, or showing up uninvited at or near a residence, workplace, classroom, or other place frequented by the individual.

The definition of Stalking as defined by VAWA is engaging in a course of conduct directed at a specific person that would cause a reasonable person to–

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

### **Affirmative Consent**

California law employs the definition of “Affirmative consent.” Affirmative consent means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

Harvey Mudd’s definition of Affirmative Consent is almost identical and it is defined as an affirmative, conscious, and voluntary decision by each participant to engage in mutually agreed-upon (and the conditions of) sexual activity. Affirmative consent is required for any sexual activity to occur between two or more individuals. Neither the lack of protest or resistance nor silence constitutes consent, and consent may be withdrawn at any time. It is the responsibility of each person involved in sexual activity to make sure they have affirmative consent from the other.

In order to give effective consent, one must be of legal age and have the capacity to give consent. The legal age of consent in the state of California is 18 years. Even in the context of a current or previous intimate relationship, each party must consent to each instance of sexual contact each time. The mere fact that there has been prior intimacy or sexual activity does not, by itself, imply consent to future acts.

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

### **Rape**

The definition of rape as defined by VAWA is the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

### **Fondling**

The definition of fondling as defined by VAWA is the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

### **Incest**

The definition of incest as defined by VAWA is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

## **Statutory Rape**

The definition of statutory rape as defined by VAWA is sexual intercourse with a person who is under the statutory age of consent.

## **Reporting Party Resources In the HMC Community And Larger Community**

There are many resources available to both the Reporting Party and Responding Party in the Harvey Mudd community and amongst the college's surrounding areas. Following a report of dating violence, domestic violence, sexual assault or stalking, whether the offense occurred on or off campus, the institution will provide written notification to students and employees about their rights and options, including existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to victims both within the institution and in the community."

## **Health**

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

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

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

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

### **Claremont Police Department**

Emergencies: Dial 9-1-1  
570 W. Bonita Avenue  
Claremont, CA 91711  
Lobby Hours: 7:00 am – 10:00 pm, 7-days a week  
909-399-5411 (non-)

### **Pomona Valley Hospital Medical Center**

1798 North Garey Avenue  
Pomona, CA 91767  
909-865-9500 Phone  
909-865-9600 Emergency Room

*Confidentiality:* Although information provided to medical providers is generally protected by

confidentiality, medical providers in California are required to notify law enforcement if a patient tells medical personnel that they have experienced sexual violence.

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

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

### **Medical Assistance Confidentiality**

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

### **Student Health Services at The Claremont Colleges**

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

#### **Student Health Services**

Tranquada Student Services Center  
757 College Way  
Claremont, CA 91711  
909-621-8222  
909-607-2000 (after-hours emergency)

### **Mental Health and Counseling**

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

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

#### **Monsour Counseling and Psychological Services** (for students without charge)

Tranquada Student Services Center  
1<sup>st</sup> floor  
757 College Way  
Claremont, CA 91711  
909-621-8202

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

Confidential advice and counseling is available to faculty and staff at no cost through the EAP. Employees and their legal spouses, domestic partners, and eligible dependents receive up to five (5) counseling sessions with a licensed/certified therapist by phone or

909-607-2000 (after-hours emergency)

**McAlister Center Chaplains** (for students without charge)  
McAlister Center for Religious Activities  
919 North Columbia Avenue  
Claremont, CA 91711  
909-621-8685

in-person, per family member, per issue, each calendar year. Access to the EAP is available 24/7 year round.  
800-234-5465  
[www.liveandworkwell.com](http://www.liveandworkwell.com)  
Access Code: claremontcolleges

**Empower Center** (for students without charge)  
1030 N. Dartmouth Ave.  
Claremont, CA 91711  
909-623-1619

## **REPORTING PARTY ADVOCACY**

### **Care and Support**

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

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

*Project Sister Sexual Assault 24/7 Crisis Hotline (Claremont, CA):*  
800-656-4673  
909-626-HELP (909-626-4357)  
<http://projectsister.org>

*RAINN National Sexual Assault Crisis Hotline:*  
800-656-HOPE (800-656-4673)  
<http://www.rainn.org/get-help/national-sexual-assault-hotline>

### **Intimate Partner Violence**

*House of Ruth*  
877-988-5559 (toll-free hotline)  
909-623-4364 (Pomona Outreach Office)  
<http://houseofruthinc.org/home>  
*Love Is Respect - National Dating Abuse Hotline*  
866-331-9474  
<http://www.loveisrespect.org/>

*National Domestic Violence Hotline*  
800-799-SAFE (7233)  
800-787-3224 (TTY)  
<http://www.thehotline.org>

### **Child Abuse**

*Los Angeles County Child Protective Services Hotline*  
800-540-4000 (within California)  
213-639-4500 (outside of California)  
800-272-6699 (TDD)

*Childhelp National Child Abuse Hotline*  
800-4-A-Child (800-422-4453)  
<http://www.childhelp.org/pages/hotline-home>

## **LEGAL**

## **ASSISTANCE**

Depending on what type of legal aid is desired, the Title IX Coordinator can assist in finding low cost legal assistance near Claremont. <https://www.justia.com/lawyers/california/claremont/legal-aid-and-pro-bono-services>

## **VISA/IMMIGRATION ASSISTANCE**

### **International Student Advisor**

**Evelyn Real** |Administrative Coordinator for Student and Academic Affairs | International Student Advisor

*Harvey Mudd College | Division of Student Affairs*

301 Platt Blvd, Claremont, CA 91711

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

## **STUDENT FINANCIAL AID**

*Office of Admission and Financial Aid*

Harvey Mudd College

301 Platt Blvd.

Claremont, CA 91711

909.621.8011

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

## **OTHER SERVICES AVAILABLE FOR REPORTING PARTIES**

### **Accommodations**

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

Accommodations generally refer to support or assistance that can be provided to either party without impacting the rights of the other party and which may be implemented independent of the Title IX Investigation Process. Examples of such accommodations include:

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

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

- *Academic Accommodations* will be coordinated with the Dean of Academic Affairs.
- *Housing/Student Activities-related Accommodations* will be coordinated with the Dean of the Students.
- *Financial Accommodations* will be coordinated with campus assistance.

**Title IX Coordinator**  
Brandon Ice  
Sprague 102  
301 Platt Boulevard  
Claremont, CA 91711  
(909) 607-3148  
E-mail: [bice@hmc.edu](mailto:bice@hmc.edu)

### **Protecting Confidentiality of the Reporting Party**

#### **Privacy and Confidentiality**

While the words "confidentiality" and "privacy" are often used interchangeably in our daily lives, they mean different things under the law and this Policy.

Privacy generally refers to an individual's freedom from intrusion into one's personal matters and personal information. In contrast, in a legal setting, confidentiality most commonly refers to situations in which an individual may disclose personal information with a legally-protected third party, such as an attorney, physician, therapist, or chaplain, with the understanding that such third party **may not reveal** such information **to anyone else without** the individual's **express permission** (unless there is an imminent threat of harm to the individual or others). This is legally-protected confidentiality.

In addition to legally-protected confidentiality, there is also the concept of confidentiality based on policy or procedure. Confidentiality based on policy or procedure ("organizational confidentiality") generally refers to organizational settings in which an individual provides "private" information to an organization with the understanding that:

- Such information may be shared **within** the organization among those who have a reasonable "need to know;"
- That those within the organization who receive such information are trained in the expectation of privacy of such information; and,
- That the organization will not disclose the information to third parties without: i) the express consent of the individual; or, ii) in response to legally-binding request to disclose, such as a lawfully issued subpoena of in order to assist in the active review, investigation or resolution of the report. This could include a subpoena by a criminal or civil court for the records of the College's Grievance proceedings.

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

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



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

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

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

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

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

The College is a distinct legal entity recognized under the law. However, because the College as an entity can only engage in activities *through* individuals who work for or on behalf of the College, the College’s responsibilities for responding to allegations of discrimination, harassment or sexual misconduct are only triggered if the allegation is made to an appropriate College official. Consistent with relevant civil rights laws, this Policy addresses the question of distinguishing between employees or other agents who *are required* to respond to complaints or other reports of discrimination and harassment from those who *are not*.

### **Clery Timely Warning & Confidentiality**

The Clery Act also requires the College to issue Timely Warnings to the College community about certain crimes that have been reported and may continue to pose a serious or continuing threat to the College community. The Timely Warning will not include any identifying information about the Reporting Party. At Harvey Mudd College, all publicly available record keeping is maintained without personally identifiable information, specifically records relating to dating violence, domestic violence, sexual assault and stalking.

At no time will the College release the name of the Reporting Party to the general public without the express consent of the Reporting Party. The release of the Responding Party’s name to the general public is guided by Family Educational Rights and Privacy Act (FERPA) and the Clery Act.

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

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

### **Procedures that the College Will Follow When A Crime Is Reported**

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

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

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

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

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

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

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

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

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

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

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

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

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

Reporting Parties have the choice to involve law enforcement and campus authorities, including Campus Safety and/or local police.

Reporting Parties also have the option to be assisted by campus authorities in notifying law enforcement authorities if the Reporting Party so chooses.

Reporting Parties also have the option to decline to notify such authorities.

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

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

### **Evidence Collection**

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

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

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

### **Intake and Assessment with the Reporting Party - Developing a Support and Response Plan**

Upon receipt of a report or complaint of potential misconduct under this Policy, the Title IX Coordinator will request a private intake and assessment meeting with the Reporting Party to review the alleged misconduct. This meeting is not intended to serve as an exhaustive investigation interview, but rather to provide the Title IX Coordinator with sufficient contextual information to determine appropriate next steps to support the Reporting Party and to guide the College's response. This intake meeting should also not be considered as a discrete event, but rather as the beginning of an interactive process between the College and the Reporting Party to develop a comprehensive response plan related to the alleged misconduct that will provide for a fair, neutral, and equitable resolution to the alleged misconduct.

The development of a support and response plan involves two categories of institutional response: i) assistance, accommodations, and other support that are independent of the activation or outcome of the Title IX Investigation Process; and ii) evaluation of the complaint to determine whether to activate the Title IX Investigation Process, including the consideration of Interim Measures, sanctions, or other support measures that may be appropriate or necessary and that are dependent upon the activation and outcome of the Investigation Process.

The Title IX Coordinator will then assess whether there is sufficient information to make a determination as to which institutional response process is appropriate, or whether the Title IX Coordinator needs additional information to make the response determination through a "Limited Review." It is important to highlight that the Limited Review process is not part of the Formal Resolution Process. Instead, a Limited Review is used by the Title IX Coordinator when additional information is necessary to determine which response process is most appropriate.

Upon discovery of an allegation, the student or employee Reporting Party will receive a written explanation of the student or employee's rights and options, confidentiality, accommodations, Reporting Party services within the institution and in the community, and an explanation of the procedures for initiating the Title IX Investigation process.

Harvey Mudd College will provide written notification to Reporting Parties about options for, available assistance and how to request changes to academic, living, transportation, and working situations or protective measures. Harvey Mudd College will work to make such accommodations or provide such protective measures if they are reasonably available, regardless of whether the Reporting Party chooses to report the incident to campus police or local law enforcement.

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

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

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

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

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

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

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

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

Because the Policy and the Title IX investigation Procedures are administrative in nature, legal counsel is permitted to serve in the role of a support person but must adhere to the same limitations. Legal Counsel is not permitted to advocate directly in the Title IX investigation Process, as they would in a court of law. Legal Counsel can provide emotional support and advice.

HMC's Title IX process will not limit the choice of advisor, support person, or presence for either the Reporting Party and Responding Party in any meeting or institutional disciplinary proceeding; however, the institution may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties; and HMC's Title IX process will not limit the choice of advisor or presence for either the Reporting Party and Responding Party in any meeting or institutional disciplinary proceeding.

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

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

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

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

## **Early Resolution Procedures**

### **Initial Assessment Outcomes**

Upon completion of an initial assessment, the Title IX Coordinator will determine the course of action to be followed under this Policy, which may include:

- *No Action:* For the College to take action in response to a report there must be sufficient information to believe that a Policy violation may have occurred, and that the Respondent may be responsible. The Title IX Coordinator may decline to take further action when insufficient information exists to move forward, or when the alleged misconduct, even if proven, would not be a violation of this Policy.
- *Early Resolution:* The College may resolve a situation or report of sexual misconduct early and informally when the alleged Responding Party does not desire to make use of the Formal Complaint Resolution process, or when there is not enough information to proceed with the Formal Complaint Resolution process. Use of the Early Resolution process is not a prerequisite to pursuing a Formal Complaint Resolution, and the Early Resolution process may be terminated at any time in favor of Formal Complaint Resolution. Early Resolutions can

include, but are not limited to, a warning to cease current behaviors; no-contact directives; an educational conversation with the Respondent or others; changes in academic, work, or living arrangements; and/or a mediated resolution of a complaint. Mediation will not, however, be used to resolve complaints involving sexual assault or violence. The Title IX Coordinator will maintain records of all reports and conduct referred for Early Resolution. Early Resolution will typically be completed within thirty (30) days of the initial report. In circumstances when it is not possible to complete the process within this time frame, both parties will be notified in writing of the delay and the anticipated time frame for completion.

- *Formal Complaint Resolution:* The Title IX Coordinator may determine that there is reasonable information to suggest that a policy violation may have occurred, and that the matter will proceed through the Formal Complaint Resolution process. Formal Complaint Resolution involves an investigation, a determination, and, if applicable, the imposition of sanctions.

## **FORMAL RESOLUTION PROCEDURES**

Individuals who believe they have experienced discrimination, harassment, sexual misconduct, or retaliation may file a formal complaint. The filing of a formal complaint will result in an investigation to determine whether a violation of this Policy has occurred. An investigation may also be initiated without a formal complaint in circumstances when it is determined that the circumstances pose a potential threat to another or to ensure the safety and well-being of members of the College community.

The Formal Resolution Process provides a fair, equitable, and prompt process to resolve all reports or complaints of a violation of HMC's Title IX and Related Policies, including matters that were not able to be resolved through the Early Resolution Process.

In most circumstances, the Formal Resolution Process is used in circumstances where the Title IX Coordinator determines that the alleged misconduct is severe enough to warrant potential suspension or expulsion for students or potential suspension with or without pay or termination for cause for faculty and staff members. The Formal Resolution Process will be followed in all cases of alleged sexual assault or other forms of alleged serious sexual misconduct.

1. Once the decision to proceed with a formal investigation has been made, the Title IX Coordinator will select a trained internal or external investigator, or two-person investigative team (which may include two internal or external investigators, or a combination of one internal and one external investigator), referred to in this Policy as an "Investigator," to conduct a reasonable, impartial, and prompt investigation of the complaint. The parties will have three (3) business days after being notified of the Investigator's identity to object to the Investigator's selection on the basis of perceived conflict of interest, bias, or prejudice. If either of the parties objects to the investigator selected, the Title IX Coordinator will evaluate whether the objection is substantiated. The Title IX Coordinator will remove and replace any investigator who the Title IX Coordinator finds to have a conflict of interest or harbors bias or prejudice against either party.
2. The Investigator will interview the Reporting Party, the Responding Party, and witnesses, treating each with appropriate sensitivity and respect, and will collect additional information. The Reporting Party and Responding Party will both have the opportunity to present the names of witnesses from whom they suggest the Investigator solicit information and questions that

they request the Investigator to ask the other party or any witnesses. The Investigator will consider the lists provided by the Reporting Party and Responding Party when determining the persons to interview and the questions to ask, but these decisions remain in the Investigator's discretion. The Investigator may also choose to interview other witnesses not identified by the parties. It is the responsibility of the Investigator to take possession and arrange for the safekeeping of any physical or electronic records, documents, or other tangible items to be used in making a finding.

3. All parties and witnesses are obligated to be completely honest during the course of the investigation. Any person who knowingly makes a false statement in connection with the investigation may be subject to College disciplinary action. False statements include statements that omit a material fact, as well as statements that the person knows to be untrue.
4. The Investigator shall prepare a preliminary written report that will contain a summary of issues, key findings of fact, and an analysis of disputed facts based on all available evidence and credibility. In the preliminary report, the Investigator will not state an ultimate conclusion as to whether the Responding Party has violated the Policy. The Investigator will attach as exhibits to the preliminary report any and all witness statements, interview statements, and documentary evidence gathered and relied upon in the investigation.
5. The Title IX Coordinator, within three (3) business days of receiving the preliminary report from the Investigator, will provide the preliminary report to the parties for review. Given the sensitive nature of the information provided, the Title IX Coordinator will provide the information in a secure manner (e.g., by providing hard-copy materials in an office designated by the Title IX Coordinator, or by providing digital copies of the materials through a protected "read-only" web portal.) Neither the Reporting Party nor the Responding Party (nor their Support Person/Advisor, including but not limited to family members and/or legal counsel), may copy, remove, photograph, print, image, videotape, record, or in any other manner duplicate or remove the information provided. A Support Person/Advisor who fails to abide by this Policy may be subject to discipline and/or may be excluded from further participation in the process.
6. Within three (3) business days after the preliminary report is made available to the Reporting Party and Responding Party for review, either party may submit comments to the Investigator. Feedback may include the following: Posing any follow-up issues or questions for any witness, the Reporting Party or Responding Party; Requesting a follow-up interview with the Investigator to clarify or provide any additional information that such party believes is relevant to the investigation or to seek clarification from the Investigator on aspects of the Preliminary Report; Identifying any new witnesses who should be interviewed (including a description of what topics/issues the witness should be asked to address and why this is necessary for the investigation); Identifying any additional evidentiary materials that should be collected and reviewed to the extent that such items are reasonably available (e.g., text messages, social media postings, etc.), understanding that the Investigator lacks the power to subpoena evidence; and, Identifying and objecting to any information that such party believes was inappropriately included in the Preliminary Report. The parties shall send their response to the preliminary report directly to the Investigator and the response shall be double-spaced and 12-point font.
7. If comments are submitted within the three (3) business day comment period, the Investigator will address any relevant issues raised in the comments and pursue any additional investigative steps as needed. After addressing any comments timely submitted, or after the three (3)



business day comment period has lapsed without comment, the Investigator will make a determination, by a preponderance of the evidence, whether the Responding Party has committed a violation of this Policy. The Investigator's final written report will contain all information from the preliminary report, supplemented by the relevant feedback submitted; any additional information gathered; the Investigator's findings as to whether the Responding Party violated the Policy; and a summary of the Investigator's rationale in support of the findings. The Investigator's final report and findings must be reviewed and approved by the Title IX Coordinator, who will only then provide the final report simultaneously to the parties and the Dean of Students.

### Decision, Sanctions, and Remedial Action

1. The Dean of Students (or designee) is responsible for acting upon the final report. The Dean of Students may, and in the case of complaints alleging sexual assault/violence, shall, delegate this responsibility to a panel. The Dean of Students, or a panel to which the Dean of Students delegates responsibility for acting on the final report, is referred to in this Policy as the "Decision Maker."

The panel shall include the Dean and two additional members, who the Title IX Coordinator, who in consultation with the Dean, shall select. The additional members of the panel may include any combination of a member of the President's Cabinet; a senior-level administrator; a Deputy Title IX Coordinator; or one member of the faculty with tenure. The parties will have two (2) business days after receiving notice of the members' identities to object to a panel member on the basis of conflict of interest, bias, or prejudice. If either of the parties objects to a panel member, the Title IX Coordinator will evaluate whether the objection is substantiated. The Title IX Coordinator will remove and replace any panel member who the Title IX Coordinator finds to have a conflict of interest or to harbor bias or prejudice against either party.

2. Within five (5) business days after the Title IX Coordinator sends the final written report to the parties, the Reporting Party and Responding Party may submit any comments concerning the final report (including Reporting Party-impact or mitigation statements) to the Title IX Coordinator. The Title IX Coordinator may, in an exercise of discretion, impose strict page limits on the comments the parties can submit. The Decision Maker shall be provided with and review the Investigator's final report and any comments (including Reporting Party-impact or mitigation statements) which have been submitted by the parties.
3. The Title IX Coordinator will also schedule an Investigation Review Meeting ("Meeting"). The purpose of the Meeting is for the Decision Maker to review the results of the final report with the Investigator and to hear from any of the parties who wish to be heard in person concerning the report. The Title IX Coordinator will be present at the meeting in an administrative oversight role only to ensure that the meeting conforms to the standards for fairness, neutrality, and equity set forth in this Policy, and to address any procedural questions that the Decision Maker may have. At the beginning of the meeting, each party will have an opportunity to make a statement to the Decision Maker (in addition to any written statements that may also have been submitted). As reasonable and appropriate, and based on the request of the parties, the Title IX Coordinator will structure the meeting format to minimize or avoid any undue stress or burden on the other party, but to allow each party to hear each other's statement (such as participation by Skype, teleconference, or other means).

4. At the conclusion of any statements from either party, the Investigator will then review the final report with the Decision Maker and the Decision Maker will generally be free to ask any questions that the Decision Maker believes are relevant to understanding the finding and conclusions contained in the final written report. The Title IX Coordinator will monitor any questioning to ensure that such questions or discussion does not violate the Policy (e.g., questions related to past sexual history, etc.). The parties and the Investigator will then be excused from the Meeting.
  
5. Upon completing the Meeting, the Decision Maker shall, with due regard to the preponderance-of-the-evidence standard, accept or reject the Investigator's final report, request additional investigation, or take such further action as it may deem appropriate. If it is determined that the Responding Party violated this Policy, the Decision Maker shall impose sanctions which commensurate with the violation and take such remedial actions as may be deemed appropriate. The determination of sanctions/remedial actions should be guided by the following considerations: the interests of the community, the impact of the violation on the Reporting Party/(ies), documented student conduct history, and any mitigating or aggravating circumstances. Sanctions/remedial actions may include one or more of the following:
  - **Warning:** For minor infractions, the Respondent may be issued a written warning. The warning will be noted and may justify more severe sanctions in the event of any further violation of behavioral standards.
  
  - **Conduct Probation:** The Respondent may be placed on conduct probation for a designated period of time and required to meet certain requirements during the probation. When a student is on conduct probation, s/he is subject to suspension or expulsion in the event of further violations of conduct standards. The student's academic advisor shall be advised of the student's probationary status.
  
  - **Loss of Privileges:** The Respondent may be denied specific privilege(s) for a defined period of time. Privileges include, but are not limited to, participating in extra-curricular activities and events (e.g., social events, intercollegiate athletics, intramural programs, student organizations, and student government); living on campus; living in a specific residence hall; participating in commencement ceremonies; and having a vehicle on campus.
  
  - **Restricted Access:** The Respondent's access to campus and/or participation in College-sponsored activities may be limited. Restrictions shall be clearly defined and may include, but are not limited to, exclusion from certain buildings or locations on campus and no-contact orders. In cases involving parties from different Claremont Colleges, restricted access may extend to other campuses.
  
  - **Relocation or Removal from Residence Halls:** The Respondent may be assigned to a different room in the same residence hall or to a room in another residence hall, or the student may no longer be permitted to reside in HMC housing.
  
  - **Community Service:** The student may, as a sanction, be required to perform a specified number of hours of uncompensated service to the College, or to an off-campus non-profit organization, within a specified period of time. The assignment of duties must be preapproved by the Title IX Coordinator in consultation with appropriate College administrators. Students must provide appropriate documentation verifying their

completed community service. Failure to complete the service satisfactorily within the specified period of time may result in further action through the student conduct process.

- **Educational Program/Project:** The Respondent may be required to complete a project, assignment, or activity to promote the Respondent's education and development. Such assignments are at the discretion of the Decision Maker. Assignments may include, but are not limited to, preparing a reflection or research paper; developing a presentation; engaging in a discussion with someone; writing an apology letter; reading specified materials; and completing an online training program dealing with sexual misconduct.
  - **Referral for Counseling:** The Respondent may be required to meet with a health care provider and/or a mental health care provider (including a drug and alcohol counselor) within a specified time frame. In such a case, the student will be expected to participate fully in any relevant assessment requested by the provider and to comply with any consequent recommendation(s), such as a treatment plan or a referral to another provider.
  - **Removal of Offending Cause:** The Respondent may be required to remove the item that was the subject of the complaint.
  - **Restitution:** In cases where the Respondent is found responsible for damaging or misappropriating property, s/he may be required to reimburse the property owner for all or some of the cost.
  - **Suspension:** The Respondent may be separated from the College for a defined period of time. During a period of suspension, the Respondent is not permitted on campus and is not permitted to participate in any College-sponsored or College-affiliated programs or activities. The terms of the suspension may include special conditions affecting the Respondent's eligibility for readmission or to take effect upon readmission, including a term of conduct probation. During the suspension, the Respondent's transcript will have the notation "ineligible to re-register," including the date range of the suspension. This notation will be removed upon the completion of the suspension.
  - **Expulsion:** The Respondent may be separated from the College permanently. A student who has been expelled is not permitted on campus and is not permitted to participate in any College-sponsored or College-affiliated programs or activities. Respondent's transcript will have the notation "ineligible to re-register."
  - **Withholding of Degree:** Because a degree signifies not only successful completion of academic requirements, but also compliance with the College's standards and good standing as a member of the HMC community, the College may, as a sanction for violation of this Policy, withhold a degree entirely or impose further conditions on the conferral of a degree (e.g., require compliance with other sanctions as a pre-requisite to the conferral of the degree).
6. The parties shall be provided simultaneous written notice of the Decision Maker's decision and of their right to appeal.
  7. In the event of an appeal, sanctions will normally be held in abeyance pending the outcome of the appeal. If, however, the College determines that there may exist a threat to the safety or welfare of the HMC community, sanctions will take effect immediately.

## **Decision Making Standard**

In order to determine whether a Responding Party is responsible for a violation of one or more violations of College policy under these Procedures, the College is required to apply a preponderance of the evidence decision-making standard. Preponderance of the evidence means that, based on the information presented to the fact-finder, it is “more likely than not” that a question of fact in dispute did or did not occur.

## **Appeals**

### **A. Grounds for Appeal**

Either party may appeal the Decision Maker’s decision. The grounds for appeal are limited to the following:

1. **Significant Procedural Error:** A procedural error occurred which significantly impacted the relevant decision/determination as it applies to the appealing party (e.g., substantiated bias, material deviation from established procedures). A description of the error and its impact must be included in the written appeal.
2. **New Information:** New information has arisen which was not available or known to the appealing party prior to the investigation determination; or information was improperly excluded from the investigation despite a request from the party to include it, which could have substantially impacted the determination. Information that was known to the party but which the party chose not to present is not new information. A summary of the new or excluded evidence and its potential impact on the decision or determination must be included in the written appeal.
3. **Disproportionate Sanctions:** Either party may appeal the sanction because s/he feels that the sanction imposed for the violation of this Policy was disproportionate to the conduct found to have occurred. The written appeal must convey more than simple dissatisfaction with the sanction.

### **B. Appeal Procedures**

1. Appeals must be submitted to the Dean of the Faculty (or Dean’s designee) within five (5) business days of the date on which the person wishing to file an appeal is notified of the Decision Maker’s decision. The Dean of the Faculty has five (5) business days to determine if the appeal is based on one or more of the grounds for appeal. If it is not, the appeal will be denied. If the appeal is not denied, the Title IX Coordinator will share the appeal with the other party, who shall have three (3) business days from the date on which the party is notified to submit a response. Absent a showing of good cause, appeals and responses to appeals shall not exceed seven (7) pages, 12-point font, double spaced.
2. After the other party submits a response or the time for the other party to submit a response lapses without a response, the Title IX Coordinator shall promptly send the appeal, any response, and the underlying appeal record to the President (or the President’s designee), who shall consider the appeal and take such action as s/he deems appropriate. The appeal record will consist of the Investigator’s final report and any supporting documents that accompany the report; any responses to the report submitted by the parties; the Decision Maker’s decision;

and any other documents that the Title IX Coordinator deems relevant to the appeal itself.

3. Appeals will be decided by the President (or the President's designee) in a timely manner. There may, however, be circumstances that necessitate additional time for the President to reach a decision. While an appeal is under review, the Title IX Coordinator will update the parties about the timeline as necessary.
4. The decision of the President (or the President's designee) shall be communicated to the parties simultaneously by the Title IX Coordinator. The decision of the President is final.

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

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

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

### **Additional Interim Measures**

In contrast, “Interim Measures” generally refers to temporary remedies imposed and which materially impact the privileges of a Responding Party within the College. Unless otherwise agreed to by the Responding Party as part of the Early Resolution Process, any Interim Measures imposed by the College will normally be terminated upon a finding of No Responsibility. Following a finding of Responsibility, an Interim Measure may be incorporated as part of the sanctions determination.

Potential Interim Measures that may be applied to a Responding Party include, but are not limited to:

- Issuance of mutual no-contact letters to ensure the safety of all parties and the integrity of the process;
- Implementing reasonable changes to a Responding Party’s work or class schedule;
- Implementing changes to a Responding Party’s housing;
- Suspending or limiting a Responding Party’s access privileges to certain College facilities (e.g., Reporting Party’s home campus (if from another Claremont College), residence hall, etc.) or activities (e.g., student government positions, athletics, study abroad, sponsored travel, Commencement, etc.) pending resolution of the matter; and,
- Implementing an Interim Suspension (Non-Academic or Academic)/Paid Leave of Absence (see immediately below).

With the exception of Interim Suspensions or Paid Leaves of Absence, Interim Measures are not appealable, but the Title IX Coordinator reserves the right to modify or terminate any of the measures as appropriate in relation to the purposes set forth above.

### **Interim Academic or Non-Academic Suspensions/Paid Leave of Absence**

When deemed appropriate, the College may place a student Responding Party on Interim Suspension (Non-Academic or Academic) or a faculty or staff member Responding Party on a Paid Leave of Absence. An Interim Suspension or Paid Leave of Absence is the immediate, non-disciplinary, temporary separation of the individual from the College pending the outcome of the Title IX investigation Process.

*Note on Types of Interim Suspension:* As referenced above, the College may impose two forms of Interim Suspensions: Non-Academic or Academic. A Non-Academic Interim Suspension includes the immediate suspension of a student Responding Party’s privilege as a student in good standing, with the exception of attending classes. A Responding Party may therefore be restricted from residing or being on campus for non-academic purposes, which could include participating in athletics, student government, student trips, activities, sponsored internship programs, or other sponsored activities.

In contrast, an Academic Interim Suspension includes all of the foregoing and also includes immediate suspension from the student Responding Party’s academic program. Because an Interim Suspension is generally considered non-disciplinary, when the College determines that an Interim Suspension is necessary and appropriate, it will normally seek to utilize a Non-Academic Interim Suspension so long as this can be implemented in a manner that is reasonably safe to the Reporting Party and the community.

An Interim Suspension or Paid Leave of Absence may be imposed:

- When it is determined that the Responding Party poses a potential threat to another;
- To ensure the safety and well-being of members of the College community and/or the preservation of College property;
- To ensure the Responding Party’s own physical or emotional safety and well-being;

- When the Responding Party poses a threat of disruption or interference with the normal operations of the College; or
- If the Responding Party commits violations of other College policies or Interim Measures (e.g., no-contact order).

A Responding Party who has been put on Interim Suspension/Paid Leave of Absence has the right to appeal the Interim Suspension/Paid Leave of Absence to the Title IX Coordinator. The Title IX Coordinator may consider the appeal in consultation with the appropriate supervising Vice President.

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

Members of the general public may request community notification flyers for information concerning sexually violent predators in a particular community by visiting the chief of law enforcement officer in that community. The State of California maintains a database of convicted sex offenders who are required to register their home addresses. This database can be found at: Search for Sex Offenders: <http://meganslaw.ca.gov/disclaimer.aspx>. For general information, see State of California Department of Justice, Megan’s Law in California: <http://www.meganslaw.ca.gov/>

### **MISSING STUDENT NOTIFICATION POLICY**

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

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

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

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

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

It is made clear to all students annually, that each residential student of HMC has the option to designate an individual to be contacted by the College no later than 24 hours after the time that Harvey Mudd College determines the student is missing. Students fill out the Emergency Contact Information Form through the student portal on an annual basis. This information is only accessible to College employees who are authorized campus officials and this information will not be disclosed to others with the exception to law enforcement personnel in the furtherance of a missing student investigation.

## **DAILY CRIME LOG**

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

## **VICTIM NOTIFICATION**

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

## **POLICIES GOVERNING ALCOHOL AND OTHER DRUGS**

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

1. The program is a set of standards of conduct prohibiting all students from unlawfully possessing, manufacturing, using or distributing drugs and alcohol on College property or at any activities of the College. In addition, this program is designed to address and eliminate occurrences of binge drinking (five or more drinks at a sitting for men and four or more drinks at a sitting for women) and its consequences.
2. The program is an imposition of disciplinary penalties on a student in the event of a violation of these standards of conduct. Whether there has been a violation will be determined in accordance with the College's procedures applicable to student discipline. When students visit another Claremont College, they are responsible for observing the regulations of both that college and HMC.



- a. Penalties will be of varying degrees of severity and may include: warnings, attendance in a substance abuse program, substance probation, community service, loss of residential privileges (temporary or permanently), suspension, expulsion or referral to governmental authorities for prosecution.
  - b. The appropriate penalty shall be determined by taking into consideration all relevant circumstances, and particular penalties will not be associated with any particular violation.
3. Annually, the College will distribute to each student a written statement that will include a copy of this program and
  - a. A description of the various federal, state and local laws relating to the unlawful use, possession or distribution of illicit drugs and alcohol and the penalties imposed (see Section II);
  - b. A description of the health risks associated with the use of illicit drugs and abuse of alcohol (see Section III);
  - c. A description of any drug and alcohol counseling, treatment, rehabilitation or reentry programs that are available to students (see Section IV);
  - d. A statement of any regulations established from time to time by the College with respect to the unlawful use, possession and distribution of drugs and alcohol on College property and at College activities (see Section V).
4. At least every two years, the College will review this program to determine its effectiveness and implement changes to the program if they are needed and ensure that the disciplinary penalties described above are consistently enforced.

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

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

- **Claremont Municipal Code**  
9.23 Drinking Alcoholic Beverages in Public
- **California Codes**
- **California Business and Professions Code**
  - 25602 Giving Alcohol to Intoxicated People
  - 25604 Retail Establishments Serving Alcohol Must Be Licensed
  - 25607 Limits on Alcohol Approved by Retail Licenses
  - 25658 Limits on Alcohol Provision, Purchase and Consumption to Minors
  - 25662 Public Possession of Alcohol by Those Under 21
  - 25659 Confiscation of False Identification
  - 25660.5 Furnishing False Identifications
  - 25661 Use of False Identification
- **California Vehicle Code**
  - 13388 Under 21 Refusing a Blood Alcohol Test
  - 23136 Under 21 Driving Under the Influence
  - 23140 BAC Limit for a Driver Who is Under Age
  - 23152 Driving Under the Influence
  - 23220 Limits on Drinking while Driving
  - 23221 Limits on Consumption of Alcohol in a Vehicle (driver or passenger)

- 23222 Consequences for Possession of Marijuana or Open Container While Driving
- 23224 Limits of Under 21 Transporting Alcohol
- 23502 Alcohol Education Programs for Underage Offenders
- 23536 Consequences for DUI Conviction
- 23594 Consequences for Owner of Vehicle Used in DUI
- 23612 License Suspension for Refusal of Blood Alcohol Test
- 23645 Further Consequences for DUI Conviction
- **California Health and Safety Code**
  - 11153.5 Manufacture of Controlled Substances
  - 11350 Possession of Narcotics
  - 11351 Possession of Narcotics for Sale
  - 11352 Transportation of Narcotics
  - 11355 Sales of Narcotics
  - 11357 Possession of Marijuana or Hashish
  - 11358 Cultivation of Marijuana
  - 11359 Sale of Marijuana
  - 11360 Transportation of Marijuana
  - 11364 Possession of Device for Consuming Narcotics
  - 11365 Aiding the Use of Narcotics
  - 11377 Consequences for Possession of a Controlled Substance
  - 11378 Possession for Sale of Controlled Substances
  - 11379 Transportation of Controlled Substances
  - 11382 Aiding the Distribution of Controlled Substances
  - 11383 Possession of Materials Intended to Manufacture Methamphetamine
- **Federal Code**  
 Title 21, Chapter 13 Lists Laws Pertaining to Possession of Controlled Substances and Illegal Trafficking

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

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

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

of birth defects, spontaneous abortion and stillbirths.

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

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

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

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

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

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

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

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

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

- a. The use, sale, manufacture, possession or distribution (providing, sharing, jointly purchasing, purchasing for others or otherwise making available) of all forms of illegal drugs, including edibles and drinkables, is prohibited.
- b. The use, sale or distribution of legally prescribed medication for use in a manner in which

the medication was not intended (including use by someone other than the person to whom the medication was prescribed) is prohibited.

- c. Medical Marijuana: Marijuana use on campus is prohibited in compliance with federal law. Documentation of medically prescribed marijuana does not exempt a student from this policy. A student who qualifies for medical use under California's Compassionate Use Act should speak with the assistant dean for residential life regarding their option to live off campus.
- d. The display of drug paraphernalia, regardless of whether the item has an alternate legal use, is not permitted.

## **Dry Week**

In order to allow new students time to acclimate to the College community, the Dry Week policy is in effect for each and every student the moment they arrive on campus for the fall semester and ends on Saturday, Sept. 2, at 6 p.m. (Other campuses may have different ending times.) During this time, students are not permitted to consume alcohol anywhere on the 5-C campuses. It is an Honor Code violation to do so. As decided by ASHMC, Dry Week begins for Summer Institute students when they arrive on campus.

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

## **Policies on College Parties**

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

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

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

## **ANNUAL DISCLOSURE OF CRIME STATISTICS**

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) requires colleges and universities across the United States to disclose information about crime on and around their campuses. Campus Safety maintains a close relationship with the Claremont police department to ensure that crimes reported directly to the police department that involve HMC are brought to the attention of Campus Safety.

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

## **Definitions of Reportable Crimes**

### **Primary Crimes**

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

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

- Rape – The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- Fondling – The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- Incest –Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- Statutory Rape –Sexual intercourse with a person who is under the statutory age of consent.

**Robbery** – is defined as taking or attempting to take anything of value from the car, custody or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

**Aggravated Assault** – is defined as an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

**Burglary** – is the unlawful entry of a structure to commit a felony or a theft.

**Motor Vehicle Theft** – is the theft or attempted theft of a motor vehicle.

**Arson** – any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

### **Hate Crimes**

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For Clery Act purposes, Hate Crimes include any of the categories listed above and includes the four additional categories below:

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

**Simple Assault** —an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

**Intimidation**—to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.

**Destruction/Damage/Vandalism of Property (except Arson)**—to willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

### **Categories of Bias**

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

**Gender** – A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender, e.g., male or female.

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

**Religion** – A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being e.g., Catholics, Jews, Protestants, atheists.

**Sexual Orientation** – A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation.

**Ethnicity** – A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.

**National Origin** – A preformed negative opinion or attitude toward a group of people based on their actual or perceived country of birth.

**Disability** – A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

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

### **Dating Violence**

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

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

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

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

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

## 2017 Harvey Mudd College Crime Statistics Chart

| Offense                                      |      | On-Campus | *Residential Facility | Non-campus Building or Property | Public Property |
|--|------|-----------|-----------------------|---------------------------------|-----------------|
| <b>Criminal Homicide</b>                     |      |           |                       |                                 |                 |
| <i>Murder and Non-negligent Manslaughter</i> | 2015 | 0         | 0                     | 0                               | 0               |
|  | 2016 | 0         | 0                     | 0                               | 0               |
|  | 2017 | 0         | 0                     | 0                               | 0               |
| <i>Manslaughter by Negligence</i>            | 2015 | 0         | 0                     | 0                               | 0               |
|  | 2016 | 0         | 0                     | 0                               | 0               |
|  | 2017 | 0         | 0                     | 0                               | 0               |
| <b>Sex Offenses</b>                          |      |           |                       |                                 |                 |
| <i>Rape</i>                                  | 2015 | 4         | 3                     | 2                               | 0               |
|  | 2016 | 5         | 5                     | 0                               | 0               |
|  | 2017 | 6         | 6                     | 0                               | 0               |
| <i>Fondling</i>                              | 2015 | 1         | 1                     | 0                               | 0               |
|  | 2016 | 8         | 7                     | 1                               | 0               |
|  | 2017 | 1         | 1                     | 1                               | 0               |
| <i>Incest</i>                                | 2015 | 0         | 0                     | 0                               | 0               |
|  | 2016 | 0         | 0                     | 0                               | 0               |
|  | 2017 | 0         | 0                     | 0                               | 0               |
| <i>Statutory Rape</i>                        | 2015 | 0         | 0                     | 0                               | 0               |
|  | 2016 | 0         | 0                     | 0                               | 0               |
|  | 2017 | 0         | 0                     | 0                               | 0               |
| <b>Robbery</b>                               | 2015 | 0         | 0                     | 0                               | 0               |
|  | 2016 | 0         | 0                     | 0                               | 0               |
|  | 2017 | 0         | 0                     | 0                               | 0               |
| <b>Aggravated Assault</b>                    | 2015 | 0         | 0                     | 0                               | 0               |
|  | 2016 | 0         | 0                     | 0                               | 0               |
|  | 2017 | 0         | 0                     | 0                               | 0               |
| <b>Burglary</b>                              | 2015 | 5         | 2                     | 1                               | 0               |
|  | 2016 | 2         | 1                     | 4                               | 0               |
|  | 2017 | 2         | 1                     | 0                               | 0               |
| <b>Motor Vehicle Theft</b>                   | 2015 | 1         | 0                     | 0                               | 0               |
|  | 2016 | 4         | 0                     | 2                               | 0               |
|  | 2017 | 0         | 0                     | 1                               | 0               |
| <b>Arson</b>                                 | 2015 | 0         | 0                     | 0                               | 0               |
|  | 2016 | 0         | 0                     | 0                               | 0               |
|  | 2017 | 0         | 0                     | 0                               | 0               |



| Other Offenses             |      | Arrest    |                      |                                 |                 | Judicial Referral |                      |                                 |                 |
|----------------------------|------|-----------|----------------------|---------------------------------|-----------------|-------------------|----------------------|---------------------------------|-----------------|
|                            |      | On-Campus | Residential Facility | Non-campus Building or Property | Public Property | On-Campus         | Residential Facility | Non-campus Building or Property | Public Property |
| Liquor Law Violations      | 2015 | 0         | 0                    | 0                               | 0               | 17                | 13                   | 0                               | 0               |
|                            | 2016 | 0         | 0                    | 0                               | 0               | 5                 | 5                    | 0                               | 0               |
|                            | 2017 | 0         | 0                    | 0                               | 0               | 6                 | 6                    | 8                               | 0               |
| Drug Abuse Violations      | 2015 | 0         | 0                    | 0                               | 0               | 5                 | 5                    | 0                               | 0               |
|                            | 2016 | 0         | 0                    | 0                               | 0               | 6                 | 6                    | 0                               | 0               |
|                            | 2017 | 0         | 0                    | 0                               | 0               | 13                | 13                   | 1                               | 1               |
| Illegal Weapons Possession | 2015 | 0         | 0                    | 0                               | 0               | 0                 | 0                    | 0                               | 0               |
|                            | 2016 | 0         | 0                    | 0                               | 0               | 0                 | 0                    | 0                               | 0               |
|                            | 2017 | 0         | 0                    | 0                               | 0               | 0                 | 0                    | 0                               | 0               |

**VAWA Amendment Offenses**

|                          |      |   |   |   |   |
|--------------------------|------|---|---|---|---|
| <i>Dating violence</i>   | 2015 | 0 | 0 | 0 | 0 |
|                          | 2016 | 1 | 1 | 1 | 0 |
|                          | 2017 | 1 | 1 | 0 | 0 |
| <i>Domestic Violence</i> | 2015 | 0 | 0 | 0 | 0 |
|                          | 2016 | 0 | 0 | 0 | 0 |
|                          | 2017 | 0 | 0 | 0 | 0 |
| <i>Stalking</i>          | 2015 | 0 | 0 | 0 | 0 |
|                          | 2016 | 1 | 0 | 0 | 0 |
|                          | 2017 | 0 | 0 | 2 | 0 |

**Hate Crimes:**

2015 There was one reportable hate crime-characterized by Religious Bias

2016 There were no reportable hate crimes

2017 There were no reportable hate crimes

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

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

Claremont Police Department has not 'unfounded' any crimes for Harvey Mudd College in 2015, 2016, or 2017.



## 2018 FIRE SAFETY REPORT CONTAINS STATISTICS FOR 2015 - 2017

### Introduction

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

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

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

### Evacuation Procedures

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

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

### Safety and Security

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

Fires on campus must be registered with and approved by the Dean of Students office and the Los Angeles County Fire Department. To register a fire, a student needs to complete an event registration for the Dean of Students office. After being approved by the Dean of Students

office, the student must then take the form to the local fire station (Station 101) to obtain a fire permit, which fire station personnel may or may not grant. Upon receiving a permit from the fire station, proof of the permit (in the form of a copy) must be provided to the Department of Student Affairs office. Campus Safety and College officials will use these guidelines to determine if a courtyard fire is safe and non-damaging. The fire:

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

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

### **Fire Safety Education**

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

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

Harvey Mudd College complies with local, state and national fire regulations. All of HMC's residential buildings have reportable fire alarm systems which are monitored 24-hours a day. Additionally, the residence halls have fire/smoke alarms and suppression equipment that include manual fire extinguishers and may also include automatic sprinkler systems. The fire safety systems are routinely inspected and monitored as mandated by the County of Los Angeles. A log of these inspections is maintained by the Facilities and Maintenance Department.

**Residence Hall Fire Safety Systems**

| <b>Building Name</b>              | <b>Year Built</b> | <b>Sprinklered</b> | <b>Fire/Smoke Alarm</b> | <b>24 Hour Fire System Monitoring</b> |
|-----------------------------------|-------------------|--------------------|-------------------------|---------------------------------------|
| Atwood Residence Hall             | 1981              | N                  | Yes/Yes                 | Yes                                   |
| Case Residence Hall               | 1985              | N                  | Yes/Yes                 | Yes                                   |
| Marks Residence Hall (South Dorm) | 1968              | PART               | Yes/Yes                 | Yes                                   |
| Mildred Mudd Dorm (East Dorm)     | 1958              | N                  | Yes/Yes                 | Yes                                   |
| North Residence Hall              | 1959              | N                  | Yes/Yes                 | Yes                                   |
| West Dorm                         | 1958              | N                  | Yes/Yes                 | Yes                                   |

|                          |      |   |         |     |
|--------------------------|------|---|---------|-----|
| Linde Residence Hall     | 1993 | Y | Yes/Yes | Yes |
| Sontag Residence Hall    | 2004 | Y | Yes/Yes | Yes |
| Drinkward Residence Hall | 2015 | Y | Yes/Yes | Yes |

### Fire Log

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

### 2015 - 2017 Residence Hall Fire Log

| Building Name                     |      | # of Fires | Date | Cause | Injuries Requiring Treatment | Deaths Related to Fire | Property Damage Value (\$) | Report Number |
|-----------------------------------|------|------------|------|-------|------------------------------|------------------------|----------------------------|---------------|
| Atwood Residence Hall             | 2015 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
|                                   | 2016 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
|                                   | 2017 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
| Case Residence Hall               | 2015 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
|                                   | 2016 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
|                                   | 2017 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
| Marks Residence Hall (South Dorm) | 2015 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
|                                   | 2016 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
|                                   | 2017 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
| Mildred Mudd Dorm (East Dorm)     | 2015 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
|                                   | 2016 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
|                                   | 2017 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
| North Residence Hall              | 2015 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
|                                   | 2016 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
|                                   | 2017 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
| West Dorm                         | 2015 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
|                                   | 2016 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
|                                   | 2017 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
| Linde Residence Hall              | 2015 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
|                                   | 2016 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
|                                   | 2017 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
| Sontag Residence Hall             | 2015 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
|                                   | 2016 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
|                                   | 2017 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
| Drinkward Residence Hall          | 2015 | N/A        | N/A  | N/A   | N/A                          | N/A                    | N/A                        | N/A           |
|                                   | 2016 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |
|                                   | 2017 | 0          | N/A  | 0     | 0                            | 0                      | 0                          | N/A           |

### Plans for Improvement

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