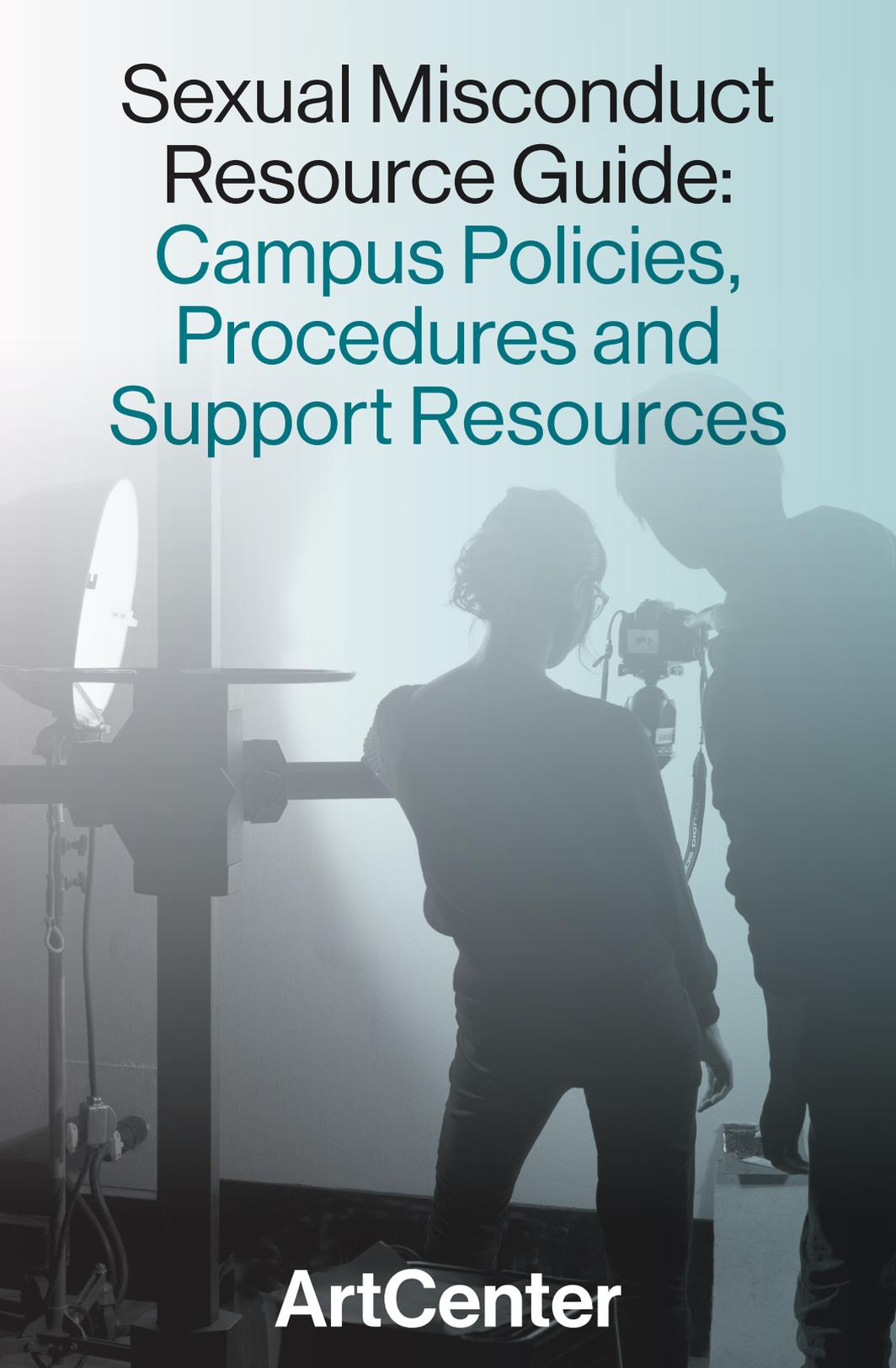


Sexual Misconduct Resource Guide: Campus Policies, Procedures and Support Resources

The background of the page is a dark, teal-tinted photograph showing the silhouettes of two people in a studio or production environment. On the left, a large studio light is visible. In the center, a person is seen from the back, looking towards the right. On the right, another person is leaning over, operating a camera mounted on a tripod. The overall scene is dimly lit, with the primary light source being the studio light on the left, creating a professional and artistic atmosphere.

ArtCenter

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Introduction

ArtCenter College of Design (“ArtCenter” or “the College”) is committed to maintaining an inclusive community that is supportive of students and employees in all of its programs and activities. Part of this commitment is providing an educational and working environment that is free of sexual misconduct in accordance with ArtCenter’s Sexual Misconduct Policy, which applies to all students, faculty, and staff. The Sexual Misconduct Policy defines the College’s relevant support resources and procedures designed to provide a prompt, fair, and impartial process to address alleged sexual misconduct.

An individual who is alleged to be the victim of conduct that could constitute a violation of the Sexual Misconduct Policy is called a **complainant**. An individual who is alleged to have violated the Sexual Misconduct Policy is called a **respondent**. Other involved individuals who may be invited to participate in a process to share potentially relevant information are referred to as **witnesses**. ArtCenter values and upholds the equal dignity of all members of its community and strives to balance the rights of all parties involved in an informal or formal grievance process.

This brochure contains definitions, information about on- and off-campus resources, reporting options, and College grievance procedures. It also includes resources to empower all ArtCenter community members to prevent sexual misconduct, reduce risks and take action to intervene safely and/or report concerning behaviors.

ArtCenter’s Non-Discrimination Commitment

This resource guide provides information about preventing and addressing discrimination and harassment on the basis of sex, as defined in ArtCenter’s Sexual Misconduct Policy. This is part of ArtCenter’s larger commitment to equal opportunity. The College does not discriminate against currently enrolled students, applicants and employees on the basis of race, color, ancestry, national origin, citizenship, religious creed, age, physical or mental disability, medical condition, genetic characteristic, pregnancy, marital status, veteran status, sex, sexual orientation, gender identity, transgender identity or any other characteristic protected by applicable state or federal law. ArtCenter’s policies prohibiting discrimination on protected class statuses other than sex and gender are defined in the Student Handbook and the Employee Handbook. Please refer to the College website (artcenter.edu/policies-and-disclosures) for information about all College policies and procedures.

The most up-to-date version of this guide is available online at artcenter.edu/title-ix.

If You Have Experienced Sexual Misconduct

1. Go to a safe location as soon as you are able.
2. Seek immediate medical attention if you are injured, believe you may have been exposed to an STI/STD or may be pregnant.
3. Contact any of the following for immediate assistance:

Brittany Raygoza

Director of Title IX Compliance and Programs

626 396-2340

brittany.raygoza@artcenter.edu

Hillside Campus

Office hours: M–F 8:30 a.m.– 4:30 p.m.

Services are uninterrupted when administrative offices are working remotely.

Campus Security

626 396-2200

Supports all campuses

Available 24 hours/7 days a week

ArtCenter Student Mental Health

Counseling Services*

626 396-2323

mhcounseling@artcenter.edu

Hillside Campus, Room 275

Office hours: M–F 8:30 a.m.– 4:30 p.m.

Services are uninterrupted when administrative offices are working remotely.

Pasadena Police Department

207 Garfield Ave.

Pasadena, CA 91101

General contact number: 626 744-4501

Non-emergency response: 626 744-4241

Emergency: 911

Sexual Assault and Domestic Violence Advocacy Services*

Peace Over Violence

892 N. Fair Oaks Ave.

Pasadena, CA 91103

626 793-3385

peaceoverviolence.org

Open M–F, 9 a.m.–5 p.m.

San Gabriel Valley Medical Center (Sexual Assault Response Team)

438 W. Las Tunas Dr.

San Gabriel, CA 91776

SART hotline: 877 209-3049

24 hours a day, 7 days a week

Individuals interested in a forensic exam

(also known as a “rape kit”) may do so

24/7 year-round at San Gabriel Valley

Medical Center. The Sexual Assault

Forensic Nurse should be called at the

SART hotline before you arrive. Please

note that other local hospitals or urgent

care facilities do not conduct forensic

exams.

*These contacts may be able to provide confidential assistance. Please refer to the Confidential Resources section of this guide.

If you are off campus and experiencing an emergency situation, you can call local police by dialing 911. You may also call the local police department’s non-emergency line at 626 744-4241.

If You Have Experienced Sexual Misconduct

4. If you are interested in seeking a forensic exam at San Gabriel Valley Medical Center, you are encouraged to do so as soon as you are able. It is best to not bathe, shower, douche, or brush your teeth before the exam, if possible. Authorities suggest that you preserve physical evidence that may include tissue and fluid samples, including sheets, towels and clothing. Evidence collection at the medical center should be completed within 120 hours of an assault, but fluids, hair samples, and DNA can be collected for a long time thereafter. Even if you have washed, evidence can often still be obtained. After 120 hours, even if you are not trying to obtain evidence, it may still be helpful to receive medical attention in order to check for injuries and exposure to sexually transmitted diseases. If you are still wearing any clothes worn during the assault, wear them to the hospital, but bring a change of clothes, as the hospital may keep the clothes you are wearing as evidence. If you have changed clothes, bring the ones you were wearing during the assault to the hospital in a clean paper (not plastic) bag or wrapped in a clean sheet. Typically, police will be called to the hospital to take custody of any forensic evidence, but it is up to you whether you wish to speak to them or file a criminal complaint.

5. Choose how to proceed. You have options of how you may like to proceed with or without any resources or processes available through ArtCenter. You are encouraged to contact ArtCenter's Title IX Coordinator to discuss your options.

Your options at ArtCenter include:

- a) Choose not to report or access resources through the College at this time, although you may do so at a later date;
- b) Connect with the Title IX Coordinator to access support resources only; or
- c) Make a formal complaint of sexual misconduct to the Title IX Coordinator in order to pursue an informal resolution or formal grievance process.

There is no time limit to report alleged sexual misconduct to ArtCenter.

Your options outside of ArtCenter include choosing to initiate criminal proceedings or initiating a civil process.

You may pursue whatever combination of options is best for you. If you wish to have an incident investigated and resolved through a formal or informal process at the College, please contact ArtCenter's Title IX Coordinator, Brittany Raygoza at brittany.raygoza@artcenter.edu, who will meet with you to discuss resources and processes available through ArtCenter.

If you wish to pursue a criminal process, you are encouraged to contact Campus Security, the Pasadena Police Department or local law enforcement where the incident occurred. If you wish to be accompanied by an ArtCenter administrator or off-campus confidential resource as you make a report to the police, please contact the Title IX Coordinator.

6. If you are interested in pursuing a sexual misconduct investigation through ArtCenter or any civil or criminal process outside of the College, you are encouraged to consider saving materials that might be helpful in that process. In addition to physical evidence listed above, you may choose to preserve relevant items such as text messages, emails, receipts, photos, videos, social media posts or messages, or other documentation. It may be helpful not to delete this information and to preserve it for later. If you have already deleted text messages or other materials, you may wish to contact your phone carrier to find out if they can be recovered. You are also encouraged to write down a list of possible witnesses to submit to the investigator(s) or other relevant authority.

Confidential Resources

All ArtCenter students, faculty, and staff have access to confidential support if they have experienced sexual misconduct or are involved in a grievance process. The following confidential resources are individuals who do not have an obligation to report information to ArtCenter's Title IX Coordinator. Each of the below resources are available free of charge.

Confidential Support for Students

Students are welcome to make an appointment with a counselor in the Student Mental Health Counseling Services out of the Center for the Student Experience. These licensed counselors are the only ArtCenter employees who are not required to report sexual misconduct that is disclosed to them in the course of their work. To make an appointment, students should contact:

ArtCenter Student Mental Health
Counseling Services
Center for the Student Experience
Hillside Campus, Room 200B
626 396-2323
mhcounseling@artcenter.edu
Walk-in (including immediate virtual) appointments are available.

Confidential Support for Employees

Employees are offered confidential support resources and referrals through the Employee Assistance Program, Managed Health Network ("MHN"):

Confidential 24-hour help line for employees: 800 227-1060
TTY users call 711
mhn.advantageengagement.com
(company code: artcenter)

Confidential Support for All ArtCenter Community Members

Any students and employees who may have experienced sexual misconduct may also access confidential support through Peace Over Violence, a nonprofit social service agency that offers nonjudgmental support for sexual assault, domestic violence, or similar emergencies, including advocacy and referrals. Any member of the ArtCenter community interested in off-campus confidential support services are welcome to contact:

Peace Over Violence
892 N. Fair Oaks Ave
Pasadena, CA 91103
peaceoverviolence.org
Emergency hotline: 626 793-3385

A Note on Mandated Reporting

With the exception of licensed counselors working in Student Mental Health Counseling Services, any ArtCenter employee who knows or has reason to know of allegations or acts that may constitute a violation of the Sexual Misconduct Policy is required to immediately inform the Title IX Coordinator of all relevant information regarding the allegation, including the names of those involved, even if the person who initially disclosed information to the employee requested confidentiality. An employee's failure to report potential violations of this Policy in a timely manner may result in discipline, including and up to termination of their employment. Student employees who receive information about alleged sexual misconduct in the course of their job duties must report such information to the Title IX Coordinator.

While employees with a mandated duty to report are not able to promise confidentiality to anyone reporting sexual misconduct, they are instructed to protect the privacy of those involved by sharing information only with those who have a legitimate need to know, which includes the Title IX Coordinator and appropriate deputies or designees.

Please be aware that institutional duties with respect to minors (those under the age of 18) may require reporting sexual misconduct incidents to state agencies and/or local law enforcement. As a result, confidentiality cannot be guaranteed for sexual misconduct incidents involving minors.

Privacy and Confidentiality

ArtCenter is committed to protecting the privacy of all individuals involved in a process related to alleged sexual misconduct. The College maintains the privacy of the identity of anyone involved in a report of sexual misconduct, except as may be permitted or required by law, or to carry out any investigation, hearing, or other relevant process. Every effort will be made to protect the privacy interests of all involved individuals and treat all parties with dignity and respect.

In the context of sexual misconduct reports and investigations at ArtCenter, the terms *privacy* and *confidentiality* have specific meanings:

Privacy relates to the practice of limiting those who are aware of or have access to information related to an allegation, case, or involved parties. The use of this information is limited to ArtCenter employees or contractors who, due to their role, have a legitimate “need to know” in order to fulfill their duties related to the intake, investigation, hearing, appeal, supportive measures, or informal resolution of reported allegations.

Confidentiality relates to the legal obligation to maintain secure information, which is prescribed by an individual's role at the College. The only employees at ArtCenter who are identified as having a professional requirement to maintain confidentiality are licensed counselors working in Student Mental Health Counseling Services.

Anonymous Complaints

Any ArtCenter community member can submit an anonymous report by calling EthicsPoint at 866 489-3018. Note that anonymous reports may prompt a need for ArtCenter to investigate, but a complainant's decision to remain anonymous may greatly limit the College's ability to stop the alleged misconduct or collect relevant information.

ArtCenter offers supportive measures to all complainants, but when a report is received anonymously, the College is not able to offer such resources. Reporting does not carry an obligation to initiate a formal response, as the College respects complainant requests to dismiss complaints unless there is a compelling threat to health and/or safety. For these reasons, all members of the community are encouraged to report to the Title IX Coordinator to discuss their concerns, as individuals disclosing that they have been a victim of sexual misconduct are largely in control of any process that may follow.

Policy

Members of the campus community, guests, and visitors have a right to be free from sexual misconduct. All members of the community must conduct themselves in a way that does not infringe upon the rights of others. The College's Sexual Misconduct Policy is intended to define expectations for appropriate conduct and outline resolution processes to address conduct that does not meet these expectations. As noted on the next page, the College will impose serious sanctions on individuals who are found to be in violation of the policy.

Sexual misconduct, including sexual harassment, sexual assault, sexual exploitation, dating and domestic violence, and stalking are violations of ArtCenter's Sexual Misconduct Policy, which applies to all students, faculty, and staff. This policy is in place to ensure compliance with Title IX of the Higher Education Amendments of 1972 (“Title IX”), which prohibits discrimination on the basis of sex in education programs and activities; Title VII of the Civil Rights Act of 1964 (“Title VII”), which prohibits sex discrimination in employment; and the Campus Sexual Violence Elimination Act (“SaVE Act”), Violence Against Women Act (“VAWA”), and the Clery Act. Sexual misconduct may also be a violation of other federal, state, and local laws.

All members of the campus community, guests, and visitors are protected by this policy regardless of their sexual orientation or gender identity. As described in the Sexual Misconduct Policy, the College may assert jurisdiction over any alleged acts of sexual misconduct involving members of the campus community, no matter where they occur, whether on- or off-campus. For more details on this policy, please visit artcenter.edu/title-ix.

Additional information about campus crime, state laws, and disclosures related to sexual misconduct can be found online in the campus Annual Security Report at artcenter.edu/security-report.

Sexual Misconduct Violations

The following are summaries of prohibited conduct listed in the Sexual Misconduct Policy. Sanctions for each type of violation may range from warning and/or educational requirement through expulsion/termination. For full definitions and possible sanctions, please refer to the Sexual Misconduct Policy at artcenter.edu/title-ix.

Sexual Harassment

As an umbrella category, sexual harassment includes conduct on the basis of sex that meets the definition of quid pro quo harassment or sexual harassment. Quid pro quo harassment is conduct on the basis of sex in which an ArtCenter employee conditions the provision of an aid, benefit, or service of the College on an individual's participation in unwelcome sexual conduct. Sexual harassment is unwelcome conduct on the basis of sex determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's education program or activity.

Sexual Assault

As required by Title IX regulations, ArtCenter defines sexual assault as conduct, attempted or completed, that is directed against another person, without consent, including instances in which the complainant is incapable of giving consent, that could be defined as non-consensual vaginal, oral, or anal sexual intercourse, sexual assault with an object, non-consensual touching of private body parts, incest, or sexual intercourse with a person under the age of 18.

Dating Violence

Dating violence is violence on the basis of sex committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. This can cover a range of behaviors, including, but not limited to, sexual or physical abuse or the threat of such abuse.

Domestic Violence

Domestic violence is violence on the basis of sex that is committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, by a person who is cohabitating with, or has cohabitated with, the complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of California, or by any other person against an adult or youth complainant who is protected from that person's acts under the domestic or family violence laws of California.

Stalking

Stalking is defined as a course of conduct on the basis of sex – meaning two or more acts – directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

Discriminatory Harassment on the Basis of Sex

This is an umbrella term that prohibits unwelcome and harassing verbal, written, graphic, or physical conduct on the basis of actual or perceived sex or gender that is objectively offensive and is sufficiently severe or pervasive such that it creates a hostile environment that unreasonably interferes with, limits, or effectively denies an individual's educational or employment access, benefits, or opportunities.

Sex/Gender-based Discrimination

This prohibits conduct that subjects an individual to disparate treatment on the basis of gender identity, gender expression, pregnancy, marital status, or sexual orientation, including conduct that deprives, limits, or denies members of the community of educational or employment access, benefits, or opportunities on the basis of these protected characteristics.

Sexual Exploitation

Sexual exploitation is another umbrella category of prohibited conduct defined by taking nonconsensual or abusive sexual advantage of another person for the benefit or advantage anyone other than the exploited party, when that conduct does not otherwise constitute sexual harassment or discriminatory harassment under the Sexual Misconduct Policy. Several examples of sexual exploitation are listed in the policy.

Threats, Intimidation, Hazing, or Bullying on the Basis of Sex

This category of prohibited conduct includes behavior that amounts to a form of sex discrimination outside of Title IX when the act is based upon the complainant's actual or perceived sex or gender. Examples of this category of prohibited conduct are outlined in the policy.

Retaliation

Retaliation is defined as taking materially adverse action toward an individual because they have made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing related to the Sexual Misconduct Policy.

Bad Faith Complaint of Sexual Misconduct

Reporting a knowingly false and/or malicious allegation or counter-complaint under the Sexual Misconduct Policy is prohibited.

Supportive Measures

Supportive measures are options and steps that ArtCenter can provide on a temporary or ongoing basis to support the personal, academic, and/or professional success of an individual who may have been impacted by alleged sexual misconduct and/or a grievance process. Such measures are designed to restore or preserve access to ArtCenter's employment or educational program or related activity, protect the safety of all parties or the College environment, and/or deter harassment, discrimination, and/or retaliation without unreasonably burdening another involved party. Supportive measures are available outside of any formal complaint or grievance process.

In implementing supportive measures, the College will act to ensure that any academic or occupational impact on the parties is as minimal as possible. Supportive measures are non-disciplinary, non-punitive individualized services offered as appropriate to ArtCenter students, faculty, and staff as reasonably available, and without any fee or charge to the individual(s). All supportive measures and referrals to resources are confidential to the extent that maintaining confidentiality does not impair ArtCenter's ability to provide such resources. Students, faculty, and staff may contact the Title IX Coordinator to access supportive measures.

Examples of Supportive Measures

- Academic assistance, such as:
 - Changes to academic situations, such as transferring to another section of a course or rescheduling an academic assignment
 - Completing a course and/or courses online (if otherwise appropriate)
 - Academic tutoring or other academic support
 - Preserving eligibility for academic scholarships, financial aid, internships, study abroad, or international student visas
 - Arranging for extended deadlines, the retaking of a class or withdrawal from a class without penalty
- Issuing a No Contact Order or other contact limitations between parties
- Adjustments to or scheduling for usage of campus dining locations or other campus resources
- Mental health services, including counseling, and referrals to off-campus medical and mental health services
- Assistance in finding alternative housing
- Assistance in arranging for alternative ArtCenter employment arrangements, such as a change to work schedule, work location, or remote work as appropriate
- Consultation with or escort from Campus Security or local police as appropriate

- Increased security or monitoring of certain areas of campus
- Safety planning
- Referral to Employee Assistance Program, if applicable
- Education to the community or community subgroup(s)
- Referral to community-based service providers
- Visa and immigration assistance
- Student academic or financial aid counseling
- Transportation and parking assistance
- Timely warnings
- Any other actions deemed appropriate by the Title IX Coordinator

Accessing Supportive Measures

The Title IX Coordinator is responsible for both equitably offering supportive measures to both complainants and respondents and ensuring the effective implementation of such measures. Complainants, respondents, and witnesses may make requests for supportive measures to the Title IX Coordinator or designee working with them to address a reported concern. The College provides supportive measures as reasonably available.

Supportive measures may be requested by contacting ArtCenter's Title IX Coordinator:

Brittany Raygoza
Director of Title IX Compliance and Programs
626 396-2340
brittany.raygoza@artcenter.edu

No Contact Orders

Students, faculty, and staff members may request a No Contact Order before, during, after, or outside of any formal complaint or grievance process to prevent unnecessary or unwanted contact with another party. No Contact Orders are created when appropriate to help to ensure an environment in which individuals can focus on and pursue their education or work at ArtCenter without engaging in further communication with another individual. No Contact Orders are not designed to be punitive actions and do not constitute a finding of any violation of ArtCenter policy.

Individuals interested in requesting a No Contact Order are encouraged to schedule a meeting with the Title IX Coordinator by emailing brittany.raygoza@artcenter.edu.

The College also supports complainants in pursuing orders of protection, restraining orders, or other similar lawful orders issued by a criminal, civil, or tribal court outside of the institution. Students and employees can connect with Campus Security or the Title IX Coordinator to discuss these options.

Reports and Formal Complaints

Students and employees who have experienced sex discrimination, sexual harassment, or other sexual misconduct are referred to as complainants. Complainants interested in reporting an allegation of sexual misconduct have the right to report to local law enforcement, to ArtCenter, to neither, or to both. Supportive measures and confidential resources are available to all ArtCenter community members regardless of whether or not the full details of an alleged incident are reported to the College.

Any person may report sex discrimination, sexual harassment, or other sexual misconduct to ArtCenter's Title IX Coordinator, regardless of whether or not the person is the recipient of the alleged behavior. Such reports may be made at any time, including outside of business hours, using the following contact information:

Brittany Raygoza
Director of Title IX Compliance and Programs
626 396-2340
brittany.raygoza@artcenter.edu
Hillside Campus
1700 Lida Street, Pasadena, CA 91103

Officials with Authority are individuals who assist the Title IX Coordinator with taking in reports and educating the community about making formal complaints. Students and employees may choose to report to the Officials with Authority listed at artcenter.edu/title-ix.

Reports and Formal Complaints

In compliance with Title IX regulations, ArtCenter distinguishes between reporting alleged sexual misconduct and filing a formal complaint. Reporting or providing notice of potential incidents allows the College to provide supportive measures to the complainant, but does not necessarily result in the initiation of a formal grievance process. Filing a formal complaint initiates a formal grievance process, including a formal investigation, hearing, and appeal opportunity. All complainants who report incidents of potential sexual misconduct or make a formal complaint are offered individualized supportive measures.

How does ArtCenter respond to reports or allegations of sexual misconduct?

After receiving notice of alleged sexual misconduct, the Title IX Coordinator seeks to identify and promptly contact the complainant to schedule an intake meeting to explain available options and resources, including the availability of supportive measures with or without the filing of a formal complaint. In this meeting, the Title IX Coordinator or designee informs the complainant of the general principles of the Sexual Misconduct Policy, including the right to have an advisor throughout the process and the right to seek another process outside of ArtCenter, such as filing a report with local law enforcement. The complainant will also receive written information and contact information for available resources. The complainant may have an advisor of their choice accompany them during this meeting. During this meeting, the Title IX Coordinator seeks to determine if the complainant wishes to file a formal complaint and will assist them in doing so, if desired. The filing of a formal complaint obligates the College to investigate allegations listed in the complaint.

What is a formal complaint?

A formal complaint is a document signed by a complainant or signed by the Title IX Coordinator alleging a violation of the Sexual Misconduct Policy by named respondent(s) and requesting that ArtCenter formally investigate the allegation(s). A formal complaint may be filed with the Title IX Coordinator in person, by mail, or by email. In order to be considered a formal complaint, a document filed by a complainant must be in writing either on paper or electronically and must contain the complainant's physical or digital signature or otherwise indicate that the complainant is the person filing the formal complaint for the purpose of initiating a formal process at the College. If allegations are submitted in a form that does not meet the definition of a formal complaint, the Title IX Coordinator will contact the complainant to ensure that a formal complaint is filed correctly, if that is the complainant's intent. Formal complaints are not necessary to access supportive measures, but they are necessary to initiate a formal grievance process.

Your Rights

The College strives to provide members of the campus community with fair and equitable resolution processes that include both formal and informal options.

Reporting

- You have the right to notify law enforcement of incidents and to receive assistance from campus personnel in doing so.
- You may decline to report to law enforcement if you wish.
- You have the right to have your allegations investigated and resolved internally by the College.

Fairness

- All members of the campus community have the right to have reported incidents addressed according to the College's Sexual Misconduct Policy or other applicable policies.
- All parties have equal opportunities to have an advisor of their choosing, or one assigned by the College, present throughout all resolution proceedings (including intake, interviews, hearings, etc.). This person can be an advisor, advocate, attorney, family member, friend, faculty member or other trusted individual.

- You have the right to timely written notice of allegations and the process the College is following to address the allegations. Complainants and respondents also have the right to written notice of the outcome of the process.
- Student complainants and witnesses are offered amnesty for minor violations of Student Handbook, such as the use of alcohol or other drugs, unless the violation is deemed egregious. At its discretion, ArtCenter may also offer employee complainants amnesty for certain minor violations of Employee Handbook policies occurring at or near the time of the alleged incident or as a result of the incident in question.
- You have the right to not be asked irrelevant questions, especially those about irrelevant past sexual history.
- You have the right to not respond to specific questions asked during the investigation or hearing process.
- You have the right to review all relevant and directly related information and materials concerning the allegations, including a copy of the investigation report, and the right to respond to such information.
- You, your supporters and your witnesses have a right to be free from retaliation.

Support

- You have a right to be notified of your ability to access mental health counseling or similar resources on or off campus.
- You have a right to be notified of on- and off-campus resources as well as individualized supportive measures that are available to you through ArtCenter.
- All parties involved in sexual misconduct allegations will receive the information and assistance needed to effectively participate in all proceedings.
- You have the right to seek orders of protection, no-contact orders, restraining orders or similar lawful orders issued by criminal, civil or tribal courts, and may seek the help of Campus Safety in requesting and/or enforcing such orders.

Defining Consent

ArtCenter students, faculty, and staff are encouraged to understand how consent is defined within the Sexual Misconduct Policy.

Consent is defined as an informed, affirmative, conscious, voluntary, and mutual agreement by all participants to engage in sexual activity, communicated through mutually understandable words and/or actions. It is the responsibility of each person to ensure that they have the affirmative consent of other participant(s) to engage in any sexual activity before doing so. Affirmative consent must be voluntary and continuously present. Consent may be modified, withdrawn, or revoked at any time. If someone asks to stop, the other person(s) involved must stop immediately.

Consent to one form of sexual activity does not constitute consent to other forms of activity. Just because two or more people may have a dating relationship or may have engaged in sexual activity in the past does not constitute consent on another occasion. Consent cannot be inferred from silence, the absence of a “no,” a lack of protest, or a lack of resistance.

Incapacitation

Consent cannot be obtained from a person who is incapacitated. Someone may be incapacitated by substances such as alcohol, drugs, and/or medication. Incapacitation is defined as a state in which an individual is incapable of making rational, reasonable decisions, including giving knowing consent, because they lack the capacity to understand the who, what, when, where, why, and/or how of the interaction. Consent also cannot be obtained from a person who is asleep, unconscious, or otherwise temporarily or permanently mentally or physically incapacitated or unable to communicate.

Force

Consent cannot be obtained through force, threats, or intimidation. Force is defined as the use of physical violence, imposition, verbal or physical threats, and/or intimidation (implied threats) to gain sexual access or otherwise cause a person to engage in activity to which they do not consent.

Coercion

Consent cannot be obtained through coercion, which is an unreasonable pressure beyond an effort to attract or seduce someone else. When a person communicates that they do not want to engage in a sexual activity or that they want to stop sexual activity, continued pressure beyond the boundary they have set can be coercive.

Formal Grievance Process

ArtCenter's Sexual Misconduct Policy defines the College's prompt, fair, and impartial process for addressing alleged sexual misconduct. The formal process from intake through hearing is generally completed within 60 to 90 days after the intake interview, unless the timeline has been reasonably extended. Full details of the formal grievance process described here, as well as informal resolution options, are outlined in the Sexual Misconduct Policy at artcenter.edu/title-ix.

Notice and Outreach

When the Title IX Coordinator or another Official with Authority receives information about an alleged incident, the Title IX Coordinator seeks to identify and promptly contact the complainant to schedule an intake meeting.

Intake

The Title IX Coordinator meets with the complainant to review the availability of supportive measures with or without the filing of a formal complaint and explain the process for filing a formal complaint. The complainant may have an advisor of their choice accompany them. The complainant will receive written information about policies and options. If the complainant chooses to file a formal complaint, the College initiates either an informal resolution or formal grievance process.

Investigation

If the complainant files a formal complaint and requests that ArtCenter proceed with a formal investigation, the Title IX Coordinator will assign an investigator(s) to meet with the parties. Both the complainant and respondent will receive a written notice of the investigation. Each will have the opportunity to participate in investigative meetings with the investigator(s) and an advisor of their choice. They may each provide documentation and names of witnesses. The investigator(s) collects all relevant, available information.

Information Review

At the conclusion of information gathering, the investigator(s) prepares a draft investigation report that contains a timeline of the investigation and addresses all relevant evidence. The complainant and respondent receive the same fair opportunity to inspect, review, and comment on the draft report and all collected information in a period of time called information review. The complainant and respondent are provided a deadline by which they may submit a written response to the draft investigation report to the investigator(s). Following information review, the investigator(s) finalizes the report.

Determination of Next Steps

The final investigation report is provided to the parties. If appropriate at that point, the Title IX Coordinator will assign a hearing officer(s) to the matter.

Hearing

The hearing officer(s) will provide the complainant and respondent with a detailed, written notice of the hearing date and time no less than 10 days prior to a hearing so that the parties can prepare to participate. The written hearing notice outlines what to expect at the hearing. Hearings are routinely completed in private through video conferencing technology that allows for the complainant, respondent, and any relevant witnesses to participate from separate rooms or remote locations. The purpose of this process is to allow all accounts and questions to be shared in front of the hearing officer(s), who fulfill the role of decision-maker(s) for the matter. The hearing officer(s) ask questions of the complainant, respondent, and relevant witnesses. The complainant and respondent must have an advisor present, on their behalf, to pose questions – directly, orally, and in real time – to the other party. The hearing officer(s) will facilitate the meeting to ensure that only relevant questions are asked and that the hearing follows ArtCenter procedures.

Outcome

Following the conclusion of the hearing, the hearing officer(s) determine whether the respondent violated the policies outlined in the hearing notice letter. The outcome will be based on a preponderance of evidence, which means that a decision of responsibility for a policy violation will be made on whether it is more likely than not that the respondent violated the Sexual Misconduct Policy. If found responsible, the respondent will be assigned sanctions. The written outcome is provided to both the complainant and respondent.

Appeal Opportunity

The complainant and respondent each have one opportunity to appeal the outcome of a hearing. A written appeal request must follow the instructions provided in the hearing outcome letter and must be directed to the identified appeal officer referenced in the letter. If an appeal is requested, the assigned appeal officer will review and respond in writing to the appeal request, including a rationale for the final outcome. The determination becomes final on the date that the written appeal determination is sent to the complainant and respondent.

Risk Reduction

Risk Reduction for Intimate Partner Violence, Stalking, Sexual Harassment and Sexual Violence

While victim-blaming is never appropriate and ArtCenter fully recognizes that only those who commit sexual misconduct are responsible for their actions, we are providing the following suggestions to help you reduce your risk of being victimized or being accused of sexual misconduct.

Ways to be Safer and Reduce Your Risk of Violence

- Make your limits/boundaries known as early as possible.
- Clearly and firmly articulate consent or lack of consent.
- Remove yourself, if possible, from an aggressor's physical presence.
- Reach out for help, either from someone who is physically nearby or by calling someone. People around you may be waiting for a signal that you need help.
- Take affirmative responsibility for your alcohol and/or drug consumption. Alcohol and drugs can increase your vulnerability to sexual victimization.
- Look out for your friends, and ask them to look out for you. Respect them, and ask them to respect you, but be willing to challenge each other about high-risk choices.
- Know that a healthy relationship is when partners respect each other's needs and boundaries. If you think you or someone else is in an unhealthy relationship, report to the College to access resources.
- Be careful with intimate or private information you share in electronic or online communications.
- Talk often with your partner(s) about your needs.

Ways to Reduce Your Risk of Being Accused of Sexual Misconduct

- Show your potential partner respect if you are in a position of initiating sexual behavior.
- If a potential partner says "no," accept it and don't push. If you want a "yes," ask for it, and don't proceed without clear permission.
- Clearly communicate your intentions to your potential sexual partners, and give them a chance to share their intentions and/or boundaries with you.
- Respect personal boundaries. If you are unsure what's OK in any interaction, ask.
- Avoid ambiguity or vague situations. Don't make assumptions about consent or about whether someone is attracted to you. Do not assume that other people have the same expectations as you. If you have questions or are unclear, you don't have consent.
- Don't take advantage of the fact that someone may be under the influence of drugs or alcohol, even if that person chose to become that way. Others' loss of control does not put you in control.
- Be on the lookout for mixed messages. That should be a clear indication to stop and talk about what your potential partner wants or doesn't want to happen. That person may be undecided about how far to go with you, or you may have misread a previous signal.

- Respect the timeline for sexual behaviors with which others are comfortable, and understand that they are entitled to change their minds.
- Recognize that even if you don't think you are intimidating in any way, your potential partner may be intimidated by or fearful of you, perhaps because of your sex, physical size or a position of power or authority you may hold.
- Do not assume that someone's silence or passivity is an indication of consent. Pay attention to verbal and non-verbal signals to avoid misreading intentions.
- Understand that consent to one type of sexual behavior does not automatically grant consent to other types of sexual behaviors. If you are unsure, stop and ask.
- Recognize that just because someone is in a dating relationship, or has given consent for sexual activity in the past, does not indicate they have given consent for future sexual activity.
- Understand your role at ArtCenter and what is expected of you both on and off campus. Educate yourself about the Sexual Misconduct Policy and other applicable policies.
- Understand that exerting power and control over another through sex is unacceptable conduct.

Programs

Bystander Intervention

The College offers bystander intervention training to all new students in an effort to ensure that each member of the campus community is invested in creating a safe campus environment for themselves and others. Program participants are instructed on safe options for preventing harm and intervening when a risk of sexual misconduct exists.

Violence Against Women Act (VAWA)/ Clery Act Training

Incoming students are provided with education and training on awareness and risk reduction of sexual violence, dating violence, domestic violence, stalking and consent in compliance with the Violence Against Women Act (VAWA) federal statute and the Clery Act federal law.

Ongoing Campaigns

Ongoing awareness and prevention campaigns are provided throughout the school year to students, faculty and staff.

To learn more about workshops, ongoing programs, and campaigns offered by the Title IX Office, visit artcenter.edu/title-ix.

Key ArtCenter Contacts

College contacts are generally available Monday through Friday from 8:30 a.m. to 4:30 p.m. We understand that sexual misconduct may not occur during business hours – please contact ArtCenter Security at 626 396-2200 for after-hours or weekend incidents. They will be able to connect with someone to assist you.

To make a report or ask questions about the Sexual Misconduct Policy and relevant processes at ArtCenter, you may contact one or more of the following ArtCenter employees, who are all members of the Title IX Team and have been deemed as Officials with Authority. The Officials with Authority listed below are authorized to accept notice of potential violations of this Policy on behalf of ArtCenter. All identified individuals will properly route information to the Title IX Coordinator and explain the process for filing a formal complaint. Anyone not certain to whom to report is encouraged to reach out to the Title IX Coordinator directly.

Title IX Coordinator

Director of Title IX Compliance and Programs:
Brittany Raygoza
Hillside Campus
626 396-2340
brittany.raygoza@artcenter.edu

For safety or security matters

Director of Campus Security:
Jim Finch
Campus Security
626 396-2225
jim.finch@artcenter.edu

For student-to-student matters

Associate Provost for Student Affairs/Dean of Students:
Ray Quirolgico, Ed.D.
Center for the Student Experience
626 396-2325
ray.quirolgico@artcenter.edu

Associate Director for Student Equity:
Jessica Krause
Center for the Student Experience
626 396-2323
jessica.krause@artcenter.edu

Reporting to Outside Authorities

For faculty matters

Associate Provost for Faculty Affairs:

Ted Young, Ph.D.
Office of the Provost
626-396-4281
ted.young@artcenter.edu

Provost:

Karen Hofmann
Office of the Provost
626 396-2303
karen.hofmann@artcenter.edu

For Human Resources matters

Vice President, Human Resources:

Lisa M. Sanchez, SPHR, SHRM-SCP
Human Resources
626 396-2210
vpshr@artcenter.edu

Associate Vice President, Human Resources:

Tracy Kerr
Human Resources
626 396-4349
tracy.kerr@artcenter.edu

For matters related to ArtCenter Extension

Managing Director of ArtCenter Extension:

Dana Walker-Juick
ArtCenter Extension
626 396-2376
dana.walker-juick@artcenter.edu

Director, K-12 Programs:

Paula Goodman
ArtCenter Extension
626 396-2347
paula.goodman@artcenter.edu

Reporting to Law Enforcement or Campus Security

Individuals have the right to report, or not report, allegations of sexual misconduct to law enforcement. ArtCenter will always support an individual who wishes to make a report to the police or other local authorities. A criminal investigation and process is entirely separate from any formal or informal process at ArtCenter.

Contacting Local Police

If an individual wishes to report to the police, they are encouraged to contact the police local to where the alleged incident occurred. The local police for both the Hillside Campus and South Campus is:

Pasadena Police Department
207 Garfield Avenue
Pasadena, CA 91101
General contact number: 626 744-4501
Non-emergency response: 626 744-4241
Emergency: 911

If a report is made to the police related to an incident that is being investigated at ArtCenter, the College will cooperate with the police investigation to the extent possible under federal and state law.

Contacting Campus Security

Anyone who wishes to report to Campus Security may do so by calling 626 396-2211. Employees and students with protective or restraining orders in place are encouraged to provide a copy to Campus Security. When behavior in violation of this Policy is reported to Campus Security, Campus Security will immediately notify the following:

- a) *Title IX Coordinator*
The Title IX Coordinator or designee will then connect with the student(s) or employee(s) who made the report to provide supportive measures, interim actions, and/or resources as appropriate.
- b) *Pasadena Police Department*
The complainant may request that their name is not provided to the police, and Campus Security can honor that request.

Reporting to Government Authorities

Individuals experiencing harassment or discrimination always have the right to file a formal grievance with government authorities. Students may file a complaint with the U.S. Department of Education, Office for Civil Rights (“OCR”). ArtCenter employees, including student employees, may also file a complaint with the California Department of Fair Employment and Housing (“DFEH”) or the United States Equal Employment Opportunity Commission (“EEOC”).

Office for Civil Rights (OCR) Headquarters
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-1100
Customer service hotline: 800 421-3481
Fax: 202 453-6012
TDD: 877 521-2172
ocr@ed.gov
ed.gov/ocr

Office for Civil Rights, California Office
U.S. Department of Education
50 United Nations Plaza
Mail Box 1200, Room 1545
San Francisco, CA 94102
415 486-5555
Fax: 415 486-5570
TDY: 800 877-8339
ocr.sanfrancisco@ed.gov
ed.gov/ocr

Department of Fair Employment and Housing (DFEH)
contact.center@dfeh.ca.gov
dfeh.ca.gov

United States Equal Employment Opportunity Commission (EEOC)
Los Angeles District Office
Roybal Federal Building
255 East Temple St., 4th Floor
Los Angeles, CA 90012
800 669-4000
TTY: 800 669-6820
ASL video phone: 844 234-5122
eeoc.gov

ArtCenter College of Design

Hillside Campus
1700 Lida St.
Pasadena, California
91103

South Campus
1111 S. Arroyo Pkwy.
870–950 S. Raymond Ave.
Pasadena, CA 91105

626 396-2200

artcenter.edu