

**2023 ANNUAL
SECURITY AND
FIRE SAFETY REPORT**

Caltech



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EMERGENCY PHONE NUMBERS

From Caltech Phones

Fastest, closest response
(security, fire, and medical)
DIAL 5000

From Cell Phones

(security, fire, and medical)
DIAL 626-395-5000

From Off Campus

(security, fire, and medical)
DIAL 626-395-5000

NON-EMERGENCY CONTACT INFORMATION

626-395-4701

INVESTIGATIONS

626-395-2099 | csaurenm@caltech.edu

ESCORTS/RIDES

626-395-4701

LOST AND FOUND

Lost and Found submissions may be filed at
370 So. Holliston
or by calling 626-395-4701

CALTECH SECURITY DEPARTMENT

California Institute of Technology

515 So. Wilson Ave.
Building 63 Pasadena, CA 92557

Email:

security.supervisor@caltech.edu

To find out more about any information in this document or about the Department, please call us or visit the Caltech Security website at:

security.caltech.edu

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INTRODUCTION

Caltech is a world-renowned science and engineering institute that marshals some of the world's brightest minds and most innovative tools to address fundamental scientific questions and pressing societal challenges. Caltech is small but prizes excellence and ambition. The Institute has one of the nation's lowest student-to-faculty ratios, with 300 professorial faculty members offering a rigorous curriculum and access to varied learning opportunities and hands-on research to approximately 1,000 undergraduates and 1,400 graduate students. Caltech is an independent, privately supported institution with a 124-acre campus located in Pasadena, California.

Caltech is committed to ensuring the safety and security of its community. This 2023 Annual Security and Fire Safety Report not only provides crime and fire statistics for calendar year 2022, but also details Caltech's crime-prevention and safety-related services and programs, as well as the resources Caltech has developed to educate and empower current and prospective students and employees.

Although it is published in response to federal requirements, maintaining a safe environment for the free and open exchange of ideas is very much part of the Institute's mission and reflects its values.

Caltech's Honor Code, which states that "No member of the Caltech community shall take unfair advantage of any other member of the Caltech community," has guided the campus since the Institute's earliest days. This means that all members of our community play an active role in ensuring campus safety and security; one way to do that is to review this report and follow the guidance and recommendations.

For additional information on campus security and safety, contact [Caltech's Department of Security and Parking Services](#) at (626) 395-4701. For additional information on fire safety, contact [Caltech's Environmental Health, and Safety Office](#) at (626) 395-6727.

COMMITMENT TO CLERY

Caltech complies with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 USC 1092(f) (“Clery Act”). The Clery Act is a federal law that requires institutions of higher education to maintain a current crime log and publish annual security and fire reports by October 1 each year. The Annual Security and Fire Safety Report (ASFSR) contains three years of crime statistics and required policy statements and identifies how campus community members can report crimes. This report also complies with California Education Code 67380.

Caltech’s Clery Committee oversees Clery compliance at Caltech and manages how Caltech tracks crime statistics, documents security incidents, and implements and ensures campus safety and programming. Members of the committee represent Security; the Equity and Title IX Office; the undergraduate and graduate Deans’ offices; Athletics; Environmental Health, and Safety Office; Housing; Caltech Center for Inclusion and Diversity; Health and Counseling Services; Office of Residential Experience; and Human Resources.

The Charge of the Clery Committee is to:

- Ensure effective compliance with the law;
- Develop programs and policies to address compliance;
- Identify, notify, and educate the Caltech community about crimes on campus;
- Train and support Campus Security Authorities (CSAs);
- Meet to discuss Timely Warnings and emergency notifications;
- Review the Annual Security and Fire Safety Report;
- Notify the community regarding how to access Clery information, including the daily crime log; and
- Monitor and assess Clery programs and initiatives.

Clery Communications at Caltech

The Clery Committee is committed to broad-based communication with the Caltech community; to that end, the ASFSR is sent to all members of that community by October 1 each year. In 2016, Caltech unveiled a [Clery web page](#) with information on educational and training programs, crime reporting (including how to make an anonymous report), crime statistics, security policies and procedures, and the ASFSR. The ASFSR is also posted on the [Caltech Security web page](#) and the [Equity web page](#), and a link is included in communications with prospective students and employees.

PREPARATION OF THE ANNUAL SECURITY REPORT

The preparation of the ASFSR is a collaborative effort by the Clery Committee and is a community undertaking that engages multiple offices throughout the Institute. Report preparation generally begins with a Clery retreat at which the Committee develops, evaluates, manages, and reviews various aspects of Clery compliance and programming. The purpose of the ASFSR is to inform the community on campus safety policies, programs, and practices to ensure a safe and secure community.

Subcommittees of the Clery Committee:

- Review policies, processes, and programs, including the Timely Warning procedure, the emergency notification procedure, and fire policies.
- Identify initiatives that contribute to efforts to prevent and respond to campus crimes; and
- Strengthen the Institute's compliance efforts, including Caltech's compliance with the information and programs required by the Violence Against Women Reauthorization Act

Reviewing and Confirming Crime Statistics

Crime statistics are gathered by Caltech Security from multiple sources, including security incident reports, Title IX reports, information received from the Pasadena Police Department and reports from Campus Security Authorities. Under very limited circumstances, pursuant to federal guidance, the Institute may remove reports of crimes that have been deemed “unfounded” by the Pasadena Police Department or other law enforcement officials. In such cases, the crime statistics will indicate that a crime was “unfounded.” Crime statistics do not disclose any identifying information about a complainant, respondent, or third parties.

As required by the Clery Act, statistics are reported for Clery crimes that occur on campus, on public property within or immediately adjacent to the campus, and in or on non-campus properties that Caltech owns or controls. Crime statistics and definitions are attached to this report in Appendix A and Appendix B, respectively. Pursuant to guidance issued in the 2016 edition of the Handbook for Campus Safety and Security Reporting, Caltech classifies off-campus housing properties that are within one mile of the campus as on-campus properties.

Crimes reported in the ASFSR are: criminal homicide including murder/non-negligent manslaughter and manslaughter by negligence; sex offenses including rape, fondling, incest, and statutory rape; robbery; aggravated assault; burglary; motor vehicle theft; arson; illegal weapons possession; liquor law violations; and drug law violations. Any of the above crimes—as well as incidents of larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property—that were motivated by reported bias, are listed as hate crimes.

Bias means a preformed negative opinion or attitude toward an individual or group of persons based on their race, national origin, religion, disability, sexual orientation, gender, gender identity, or ethnicity.

The crimes reported in the ASFSR that are covered by Title IX are sexual assault, stalking, dating violence, and domestic violence.

ABOUT CAMPUS SECURITY



Organizational Structure and Role

Caltech Security exists to provide a stable environment for research, education, and employment in which security concerns are balanced with freedom of movement in an open campus atmosphere while protecting the life and property of the faculty, students, staff, visitors, and guests of the Institute.

The Chief of Security, who has substantial higher education security experience, leads the department. The Chief is supported by a captain, a lieutenant, and a sergeant who manage Security Systems, Clery Act Compliance, Investigations, and Parking Enforcement. Six uniformed Special Response Officers are certified Emergency Medical Technicians. They provide emergency medical response and conduct high visibility patrols of the campus.

Contract Security

Caltech Security is assisted in its mission by uniformed, contract security personnel.

This auxiliary force is not empowered to make arrests or carry weapons; however, they assist Caltech Special Response officers in a variety of ways such as building security, property checks, and added visibility within the community.

Contract security personnel are charged with providing additional visual presence at various campus locations. They are responsible for checking faculty, student and

staff identification, and conducting property checks of campus buildings. Contract security personnel are in constant contact with Caltech Security via radio or phone communications.

Additional officers are added to the security force as needed for special events and to maintain campus security. All Security staff are integrated into the campus emergency response organization in the event of a local or regional disaster. Certain members of the Security staff are trained in the National Incident Management System (NIMS) and have Incident Command System (ICS) certifications. The uniformed field officers are trained in first aid, CPR, and AED use for emergency situations requiring medical stabilization.

The Security Systems Administrator is responsible for all security-related technology on the campus, including electronic access control, alarm systems, and security cameras also referred to as closed-circuit television (CCTV).

The Parking Coordinator handles all aspects of parking on the campus including registration, reserved space assignments, and parking enforcement. The Parking Enforcement Officer ensures safe parking on campus and enforces campus parking regulations.

Security provides 24-hour patrol service, incident response, and other security-related services such as escorts and help with lockouts, vehicular accidents, and medical emergencies on the Caltech campus and

its off-campus properties. Extra patrols and additional personnel are utilized for security when there is an apparent need. Security patrols all student housing and campus facilities.

Security coordinates outside emergency response units called to the campus, such as: the Pasadena police, fire, and paramedic departments; develops and implements security programs and regulations; enforces parking regulations; and is responsible for Caltech's carpool, vanpool, and other alternative transportation programs.

Caltech Security investigates crimes and other incidents where appropriate in conjunction with the Pasadena Police Department and may distribute information regarding a crime within Caltech on a need-to-know basis, for review, discussion, and/or follow-up action as deemed necessary.

Security maintains a website at security.caltech.edu. Crime prevention information is available on that site; this includes personal safety tips, how to contact Caltech Security, and information on Security escorts, as well as links to other sites for information concerning overall public safety, emergency planning, and reporting of all Title IX-related incidents, including sexual harassment, sexual violence, stalking, domestic violence and dating violence.

Authority and Jurisdiction

Security officers can issue municipal parking citations under an arrangement with the City of Pasadena.

Pasadena Police Department (PPD) has primary jurisdiction for all areas of campus and Pasadena. Caltech Security's jurisdiction is restricted to the boundaries of the Caltech campus and campus properties. A map of the campus is located in Appendix C.

Working Relationship with State and Local Police

Caltech maintains a close working relationship with the Pasadena Police Department. Pasadena police officers are often called upon to aid in the arrest of individuals suspected of crimes on campus. Campus Security staff work with other state and federal law enforcement agencies as necessary, including the California Highway Patrol, Federal Bureau of Investigation, Secret Service, and the Department of Justice.

Members of the Caltech community who are the victims of a crime are also encouraged to report the incident to the Pasadena Police Department. Caltech will assist both the victim and the police in the investigation of crimes occurring at the Institute.

Security has established a memorandum of understanding (MOU) with the Pasadena Police Department. The MOU formalizes aspects of the working relationship between Caltech and the Pasadena Police Department, in compliance with California law.

As part of that MOU, and in compliance with California law, the Institute discloses to the Pasadena Police Department reports of certain violent crimes, sexual assaults, and hate crimes.

Reports are made without identifying the victims, unless the victims consent to being identified after being informed of their right to have their personally identifying information withheld. If a victim does not consent to being identified, the alleged assailant cannot by law be identified unless Caltech determines that the alleged assailant represents a serious or ongoing threat to the safety of students and/or employees at Caltech, and that the immediate assistance of law enforcement is needed to contact or detain the alleged assailant. If Caltech identifies the alleged assailant under such circumstances, Caltech will notify the victim of the disclosure.

Accurate and Prompt Reporting

Caltech encourages prompt reporting of crimes and emergencies to Security and to the Pasadena Police Department. Security takes reports from all members of the Caltech community as well as from visitors, guests, and the broader community regarding criminal or other incidents.

Crime Log

Security maintains a daily log of all crimes reported to Security that occur within the Clery geography. The crime log includes the nature, date and time of the occurrence, date and time reported, general location of each crime, and the disposition of the complaint, if known. Only information the disclosure of which is prohibited by law, or which would jeopardize confidentiality of the victim, will be withheld.

The most recent 60 days of crime log entries are available for review on the Security website and upon request at the Security Office located at 515 S. Wilson Ave., 2nd floor, during regular business hours (Monday to Friday, 8 a.m. to 5 p.m.) Any portion of the crime log older than 60 days will be available within two business days of a request for inspection.

Entries or additions to entries in the crime log are made within two business days of the information being reported to Security. The crime log does not contain personally identifying information of victims or witnesses to the alleged crime.



Security Leadership

Chief of Campus Security and Parking Services Hampton N. Cantrell has spent more than 35 years working in higher-education public safety and security as well as in sworn law enforcement.

Chief Cantrell was most recently the executive director of public safety at Saint Mary's College in Moraga, California, where he oversaw security services, safety

compliance, emergency management, and parking and transportation services.

Prior to his appointment at Saint Mary's, Cantrell was the associate vice president of public safety at Loyola Marymount University from 2008 to 2019. He joined LMU after a 26-year career in sworn law enforcement, 24 years of which he served in the Inglewood Police Department in Southern California. During his time in Inglewood, Cantrell rose to the rank of senior police captain and oversaw all three major bureaus: patrol operations, detectives, and administration. He also spent two years serving the Compton Police Department as a patrol officer.

Chief Cantrell believes strongly in collaboration and consultation with campus stakeholders on a variety of safety and security issues. Our department is committed to delivering excellent service to the Caltech community.

Security Training

Peace over Violence Trauma Informed

December 21.

Campus Advocated and Security Trauma Introduction

August 31 and December 14 A training provided to Campus Security to provide an overview of what to expect from the Peace Over Violence Campus Advocate and their response to on-campus emergencies regarding sexual assault and domestic violence. To inform Campus Security on the Campus Advocate's roles and responsibilities in assisting survivors after an incident occurs and beyond. To provide a list of services and duties of the advocate and explain how it helps members of the Caltech Community. As well as providing information and education on what Campus Security Officers may experience during and after response to such emergencies.

R.A.D. (Rape Aggression Defense) Training

The mission of the R.A.D. Systems is to establish an accessible, constantly improving and internationally respected alliance of dedicated Instructors. These Instructors in turn, will provide educational opportunities for women, children, men and seniors to create a safer future for themselves. In doing this, we challenge society to evolve into an existence where violence is not an acceptable part of daily life.

Personal Protective Equipment Training

Officers received training on the use of PPE (Personal Protective Equipment) When PPE is necessary. What PPE is necessary. How to properly put on, take off, adjust and wear the PPE. The limitations of the PPE. Proper care, maintenance, useful life and disposal of PPE.

Security handed out water bottles, masks, and health and safety tips on campus during the Covid19 Crisis. Security also provided support for on campus testing and vaccination clinics.

Security Assessments

A basic assessment of the access system was conducted in 2022 in preparation for a Third party assessment.



Anyone can make a report to Caltech Security at (626) 395-5000 (emergencies) or (626) 395-4701 (non-emergencies).

TIMELY WARNINGS

Caltech issues [Timely Warnings](#), as required by the Clery Act, in order to alert the campus community to potentially dangerous criminal situations. Timely Warnings will be made for Clery-reportable crimes in a manner that is timely and intended to aid in the prevention of similar crimes. Examples may include multiple sexual assaults involving date rape drugs; strong arm robbery; or a rash of house burglaries. Community notices may also be sent for situations of significant interest to campus not covered by the Clery Act.

The criteria for a Timely Warning:

- Clery-reportable crime (see list below),
- Situation that occurs on geography defined by Clery as “on campus,” “non campus,” or “public property,”
- Situation reported to a Campus Security Authority (CSA) or local law enforcement officer, and
- Situation that represents a serious or continuing threat to students and/or employees.

Clery-reportable crimes include:

- Criminal homicide, including murder and manslaughter (negligent and non-negligent)
- Sex offenses (forcible and non-forcible)
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson
- Hate crimes (including any of the above offenses, as well as any incidents of larceny/theft, simple assault, intimidation, or destruction/damage/vandalism of property that were motivated by bias)
- Domestic violence
- Dating violence
- Stalking
- Arrests and disciplinary referrals for violation of weapons, drug abuse, and liquor laws

Clery-defined geography for Timely Warnings includes:

On campus including Caltech properties within one mile of campus

- On public property immediately adjacent to campus, such as sidewalks and streets
- Non-campus properties that are owned or controlled by Caltech and that support Caltech's educational purposes, are frequently used by students, and are not considered part of the core campus.

Whether a crime meets the requirements for a Timely Warning will be evaluated by the Director of Security and/or the Assistant Vice President for Equity and Equity Investigations/Title IX Coordinator, or designees, on a case-by-case basis. The decision will be made in light of all the facts surrounding the incident, including but not limited to:

- the nature of the incident
- whether there is a serious or continuing threat to the campus community; and
- the possible risk of compromising law enforcement efforts.

If a decision is made that the Timely Warning requirements are met, a Timely Warning will be sent as soon as the pertinent information is available.

Timely Warnings made to the Caltech community include information about the crime that triggered the warning as well as information intended to promote safety and aid in the prevention of similar crimes. Timely Warnings are developed in consultation with the Director of Security and/or the Assistant Vice President for Equity and Equity Investigations/Title IX Coordinator, or their designees. The warnings are provided to the Incident Commander or the Vice President for Student Affairs, or their designees, for review and approval.

Victims' names and other identifying information will not be disclosed, but a Timely Warning may include the name, identifying information, or other characteristics of the accused.

Documentation regarding Timely Warnings is maintained by the Clery Act Compliance Coordinator at the Institute.



REPORTING CRIMES AT CALTECH

Caltech Security takes reports from all members of the Caltech community, including visitors, guests, parents, third parties, and anonymous reporters. Caltech encourages all members of the community to accurately and promptly report crimes and emergencies to Security, especially if the victim of a crime elects not to or is unable to make such a report. Reporting is critical to developing and disseminating Timely Warnings to the campus, creating programming and being transparent about crime on campus in order to promote an informed, safe, and secure environment.

All community members are also encouraged to report crimes to the Pasadena Police Department. If requested, Security will call the police to the crime scene and assist the victim in filing a report. Victims and witnesses will be assisted, upon request, with transportation to and from off-campus resources.

CALTECH SECURITY CONTACT OPTIONS



In person:
Security Administrative Office
515 South Wilson Ave., 2nd floor
Monday through Friday,
8 a.m. to 5 p.m.



By Phone:
**Emergencies: Police, Fire,
and Paramedics**

On campus
24 hours, 7 days a week:
x5000

Non-campus phones including cell
phones 24 hours, 7 days a week:
(626) 395-5000

Non-emergency, escorts:
x4701 or (626) 395-4701

CAMPUS EMERGENCY PHONES



Caltech has 28 “blue light” emergency telephones: 25 are on-campus telephones; three are in the Catalina Apartments housing complex. The phones are “push to talk” and connect directly to Security Dispatch, which is staffed 24 hours a day.

“EVERBRIDGE” MOBILE APP



Security can also be contacted through Everbridge’s mobile app. The app allows Caltech community members to immediately report an emergency or suspicious activity via direct message to Security and has an option to include a photo with the message.

Instructions for downloading and installing the Everbridge mobile app are available at <https://security.caltech.edu>

Information on the Everbridge program and other preparedness programs and tools are also part of the annual training and education plan.



CAMPUS SECURITY AUTHORITIES (CSAs)

Caltech provides students and employees with the option to report crimes to campus administrators with whom they may already have an association. Many administrators who work extensively with student groups are designated as CSAs to report crimes. They include Caltech's:

- Vice President for Student Affairs
- Assistant Vice President for Student Affairs Operations
- Assistant Vice President for Student Affairs and Residential Experience
- Assistant Vice President for Equity, Equity Investigation and Title IX Coordinator
- Equity and Title IX Office Lead Investigator
- Deputy Title IX Coordinators
- Dean of Undergraduate Students
- Associate Deans of Undergraduate Students
- Dean of Graduate Studies
- Associate Dean of Graduate Studies
- Registrar
- Assistant Vice President for Student Affairs, Enrollment & Career Services
- Director of Student Financial Aid
- Director of Fellowships Advising and Study Abroad and the Career Development Center
- Caltech Center for Inclusion and Diversity Directors
- Director of Athletics, Physical Education and Recreation
- Assistant Athletic Director, Intercollegiate Operations
- Assistant Athletic Director, Recreation
- Athletic Coaches
- Director of Student-Faculty Programs
- Senior Director of Student Activities and Programs
- Director, International Offices
- Director of Housing
- Senior Director of Dining Services
- Residential Life Coordinators
- Resident Associates
- Division Administrators
- Employee and Organizational Development Consultants
- Student Event and Club Coordinator
- Student Club/Organization Advisors

Campus Security Authority Definition

The Clery Act definition of a Campus Security Authority (CSA) is

- 1) a campus police department or a campus security department of an institution;
- 2) any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or campus security department under part (1) of this definition, such as an individual who is responsible for monitoring entrances into institutional property;
- 3) any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses;
- 4) 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. If such an official is a pastoral or professional counselor, the official is not considered a Campus Security Authority when acting as a pastoral or professional counselor.

Campus Security Authority Role

CSAs complete annual training and each year are sent updated information regarding their roles.

The [Clery website](#) website provides [online reporting forms](#). New CSAs are considered if a new or changed position includes significant oversight of student activities.

Mandatory Reporters

It is the policy of the Institute to provide a safe and secure environment for all members of the Institute community, including minors. To that end, all members of the Caltech community have a personal responsibility to report known or suspected child abuse and/or neglect. This is part of the Caltech community's values and approach to care and concern.

Caltech has a [Violence Prevention Policy](#) that describes Mandated Reporter responsibilities. A Mandated Reporter is an employee who is required by law to make a report to the appropriate authorities whenever, in their professional capacity, or within the scope of their employment, they have knowledge of or observe a child they know, or reasonably suspect has been the victim of child abuse or neglect. All athletic coaches, including assistant coaches and graduate assistants involved in coaching, are Mandated Reporters. In

addition, Institute employees whose duties bring them into direct contact with children under 18 years of age on a regular basis or who supervise employees whose duties bring them into contact with children on a regular basis are Mandated Reporters as to child abuse or neglect occurring at Caltech or at an official activity of, or program conducted by, Caltech. Certain other professionals at Caltech, such as doctors, nurses, and psychologists, are also Mandated Reporters.

Mandated Reporters have the responsibility to report immediately or as soon as practicably possible by telephone to the LA County Child Protection Hotline (800) 540-4000 [or from out of state (213) 639-4500] or Pasadena Police Department 911 (for emergencies) or (626) 744-4501 (for non-emergencies), or to another local police department. For further information see the [Violence Prevention Policy](#).



SECURITY PRACTICES, CRIME PREVENTION, AND SAFETY AWARENESS PROGRAMS



Programs on Security Practices and Safety Awareness

Caltech Security develops programs to inform the community about campus security procedures and practices and to encourage the campus community, students, faculty, and employees to be responsible for their own safety and that of others. Crime prevention and personal safety tips are distributed periodically throughout the year to students and employees through training sessions and campus events.

Programs include theft prevention, personal safety, Security also posts a [Be Alert!](#) handbook, which has personal and property safety tips, emergency and other important telephone numbers, report procedures, the locations of the Emergency Communications Center and Security office, parking regulations, and a map of the campus showing the locations of the emergency telephone stations. The “Be Alert!” handbook is discussed at student orientation and is available online.

Members of the Caltech community are also provided with personal safety and property security tips on an ongoing basis through security bulletins distributed via email, hard copy, and on the [Security website](#). These bulletins repeatedly encourage members of the community to be responsible for their safety and security and that of others.

Security participates in the Institute’s orientation programs for new students, employees, and visiting students and faculty. These include:

- An orientation for graduate students, in which Security talks about personal safety and the transportation program for students after hours, as well as about utilizing Security when there is a concern or issue.
- Monthly new-employee orientation programs.

In all of these trainings, students and employees are encouraged to look out for themselves and others.

In addition, Security promotes a “See Something, Say Something” ongoing crime prevention program as a proactive measure for the campus community.

The [CARE Team](#) participates in a collaborative effort to support the academic success, health and emotional well-being of the Caltech community.

Crime Prevention Programs

Security provides website resources including [Tips for Personal Safety](#), [Tips on Preventing ID Theft](#), [Resources for Safety and Violence Prevention](#), and Institute policies regarding [social crimes](#). Security also provides the ongoing crime prevention programs listed below.

- **Bicycle Registration:** All members of the campus community are encouraged to [register their bicycles](#) with Caltech Security. Officers make periodic sweeps of the campus and remove bicycles that have been left unattended for long periods of time. If a bike is registered, they will contact the registered owner prior to its removal. Additionally, if a bicycle is stolen, they will have information on file that may assist in its recovery.
- **U-Lock Program:** U-Locks are available at no charge to any student who registers their bike with Caltech Security.
- **Security Escorts:** Security [provides escorts](#) for the campus community on request. An officer will accompany a Caltech community member to or from locations on or off campus. Security encourages all staff, faculty, students, visitors, and guests to make use of this service.
- **Lockouts:** In the event that a Caltech staff member, faculty member, or student is locked out of a Caltech facility, such as a room, office, or lab, [Security will assist them in gaining access](#) during non-business hours. The security officer will request the individual's Caltech identification and document the information prior to providing the requested assistance. If a staff member, faculty member, or student has requested access to a building that has electronic access, the officer will verify that the individual has card access to the building prior to admitting them.
- **Patrol:** Security provides [24-hour patrol service](#) to campus and off-campus facilities. Patrol is provided by a variety of methods including foot, electric cart, and motor vehicle. Additionally, officers are assigned to provide specific coverage to on-campus undergraduate housing and the Catalina Apartments complex.





Unlawful Harassment Training

Unlawful harassment training is offered to all supervisors, professorial faculty that includes unlawful harassment, Title IX, Clery Act, and VAWA components.

Unlawful harassment training is offered to all non-supervisory new hired employees and postdocs and includes components for unlawful harassment and Title IX.

Campus Safety Awareness Programs

Caltech Security oversees programs specifically designed to inform students and employees about campus safety and crime prevention. Programs for 2020 included the following:

Housing Training 2022

January-December 2022— Virtual and In-Person

(Schedules varied from twice a week, weekly, monthly, etc. throughout the Pandemic)

Housing Director continued to participate in COVID Briefings, Student Affairs Division Control Center meetings, ORE meetings and Deans and Directors meetings.

Housing Director participated in monthly Crisis Management Council meetings.

Housing Director participated in monthly Southern California Housing Directors meeting for COVID protocols.

Housing met internally for on-going COVID planning. (isolation protocols, etc.)

New employees attended any mandatory training for harassment, Title IX, etc.

Housing participated in meetings w/ORE and Catalina residents to discuss on-going security concerns and resolutions.

Housing directors met with SWS to discuss monkeypox outbreak and planning.

SAS Executive Director attended Earthquake Tabletop Exercise.

JPL Events

JPL Family Days—10/15/2022 & 10/16/2022

JPL employees bring their family and friends to the lab to show the exciting work being done at JPL. Typical attendance: 4,500

Explore JPL: JPL Open House— Cancelled due to COVID-19

Protective Services Division (PSD) developed an Operations Plan to protect people and safeguard the facility, and provide a timely, coordinated response to all emergency situations. Typical attendance: 25,000

JPL Foreign National Escort Training— Annual

All JPL employees who wish to escort Foreign Nationals on lab must complete, on an annual basis, the NASA Foreign National Escort Training Module via the NASA SATERN training webpage.

JPL Surviving a Violent Encounter— 9/19/2022

The training focused on options and techniques for how to survive an active shooter situation both at work and in public places. It explained how NOT to become a victim and how to increase one's odds dramatically in surviving a surprise violent confrontation with an active shooter.

JPL Executive Policy Committee Training— Cancelled due to COVID-19

Quarterly training on radiation, fire, earthquake, active shooter, and wildfire preparedness.

JPL Emergency Operations Training— 01/07/2022; 04/25/2022; 07/11/2022; and 10/20/2022

Quarterly training to test and maintain skills through tabletop exercises. All segments of JPL infrastructure are represented at the training.

ANONYMOUS REPORTING



Caltech encourages all members of the campus community – as well as those outside the community – to report campus-related crimes, even if they choose to do so anonymously. There are no restrictions as to who can make an anonymous report directly to Caltech Security or through one of Caltech’s hotlines. These hotlines offer an opportunity to report an issue to Caltech without identification of any kind. Each fall, the Institute sends a memo reminding the community of the hotline and the opportunity to come forward with a concern anonymously. Caltech addresses anonymous reporting in several policies including Sexual and Gender-Based Discrimination and Harassment and Sex- and Gender-Based Misconduct, Whistleblower, Nondiscrimination, and Equal Employment Opportunity and Unlawful Harassment policies as well as the Caltech Code of Conduct.

ANONYMOUS REPORTING OPTIONS



Campus Security:
(626) 395-5000



Campus Hotline:
(626) 395-8787 or
(888) 395-8787



JPL Protective Services:
(818) 393-3333



Submit a Complaint
[**HOTLINE CONTACT FORM**](#)

CONFIDENTIAL RESOURCES

Some members of the Caltech community may prefer to talk about crimes to a confidential resource on campus, such as a professional counselor. Professional counselors at Caltech play an important role in supporting the Caltech community. They provide confidential help and support by listening, offering options, and helping people decide what plan of action feels most comfortable. Professional counselors will not report crimes to the Institute.

Professional Counselors

Mental health professionals in Caltech's Student Counseling Center and Staff and Faculty Consultation Center provide mental health counseling and consultation services to the campus community.

They are specifically exempt under the Clery Act from disclosing reported offenses. This exemption is intended to protect the counselor-client relationship.

These professionals also are prohibited from breaking confidentiality unless there is an imminent threat of harm to self or others, or as otherwise permitted by law. When reported information involves suspected abuse or neglect of a minor under the age of 18, these professionals are required by state law to notify [Child Protective Services](#) and/or law enforcement.

When reported information involves suspected abuse or neglect of an elderly or disabled person, these professionals are required by state law to notify Adult Protective Services and/or law enforcement. Caltech counseling professionals have procedures to inform people how to report crimes on a voluntary confidential basis. The Institute does not have pastoral counselors.

CALTECH STUDENT COUNSELING SERVICES STUDENT WELLNESS SERVICES

1239 Arden Rd. | (626) 395-8331

wellness.caltech.edu

After hours: (626) 395-8331

Press "2" to be connected with a clinician.

If you are seeking support for a Title IX/sexual assault, let the clinician know and you will be connected to appropriate resources.

STAFF AND FACULTY CONSULTATION CENTER

315 S. Hill Avenue | (626) 395-8360

Both Caltech Student Counseling Services and the Staff and Faculty Consultation Center will share information with students and employees, respectively, about how they can make reports of their own anonymously or not – to Caltech and/or law enforcement. This information, along with Caltech's protocols on disclosure, is included in the annual CSA and Clery trainings, on the [Clery](#) and [Equity](#) websites, in publications, and in online and in-person training.

Other Confidential Campus Resources

The confidential resources listed here, while not professional counselors, also serve as confidential support for the Caltech community.

SEXUAL VIOLENCE RESOURCE

PILAR MONTENEGRO

Campus Sexual Violence Advocate

Center for Student Services (CSS) 168

(626) 395-4770

confidentialadvocate@caltech.edu

SECURITY OF AND ACCESS TO CAMPUS FACILITIES



Access

Caltech is an open campus. Security officers are authorized to stop and question a person if the security officer (1) has a reasonable suspicion that the person may have committed, may be involved in committing, or may be about to commit a crime; (2) believes that the person may be a hazard to themselves, others, or property; or (3) believes that the person should be interviewed to prevent a possible crime. Additionally, security officers provide information and assistance to all members of the Caltech community and its visitors and guests.

Academic buildings and on-campus undergraduate housing are controlled by electronic card keys. Access to undergraduate housing is controlled 24 hours a day. In addition, the Housing Office reviews student access to residential facilities on a monthly basis to identify students who should no longer have access to student housing and works with Security to remove campus housing access for those students. Students in Caltech-owned off-campus apartments use card access for laundry and recreation rooms only. Security patrols residential housing and has perimeter cameras on several campus housing facilities. There is an increased security presence at large house events.

Campus buildings are normally locked after 5 p.m. and are unlocked after 5 a.m. Monday through Friday, except for Institute holidays. Patrols of buildings after 5 p.m. ensure that Caltech Security is aware of activity in the building after hours.

Buildings remain locked 24 hours a day on weekends and holidays. However, upon request and subsequent approval from division administrators, the registrar's office, or a building scheduler, buildings, labs, and offices may be opened for meetings and classes. Students may be provided keys in order to use certain offices and labs.

Students, both undergraduate and graduate, living in on-campus or Caltech-owned off-campus housing are provided with either a combination lock or key lock for their residence. Students are responsible for keeping their individual rooms or apartments locked.

Patrols and Escorts

Security officers are assigned to patrol the campus 24 hours a day, seven days a week. Campus housing owned by Caltech is also patrolled on a regular basis, 24 hours a day, seven days a week by an assigned security officer.

When requested, Security provides escorts to members of the Caltech community, including those who live within a reasonable walking distance from the campus in both Caltech-owned and non-Caltech housing. The service is provided to and from the campus as well as to and from buildings and parking areas located on the campus.

All members of the campus community are requested to report incidents such as theft and suspicious activity or persons to Security. Students are urged to be responsible for their personal safety in student housing facilities and are advised to call Security at (626) 395-5000 and/or the Pasadena Police Department in an emergency situation.

Security Considerations in the Maintenance of Campus Facilities

Security regularly checks to make sure pathways are well lit. Maintenance issues (for example, a burned-out pathway light) are reported to the Facilities Maintenance Service Center for repair.

Security improvements over the past 18 months include the installation or upgrade of 13 facility proxy readers and 3 access panels to limit facility access to authorized Caltech users only. In addition, 27 CCTV video cameras, one keypad and one camera encoder were installed in various locations on campus.



EMERGENCY RESPONSE PROCEDURES

Caltech's robust emergency preparedness and response program includes the ongoing development of response and recovery plans, as well as the training and exercising of our emergency response teams, volunteers, and campus community members. Resources regarding emergency procedures and personal preparedness are provided to the campus community through various outreach events and are available [online](#) and via printed materials.

Community members can obtain information on emergency communications, specific incident response procedures, training opportunities, and personal preparedness resources by visiting www.emergencypreparedness.caltech.edu.

Emergency Notification Process and Assessment and Notification of a Threat

As set forth in Caltech's Emergency Notification policy and the Campus Emergency Management Plan, Caltech will immediately notify the campus community upon confirmation of a significant emergency or dangerous situation occurring on the campus that involves an immediate threat to the health or safety of students or employees.

Examples may include an active shooter, a gas leak, a terrorist incident, an earthquake, meningitis, extreme weather conditions, a credible bomb threat, civil unrest or rioting, an exposure, or a nearby chemical or hazardous materials spill.

Emergency notifications will always begin with the words "Caltech Alert." Caltech Alerts are sent using our mass notification provider, Everbridge. Alerts are sent using the following distribution methods: voice calls/messages to landline and mobile phones, emails, and text messages to mobile phones and through the Everbridge app. In order to receive Caltech Alerts, all members of the Caltech community should ensure that their emergency contact information is up to date in the personal information section of [AccessCaltech](#) and have downloaded the [Everbridge app](#).

Caltech Security will immediately respond to, investigate, and make an initial determination as to the level of threat, based on information gathered from relevant sources including, but not limited to: officers at the scene; Pasadena fire or police; other local, state, or federal agencies; and individuals inside and outside the Caltech community who provide information.

Confirming a Significant Emergency or Dangerous Situation

Caltech has the option to determine that only a segment of the campus community will receive a particular emergency notification. However, in most cases, including those in which a pre-scripted message is sent, Caltech sends the emergency notification to all individuals in the campus alert system. If only a segment of the campus community is notified, there will be a continuing assessment of the situation and additional segments of the campus community may be notified if the situation warrants such action.

The Chief of Security, Incident Commander, or designees will review the facts known to them at the time, including but not limited to the type and scope of the threat, the risk to health or safety, the date and time of day (e.g. whether students and/or employees are on campus), and other relevant information gathered, and will determine whether to notify all or a portion of the campus staff, faculty, and students.

Determining the Segment of Campus Community to Receive Alerts

Caltech has the option to determine that only a segment of the campus community will receive a particular emergency notification. However, in most cases, including those in which a pre-scripted message is sent, Caltech sends the emergency notification to all individuals in the campus alert system. If only a segment of the campus community is notified, there will be a continuing assessment of the situation and additional segments of the campus community may be notified if the situation warrants such action.

Pre-scripted messages sent by a security supervisor or security dispatcher will be sent to all individuals in the campus community. When other than pre-scripted messages are to be sent, the Chief of Security, Incident Commander, or designees will review the facts known to them at the time, including but not

limited to the type and scope of the threat, the risk to health or safety, the date and time of day (e.g. whether students and/or employees are on campus), and other relevant information gathered, and will determine whether to notify all or a portion of the campus staff, faculty, and students.

Determining Content of the Alert

The individuals set forth below will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing the notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The content of the notification will be determined after review of the facts known to them at the time, including but not limited to, the type and scope of the threat, the risk to health or safety, the date and time of day (e.g. whether students and/or employees are on campus), and other relevant information gathered. The notice will include the nature of the emergency and instructions to the community on appropriate actions.

Initiating the Emergency Notification (Caltech Alert) System

The individuals below are authorized to send emergency notifications without consultation or approval when a situation exists that threatens the life or safety of individuals on campus. Emergency notifications are called “Caltech Alerts.”

In addition to the use of pre-scripted messages, when appropriate, the following individuals are authorized to determine the content (as set forth below) and direct the issuance of a Caltech Alert without further approvals:

- Chief of Campus Security
- Commander, Campus Security
- Incident Commander
- Emergency Preparedness & Business Continuity Program Manager or Emergency Management Specialist
- President, Vice Presidents, and General Counsel

All Emergency Notifications will begin with the words “Caltech Alert” and will include the nature of the emergency and instructions to the community on appropriate actions.

Additional follow-up Caltech Alerts may be sent in consultation between the Chief of Security and the Incident Commander or other senior Institute officials. When possible, the Public Information Officer will also have an opportunity to review follow-up Caltech Alerts.

Once an emergency has been resolved, an “all-clear” communication will be issued and contain relevant information on the resolution of the emergency. An example of this would be “The armed intruder has been taken into custody by law enforcement. There were no injuries to members of the Caltech community.”

Dissemination Methods

Caltech alerts are sent using our mass notification provider, Everbridge. Alerts are sent using the following distribution methods: voice calls/messages to landline and mobile phones, emails, and text messages to mobile phones, and through the Everbridge app. In order to receive Caltech Alerts, all members of the Caltech community should ensure that their contact information is up to date in the personal information section of [Access.Caltech](#) and have [downloaded the Everbridge app](#).

Caltech has contracted with its mass notification provider, Everbridge, to provide the campus with an interactive emergency communications tool. The Everbridge app also gives users the ability to communicate via direct message and send photographs of suspicious persons/events directly to Caltech Security.

Addition methods of communication may include messages:

- posted on the [Caltech website](#), Caltech’s [Facebook page](#), and/or Caltech’s [Twitter feed](#);
- relayed through VHF radio or runners; and/or
- placed in hard-copy form in strategic locations on campus.
- via direct message which may include photographs of suspicious persons/ events directly to Caltech Security.

All members of the campus community are strongly encouraged to call Security at x5000 or (626) 395- 5000 to report any emergency or potentially dangerous situation. In the event of a Caltech emergency that could impact the surrounding community, Caltech’s Strategic Communications team will alert local agencies to relay relevant information.

These communications will be coordinated through Caltech’s Public Information Officer.

The Chief of Security or designee will promptly consult with other senior Institute officials regarding the significant emergency or dangerous situation and will determine what follow-up information, if any, to release; to whom it should be sent; the content of the notification; and which of the above distribution channels should be used.

Notifications Outside Campus Community

Information may be posted on the Caltech website, Facebook and/or Caltech’s Twitter feed; messages may be relayed through VHF radio or runners; and hard copy postings may be made in strategic locations on campus. These communications will be coordinated through the Public Information Officer.

EMERGENCY DRILLS, TESTING, AND EVACUATION PROCEDURES



Emergency Response Drills and Exercises

Caltech's Campus Emergency Management Plan is tested and evaluated through numerous exercises and drills designed for assessment and evaluation of emergency plans, procedures, and capabilities. Caltech follows established Institute procedures and schedules annual drills, publicizing the emergency response and evacuation procedures in conjunction with the test to educate the campus community. These exercises are broadly publicized and include the nature of the exercise and the date and time of the exercise.

In addition, information is provided to the community regarding access to emergency plans and evacuation procedures in conjunction with the test. Assessment and evaluation plans are part of each drill and exercise. Information on campus emergency preparedness, including annual reports, is available [online](#).

Caltech performs quarterly campus wide tests of its electronic notification system. Additionally, exercises are conducted on a regular basis to test the response and capabilities of the Emergency Operations Center (EOC) and associated campus critical operations.

One such drill is the annual statewide Great ShakeOut, which occurs in October. All members of the Caltech community—including students, faculty, and staff—are advised of the drill and encouraged to participate. This drill is broadly announced through the weekly Ion Caltech newsletter for the Caltech community, community-wide email messages, Everbridge alert system, and specific communications to building coordinators, floor wardens, and division operations officers. An After-Action Report (AAR) is developed after all drills.

Campus buildings are typically evacuated annually; student housing is evacuated several times a year. These drills are unannounced. Emergency response and evacuation procedures are posted throughout campus, in emergency response guides, and online at www.emergencypreparedness.caltech.edu. Evacuation drills for campus buildings occurred June 21-24. Student Housing evacuations occurred on March 22, June 21, and September 22.



Emergency Management Programs, 2022

In 2022, several specific emergency management educational programs took place to better prepare and train the Caltech responders and members of the campus community.

These events are highlighted in the Emergency Management [2022 Annual Report](#).

Exercises and training topics for our Emergency Operations Center and/or Response Teams included: building safety assessments, violence prevention, and earthquake.

Members of the Caltech community practiced earthquake preparedness, at home or on campus, by following the “Drop, Cover and Hold On!” procedure during the annual Great ShakeOut Earthquake Drill on October 20st.

VIOLENCE PREVENTION



1.0 Policy

It is the policy of Caltech to provide a safe and secure environment for all members of the Caltech community and to prohibit all forms of violence on its premises or in any of its programs or activities. Caltech promotes measures aimed at reducing incidents of violence and the management of situations that may lead to violence. All members of the Caltech community shall cooperate to maintain a safe environment and shall comply with this policy.

2.0 Scope

2.1 Prohibited Conduct

Caltech does not tolerate violence, threats of violence, child abuse, child neglect, or stalking on any Institute premises or in any Institute activity or program. All weapons are banned from Institute premises and at Institute activities and programs as set forth below.

2.2 Reporting Violence

Any individual who experiences or observes a threat or act of violence, or a weapon on Institute premises or at an Institute activity or program must immediately notify Campus Security or JPL Protective Services Division, or law enforcement. An individual at a non-campus or non-JPL location must immediately notify local law enforcement.

Campus Security

626-395-5000

JPL Protective Services Division

818-354-3530

If an individual becomes aware of behavior that they find concerning, the individual should notify one of the following individuals or offices:

Employee's Supervisor/Management

Campus Human Resources – EOD | 626-395-8039

Dean of Students | 626-395-6351

Dean of Graduate Studies | 626-395-6346

Provost's Office | 626-395-6320

Assistant Vice President for Equity and Equity Investigations, and Title IX Coordinator

626-395-3130

Campus Security | 626 395-5000

Caltech Hotline (anonymous)

626-395-8787 or 888-395-8787

JPL Human Resources | 818-354-4447

JPL Protective Services Division | 818-354-3530

JPL Workplace Violence Hotline | 818-393-2851

JPL Ethics Office | 818-354-6338

JPL Ethics Help Line (anonymous)
818-354-9999 or 866-405-7536

Caltech will handle all reports of violence in a confidential manner, with information released as determined to be appropriate by Caltech. Managers are required to immediately report any violation or suspected violation of this policy to Caltech Security, JPL Protective Services Division, Human Resources, the deans or the provost, whether the violation is observed on Institute premises or at any Institute activity or program. Caltech policy prohibits retaliation against any faculty, staff, postdoctoral scholar, student, or third party who, in good faith, reports a violation or suspected violation of this policy.

Caltech will not tolerate intentional false reporting of incidents. A good faith complaint that results in a finding of “no violation” is not considered a false report. However, when a complainant or third party is found to have fabricated allegations or to have given false information with malicious intent or in bad faith, they may be subject to disciplinary action.

2.3 Reporting Child Abuse or Child Neglect

Every member of the Caltech community who knows of or reasonably suspects child abuse or child neglect has a personal responsibility to report to Caltech Security or the JPL Protective Services Division immediately.

Certain members of the community—known as mandated reporters—have a legal responsibility to act. A mandated reporter is a Caltech employee who meets one of the following definitions: (a) holds a job recognized by the State of California as one that is legally required to report child abuse or neglect no matter where it occurs; or (b) engages in duties that bring them into contact with children on a regular basis or who supervises those whose duties bring them into contact with children on a regular basis, and thus are required to report child abuse or neglect occurring on Caltech premises or at an official activity of, or program conducted by, Caltech. All athletic coaches, including

assistant coaches and graduate assistants involved in coaching, are mandated reporters under part (a) of the definition above and must report child abuse or neglect no matter where it occurs. Certain other professionals at Caltech, such as medical and mental health professionals, are also mandated reporters under part (a).

Mandated reporters must report child abuse and neglect whenever, in their professional capacity or within the scope of their employment, they observe or reasonably suspect it. A mandated reporter should reasonably suspect child abuse or neglect whenever “it is objectively reasonable ... to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing, when appropriate, on their training and experience, to suspect child abuse or neglect.” (Penal Code § 11166(a)).

Mandated reporters have the additional responsibility to report immediately or as soon as practicably possible by telephone and to submit a written follow-up report within 36 hours of receiving information concerning the incident to the LA County Child Protection Hotline (800) 540-4000 (or from out of state (213) 639-4500) or to the Pasadena Police Department 911 (for emergencies) or (626) 744-4241 (for non-emergencies), or to another local police department.

A Suspected Child Abuse Report (SCAR) can be completed online (where the initial report was made to the LA County Child Protection Hotline) at mandreptla.org/cars.web. Mandated reporters will be provided the opportunity for training by Caltech and must sign an “Employee Acknowledgement of mandated reporter status.”

2.4 Definitions

Acts of violence include any physical action, whether intentional or reckless, that harms or threatens the safety of another individual at Caltech.

A threat of violence includes any behavior that by its very nature could be interpreted by a reasonable person as intent to cause physical harm to another individual.

Child means a person under the age of 18 years.

Child abuse includes physical injury inflicted on a child by another person, serious endangerment of a child’s physical or mental health due to injury by act or omission, sexual exploitation of a child (including sexual

intercourse between a child under 16 years of age and a person 21 years of age or older), lewd or lascivious acts, and child molestation; and unlawful corporal punishment.

Child neglect includes negligent treatment or maltreatment of a child under circumstances indicating harm or threatened harm to the child's health or welfare.

Stalking is a course of conduct directed at an individual that would cause a reasonable person to fear for his or safety or the safety of others, or suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with the person's property. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

Stalking that is sex or gender-based should be reported and will be handled pursuant to the Sex-and Gender-Based Misconduct policy and applicable procedures. Stalking that is not sex or gender-based is covered by this policy. Making an audio or video recording of an individual without their consent is prohibited and may constitute stalking under this policy or the Sex- and Gender-based Misconduct Policy.

Weapon is defined as a firearm, ammunition, BB or pellet gun, paintball gun, stun gun, compressed air gun, or any replica firearm, martial arts weapon, fireworks, explosives, dangerous or highly flammable chemicals, dirk, dagger, ice pick, or knife having a blade longer than 2 1/2 inches (except for a knife or ice pick used for food preparation or consumption or for a lawful use in or around a residence), razor with an unguarded blade, razor blade, or box cutter (except for a razor, razor blade or box cutter for lawful use in a residence), or any object when used in a manner or under a circumstance that potentially may or does result in an act of violence or threat of violence.

An object otherwise defined above as a weapon is excepted when used for a lawful purpose within the scope of the person's employment or academic activities when approved by Caltech.

2.5 Investigating Prohibited Conduct

Reports of conduct that may violate any aspect of this policy will be taken seriously, properly investigated, and dealt with accordingly. Individuals who are found to have violated this policy may be subject to disciplinary action up to and including termination of employment, student expulsion, or being permanently excluded from Caltech-controlled premises. Additionally, when such acts potentially violate state or federal laws, the matter may be referred to law enforcement agencies for investigation.

3.0 Resources

The Staff and Faculty Consultation Center and the Student Counseling Center at campus or Empathia/Life Matters at JPL may provide resources such as intervention, consultation, or referral for clinical evaluation or treatment, including arranging for counselors to work with at-risk individuals and victims and observers of an incident. In addition, training is available from Human Resources regarding violence prevention, public safety awareness, and child abuse. Contact information for these and other resources are:

Campus

Staff and Faculty Consultation Center
626-395-8360

Human Resources/EOD | 626-395-8039

JPL

Human Resources | 818-354-4447

Empathia/Life Matters | 800-367-7474

Related Policies and Procedures:

- [Unlawful Harassment and Abusive Conduct Policy](#)
- [Procedures for Complaints of Unlawful Discrimination, Harassment and Retaliation](#)
- [Sex- and Gender-Based Misconduct Policy](#)
- [Procedures for Complaints of Sexual Misconduct Under Title IX and the California Education Code](#)
- [Reporting Workplace Threats and Unauthorized Firearms or Weapons \(JPL\)](#)

SUBSTANCE ABUSE POLICY



1.0 Policy

Caltech is committed to providing a safe, healthy, and productive work and academic environment for all members of the Caltech community. Consistent with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989, it is Caltech's policy to maintain a work and academic environment free from drug and alcohol abuse. Faculty, staff, postdoctoral scholars, students, visitors, volunteers, and contractors performing work on Caltech's premises, including at the Jet Propulsion Laboratory ("JPL"), are required to comply with this policy.

2.0 Scope

2.1 Prohibited Conduct

The unlawful use, manufacture, distribution, cultivation, dispensation, possession, sale, purchase of, or offer to sell or purchase controlled substances or alcohol on the Caltech campus or its off-site locations, including JPL, or as any part of its activities, is prohibited. Controlled substances include, but are not limited to, amphetamines, cocaine, marijuana, opiates, phencyclidine (PCP) and their metabolites. **Despite recent changes to California law, marijuana still is a controlled substance under federal law, and therefore the use, manufacture, distribution, cultivation, dispensation, possession, sale, purchase of or offer to sell or purchase marijuana on the Caltech campus or its off-site locations,**

including JPL, or as any part of its activities, continues to be prohibited. The recreational use of nitrous oxide is also prohibited under this policy.

In addition, every employee is prohibited from being under the influence of controlled substances, alcohol, or any substance that may impair the employee's ability to perform their job duties safely or productively, or that may otherwise impair their senses, coordination, or judgment while on duty. Any employee reporting to work (or otherwise at work) under the influence of, or having present in their body, any prescribed drug, medication, or other substances that may adversely affect the employee's ability to work in a safe, productive, or efficient manner, must advise the Disability and Leave Unit. Caltech may require an employee to submit to drug and alcohol testing consistent with Caltech policy and applicable federal and state law. Testing procedures that apply to JPL employees are available on the JPL Human Resources website.

2.2 Requirements for Employees and Students

As a condition of continued enrollment, every student is required to comply with this policy. As a condition of employment, all Caltech employees (this includes faculty, staff, postdoctoral scholars, and student employees), regardless of their location, are required to comply with this policy. A Caltech employee who violates this policy will be subject to disciplinary action up to and including termination of employment. A

violation of this policy is likely to result in termination, even for a first offense. Similarly, all students, not just student employees, should understand that disciplinary action including involuntary leave or expulsion from Caltech may be invoked for violation of this policy and that intoxication is never an excuse for misconduct.

Caltech may contact a student's parents when a student under 21 violates this policy. If a student's behavior with respect to alcohol and drugs presents a danger to themselves or others, Caltech may inform the parents.

In addition, pursuant to federal law, a student's eligibility for federal financial aid may be suspended if the student is convicted, under federal or state law, of any offense involving the possession or sale of illegal drugs.

A faculty, staff, postdoctoral scholar, or student who is convicted (including a plea of *nolo contendere* [no contest]) of a criminal drug statute violation occurring in the workplace or on Caltech property must notify Caltech in writing within five (5) calendar days after the conviction. Campus employees should inform the assistant vice president of human resources, and students should inform their dean. JPL employees should inform the manager of employee relations.

2.3 Third Party Requirements

Persons who are not employees of Caltech but who perform work at Caltech for its benefit (such as contractors and their employees, temporary employees provided by agencies, volunteers, and visitors engaged in joint projects at Caltech, etc.), are required to comply with this policy. Violation of this policy is likely to result in being barred from the workplace even for a first offense.

3.0 Health Risks

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 the individual often does not realize they are losing control over the use of the substance and that they need help.

It is impossible to predict accurately how an individual will react to a specific drug or to alcohol because effects vary depending on the person, environmental variables, the dosage and potency of the substance, the method of taking the substance, the frequency of use, and whether the substance is taken in conjunction with other substances. Illegal drugs have particularly unpredictable effects due to variability in dosage and purity. Further, the overall potency of street drugs has increased dramatically over the past two decades, making users increasingly susceptible to negative effects.

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 to eventual death. Ingesting a large amount of alcohol at one time can lead to alcohol poisoning, coma, and death. Drugs such as LSD, amphetamines, marijuana, and alcohol alter emotion, cognition, perception, physiology, and behavior in a variety of ways. Health risks include but are not limited to depression, apathy, hallucinations, paranoia, and impaired judgment, and all substances have an adverse effect on pregnancy and the fetus. When two or more substances are combined, the effect is often stronger than their additive sum.

4.0 Local, State, and Federal Legal Sanctions

Local, state, and federal laws establish severe penalties for violations of drug and alcohol statutes. These sanctions, upon conviction, may range from a fine to life imprisonment. In the case of possession and distribution of illegal drugs, these sanctions could include the seizure and summary forfeiture of property, including vehicles. It is especially important to know that federal laws have established penalties for illegally distributing drugs to include life imprisonment and fines of up to \$10,000,000.

4.1 Examples

- Unlawful possession of a narcotic drug is punishable by imprisonment in the state prison.
- The purchase, possession, or consumption of any alcoholic beverages (including beer and wine) by any person under the age of 21 is prohibited.
- It is illegal to provide alcohol to a person under the age of 21.
- Serving alcohol to an intoxicated person is prohibited.
- Selling any alcoholic beverages, except under the authority of a California Alcoholic Beverage Control License, is prohibited.
- It is a felony to induce another person to take various drugs and “intoxicating agents” with the intent of enabling oneself or the drugged person to commit a felony. The person who induced the other may be regarded as a principal in any crime committed.
- Any person found in a public place to be under the influence of an intoxicating liquor or drug and unable to care for their own safety, or who is interfering with the use of a public way, is guilty of disorderly conduct, which is a misdemeanor.
- It is illegal for a person to possess nitrous oxide (e.g., whippets) with the intent to inhale it for purpose of altering their mood or mental functioning.

5.0 Resources for Staff, Faculty, Postdoctoral Scholars and Students

Caltech recognizes drug and alcohol abuse and dependency as treatable conditions and offers faculty, staff, postdoctoral scholars, and students support programs for individuals with substance use problems. Faculty, staff, and postdoctoral scholars are encouraged to seek assistance for drug- and alcohol-related problems through the Caltech Staff and Faculty Consultation Center (SFCC) at campus and the Employee Assistance Program (EAP) at JPL. Individuals can contact the SFCC by calling (626) 395-8360, and the EAP by calling (800) 367-7474.

Students are encouraged to seek assistance from the [Student Wellness Services \(SWS\)](#) at (626) 395-8331. In addition, faculty, staff, postdoctoral scholars, and students can seek confidential referral information through the Center for Inclusion & Diversity at (626) 395-3221.

The staff of the SFCC, the EAP, and the SWS will help employees and students to identify appropriate treatment resources and will refer them to counseling, treatment, or rehabilitation programs, as appropriate. Health insurance plans provide varying amounts of coverage for substance-abuse programs to address substance abuse and rehabilitation. Individuals may contact their health providers or the Caltech Human Resources Benefits office at campus at (626) 395-6443, or JPL at (818) 354-4447, for plan details. Information obtained regarding a faculty, staff, postdoctoral scholar, or student during voluntary participation in services at the SFCC, EAP, SWS, or any related program will be treated as strictly confidential, and no information, including whether or not an individual is receiving services, will be shared with third parties, except by written consent or as required by law.

6.0 Drug and Alcohol Awareness Program

Caltech has established and will maintain a drug and alcohol awareness program to educate faculty, staff, postdoctoral scholars, and students about:

1. Caltech's substance abuse policy;
2. the dangers of drugs and alcohol in a work and academic environment; faculty, staff, postdoctoral scholar, and student assistance programs; and
3. disciplinary action that may be imposed on faculty, staff, postdoctoral scholars, and students for violations of this policy.

Caltech will distribute to all faculty, staff, postdoctoral scholars, and students a copy of this policy on an annual basis.

7.0 Supervisor's Responsibilities

If an employee is suspected of violating this policy, the employee's supervisor should consult with the director of employee and organizational development (EOD) at campus or the Employee Relations Department of the Human Resources Directorate at JPL regarding appropriate actions, which may include an investigation and discipline up to and including termination of employment. If a supervisor believes an employee's behavior raises safety concerns for the employee or others, the supervisor must take immediate action, including calling EOD on campus or the Employee Relations Department of the Human Resources Directorate at JPL, to assess and address the situation and to remove the employee from the worksite if necessary.

8.0 Caltech Sanctions

Caltech will impose sanctions for violations of or failure to comply with the requirements of this policy. These sanctions will be consistently enforced, and penalties will depend on the severity of the offenses. Penalties may include employment termination, student expulsion, being permanently banned from Caltech premises, and referral to law enforcement for the most serious violations of the law and this policy (e.g., the manufacture or distribution of banned substances). Disciplinary action may be invoked entirely apart from any civil or criminal penalties that the faculty, staff, postdoctoral scholars, and students might incur.



STUDENT AND EMPLOYEE SUBSTANCE ABUSE POLICY



Caltech Student Programs

Our annual primary prevention program is Everfi's Alcohol Education and Sexual Assault Prevention program. This online educational program surveys incoming students and provides them with information on alcohol and other drug use, sexual misconduct prevention, expectations for policy compliance, and consequences of problem behavior. Incoming undergraduate students are then surveyed again in the fall after the start of the school year.

Trends and concerns are identified and suggestions are made for policy and educational changes, referral processes, and risk-reduction programming. This program has helped Caltech frame conversations with students on their behavior and the potential outcomes of their choices.

Ongoing student programs include informational presentations and student discussions within various residential environments. Informational presentations are utilized to provide evidence-based alcohol and other drug education, as well as to foster conversations about making healthy choices, bystander intervention, and how individual behaviors impact the larger community.

Discussion-based programs are offered by Student Counseling Services to all graduate and undergraduate communities. Various workshops and lunchtime trainings are offered to the campus community throughout the academic year.

Students may be referred for individual alcohol and other drug consultations, assessment, and treatment by the residential life coordinators, deans' offices, or other campus partners. Caltech's Counseling Services maintain several substance abuse resources online.

Caltech Employee Programs

For employees, the Staff and Faculty Consultation Center (SFCC) presents drug and alcohol education to new staff and postdocs on a monthly basis. The SFCC also presents programs to academic divisions and employee groups to distribute information on drug/ alcohol voluntary self-identification and encourage voluntary Employee Assistance Program (EAP) participation in case of abuse.

SEXUAL MISCONDUCT AND TITLE IX

Caltech prohibits all forms of unlawful harassment, discrimination, and sex-and gender-based misconduct including sexual assault, fondling, dating violence, domestic violence, sexual exploitation, and stalking. Caltech also prohibits retaliation against an individual who reports, submits a complaint, or otherwise participates in good faith in any matter related to [Caltech's Sex- and Gender- Based Misconduct policy](#).

Caltech Prohibits Sexual Assault, Dating Violence, Domestic Violence, and Stalking

Caltech's Sex- and Gender-Based Misconduct Policy and corresponding procedures set forth Caltech's policies and procedures for responding to reports of sexual misconduct including sexual assault, fondling, dating violence, domestic violence, sexual exploitation, and stalking. This policy provides comprehensive information on: prohibited conduct, the definition of consent, retaliation, privacy, preservation of evidence, resources, reporting options and procedures, notification to law enforcement, and requests for confidentiality or complaint resolution options.

The Institute is committed to providing supportive measures for both parties in the process.

Accommodations and protective or interim measures that may be taken include "mutual no contact orders" instituted by written notification to both parties and/or changes to housing, financial aid, transportation, and academic accommodations. The Equity and Title IX Office, together with Caltech Security, will assist complainants with restraining orders and assistance from law enforcement. State jurisdictional information is available in Appendix B.

The Institute will protect the privacy of complainants and respondents by not disclosing personally identifying information about them in publicly available records except as required or allowed by law as well as

by maintaining privacy regarding accommodations or supportive measures. Accommodations or supportive measures are available if the parties request them and if they are reasonably available. The Institute also provides written notification to parties regarding rights and options, counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other resources, both within the Institute and community.

The Title IX Coordinator and/or Deputy Title IX Coordinators will provide written notification to parties regarding options and assistance with academic, living, working, transportation, and supportive measures. The Institute provides the complainant with Caltech's Sex- and Gender-Based Misconduct Policy, which explains their rights and options following a report of sexual misconduct.

The Policy addresses the Institute's procedures for investigating formal complaints and other available options, as well as respondents' rights, including a respondent's right to receive notice of the alleged factual basis underlying the complaint and a summary of the evidence supporting the complaint. Further specifics of the procedures for investigating complaints of sexual misconduct are detailed in the Procedures for Complaints of Sex- and Gender-Based Misconduct Under Title IX.

The Institute has made concerted efforts to reduce the risk of sexual violence—including sexual assault, dating violence, domestic violence, and stalking—on campus by providing extensive training and offering discussion sessions with students, faculty, and employees exploring these concerns. A key area of focus for the Equity and Title IX Office is lab-based training for faculty, students, staff, and postdocs regarding policy scope, bystander intervention, lab communications, and resources.

The Equity and Title IX Office consistently conducts training throughout the campus with students, faculty, and employees remotely for most of 2021 with some in-person training in the academic year 2021-22.

Both Clery and California jurisdictional definitions of sexual assault, dating violence, violence, and stalking are included in Appendix B.

Available Support

The community is given clear and ongoing instruction about whom to contact regarding sexual violence. If someone wants to report a policy violation or needs support as the result of an experience with sexual misconduct, there are many resources available.

These include:

- A. Security for emergency response;**
- B. Campus Sexual Violence Advocate for crisis response, case management, and advocacy**
- C. the Title IX Coordinator and Security, and/or local law enforcement for reporting options;**
- D. confidential support from the Student Wellness Services Counseling Center or the Staff and Faculty Consultation Center; and**
- E. local medical personnel for health response and pregnancy and disease prevention.**

[Caltech's Sex- and Gender-Based Misconduct Policy](#) outlines the campus and community resources available to support a student or employee who has experienced sexual violence.

CARE

The campus has a multidisciplinary [CARE team](#), which may be brought together in the aftermath of a serious student incident, including sexual assault, in order to ensure that all resources and support are

available for all Caltech-affiliated parties. Resources include notification of academic, living and other interim measures that are available and determined to be reasonable for the safety and support of both parties. The CARE team will also advise Security if the team believes that a Timely Warning is necessary.

Resolution of Complaints

The procedures under Caltech's Sex- and Gender-Based Misconduct Policy—which include procedures for domestic violence, dating violence, stalking, and sexual assault—provide for a prompt, fair, and impartial process from the initial investigation to the final result.

The complainant and the respondent are provided the same opportunity to have an adviser of choice to support them in the proceedings, including the opportunity to be accompanied by their advisor to any related meeting or proceeding. Both parties are given equal opportunity to present their cases, to suggest others who might be interviewed, and to present other evidence. Comprehensive information on complainants' and respondents' rights, responsibilities, and options for support are all available in the Caltech Sex- and Gender-Based Misconduct Policy, which is included in this report.

The Institute will, upon written request, disclose to the alleged victim of a crime of violence or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the Institute 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 the victim shall be treated as the alleged victim.

Bystander Options

Caltech developed a bystander education and sexual assault prevention program for students that includes information to promote safety at events and healthy and safe interactions among students. Bystander intervention and sexual assault prevention training is conducted for all incoming undergraduate and graduate students at the Institute as well as for athletes, leaders, peer educators, and residential experience teams.

Curriculum includes empowering a bystander to distract someone in an unsafe situation, delegating the need to intervene to someone who can, because of position or relationship to the student, delaying an interaction so that the bystander has time to access one of the other

methods for preventing a problem, or using direct language to confront someone.

All trainings emphasize the importance of prevention as a mechanism for addressing sexual misconduct in the community. Helping students appreciate that they can reduce the possibility of sexual misconduct is key to this effort

Programs also offer students information on warning signs. Discussions about alcohol, sexual behaviors when alcohol is present, and how to manage a situation before something bad happens are critical to these programs.

Overview of Student Programs

Sexual misconduct awareness and prevention programs, bystander intervention programs, and risk reduction programs are presented to the community each year. Incoming students are trained on Caltech policies and procedures including the definitions of sexual misconduct, domestic violence, dating violence, stalking, sexual assault, and consent. They are also educated on how to file a Title IX complaint, the confidential and programmatic resources available at Caltech, and ongoing prevention and bystander intervention initiatives. These programs all have the goal of risk reduction and support for students. In addition, the Institute provides continuing education programs and campaigns.

“Responsible Employees” are identified, along with their roles as reporting resources for students. A Responsible Employee is an employee who has the authority to take action to redress sexual misconduct or provide supportive measures to students or, who has the duty to report incidents of sexual harassment to an appropriate school authority who has that authority.

Programs are mandatory for all new students to ensure that each person has a clear understanding of the Institute’s expectations. During these presentations, the definitions of each offense are reviewed and sanctions are discussed. Student groups, leaders, athletes, peer educators, residential life personnel, and resident associates are all exposed to ongoing education about the issues associated with harassment and misconduct.

Caltech also provides bystander intervention training in order to encourage students to intervene when there’s a risk of sexual violence against another person. Risk reduction is a key component of all programming at Caltech.

In addition, undergraduate students participate in a Title IX summit that addresses issues of harassment and sexual misconduct. At the summit, students identify issues and prepare a plan for programming in order to meet community needs and ensure that their peers are effectively educated and trained.

Overview of Staff and Faculty Programs

Caltech’s Title IX Coordinator works in conjunction with Human Resources and other campus organizations to provide ongoing awareness and prevention programs, bystander intervention programs, and risk reduction programming to current staff and faculty. Human Resources conducts Title IX training and covers Institute policies for incoming employees and new faculty through orientation.

In addition, Caltech requires that all supervisory personnel participate in a two-hour training every other year on sexual harassment. This is in addition to California law requirements for two-hour bi-annual trainings. These were offered online to the community. Responsible Employees are trained to assist students with reporting and resources in cases of sexual misconduct, sexual harassment, and/or discrimination. Title IX resource cards, which include information on how to talk with someone who wants to make a report, how to follow up, and what information to provide the reporting party, are distributed to Responsible Employees to provide reporting, counseling, and practical tips for helping students/employees.

The student, staff, postdoc, and faculty programs reinforce Caltech’s policy that sexual misconduct in any form, including sexual assault, dating violence, stalking, or domestic violence, will not be tolerated. They provide information on:

- the options for reporting sexual violence, including reporting to Caltech authorities or local law enforcement;
- what constitutes consent;
- safe and positive options that a bystander can take if they witness potential domestic violence, dating violence, sexual assault, or stalking; and
- how to recognize the risks and warning signs of potential violence.

The Equity and Title IX team and Student Affairs provide ongoing programs that heighten the community's awareness of the need to take action to prevent sexual violence on campus. These programs include presentations focused on sexual assault, dating violence, stalking, and domestic violence.

Sexual Misconduct Awareness Educational Programs

The Equity and Title IX Office is a high visibility, highly connected campus resource for students, faculty, and employees. The office develops and implements an annual calendar of formal training and communication messages to be disseminated across all campus communities on a planned and recurrent schedule, with the collaborative involvement of many campus partners. The programs listed below represent ongoing Title IX training and education efforts. Caltech training identifies that the Institute prohibits all forms of sexual misconduct including dating violence, domestic violence, sexual assault, and stalking, and provides definitions of these crimes.

Title IX Training

The Equity and Title IX Office provides highly visible, annual, and ongoing training for Caltech undergraduate and graduate student groups. Training includes information on Title IX and Clery policies, protocols, responsibilities, bystander education, reporting options, confidential resources, and other on- and off-campus resources for students and employees. Training includes how employees should respond if a crime is reported to them and rights and options available to them if they become a victim of crime. Student groups trained include incoming students (during orientation), upper-class counselors, international students, student councils, freshman advisers, student housing facilities, Residential Life Coordinators, SURF Ambassadors, and many student activity groups.

Students—Bystander Intervention Training

This training is focused on bystander intervention as a strategy for preventing sexual violence. Strategies addressed include: learning ways to prevent sexual violence, such as naming and stopping situations that could lead to sexual violence before it happens; stepping in during an incident; and speaking out against ideas and behaviors that support sexual violence.

Students—Title IX Trainings at Orientation

All incoming graduate and undergraduate students attend a required training on Caltech policies, definitions, protocols, reporting and resource information, possible sanctions, bystander education, and skill development regarding how to help a friend in need.

Students—Online Sexual Assault Prevention Training

Incoming graduate and undergraduate students, undergraduate students, and student-athletes review sexual assault Prevention Training which includes policies, bystander intervention, reporting information, and other resources regarding Title IX. Incoming Undergraduate students also receive alcohol use education.

Students—Peer Education

The Equity & Title IX Office has trained numerous Equity and Title IX Advocates to help their peers understand Title IX issues and options, and to serve as a resource in student houses.

Students—Take Back the Night

This program includes speakers, a vigil, and a speak-out, in which survivors of sexual assault tell their stories.

Students—Film Viewings

This program includes a variety of film presentations on Title IX issues. The film presentations provided added awareness of Title IX issues and sparked conversations among participants.

Students—Self-Care Events

The Campus Sexual Violence Advocate offered several self-care events for current and past traumatic situations and to promote self-care practices. One event was a Healing Art Night for students.

Students, Faculty, and Staff—Denim Day

This rape prevention campaign includes the wearing of denim in support of rape prevention and is organized by the Title IX office in conjunction with the Caltech Center for Inclusion and Diversity.

Students, Faculty, and Staff—Sexual Assault Awareness Month

This campaign includes various events focused on breaking the cycle of interpersonal violence, including a self-defense workshop, Art Night and other programs.

Students, Faculty, Postdocs and Staff—Safe Zone Trainings

The purpose of the Caltech Safe Zone Program (“Tech Zone”) is to continue to foster an affirming and engaging campus climate by identifying and educating members of our campus community who are visibly supportive of lesbian, gay, bisexual, transgender, intersex, queer, and questioning students, as well as all individuals regardless of sexual orientation and gender identity.

Faculty—Faculty Meetings

The Equity and Title IX office trained faculty members at the Faculty Board meeting and through division-specific faculty meetings to address Title IX issues, trends, Responsible Employee, and bystander training.

Staff—Title IX Training for Athletic Staff

This training is for Caltech coaches and athletic department employees and covers policies, Responsible Employee protocols, bystander education, and team training needs.

Staff—Coordinated Community Response Team

As part of the Cal OES grant, Caltech met quarterly with crisis response partners on-campus and in the community to understand needs and create effective response processes for crisis situations, particularly related to Title IX issues.

Staff—Title IX for Employee Groups

The Equity and Title IX Office provides highly visible, annual, and ongoing training for Caltech employee groups as requested. Training includes Title IX policies, protocols, responsibilities, bystander education, reporting options, confidential resources, and other on- and off-campus resources for students and employees.

Staff—Title IX Responsible Employee Training

The Equity and Title IX Office provides annual and ongoing training for Responsible Employees, particularly focusing on Title IX policies and procedures, protocols, reporting options, confidential resources, and other on- and off- campus resources for students and employees.

Staff—Mandated Reporter Training

These trainings are for personnel who work with minors at the Institute.

Staff—Professional Development

The Equity and Title IX Office and Deputy Title IX Coordinators participated in many professional development trainings for expanded skill development in new areas of Title IX including new regulations, trauma-informed practices, stalking, and current sexual violence issues with VALOR US.

Staff—Trauma-Informed Interviewing Training for Security Staff

This training is for Caltech security officers to provide awareness of trauma-informed interviewing techniques for survivors of traumatic situations.

Students, Faculty, and Staff—Lab-Based Trainings

Working collaboratively with labs on campus, the Equity and Title IX Office facilitates training regarding policy scope, bystander intervention, lab communication, scenarios, and resources. This training is particularly successful because faculty, staff, postdocs, and students are all in the training together to hear the same message.

CALTECH'S SEX- AND GENDER-BASED MISCONDUCT POLICY



SECTION 1: INTRODUCTION

1.0 Policy

All members of the Caltech community have the right to be treated, and the responsibility to treat others, with dignity and respect. These principles are fundamental to the educational and intellectual mission of Caltech. It is the policy of Caltech to provide a work and academic environment free of discrimination, harassment, sexual misconduct, and retaliation. Caltech will not tolerate such conduct and is committed to educating the community in ways to prevent its occurrence.

As defined in this policy, sex- and gender-based discrimination, sexual and gender-based harassment, and sexual misconduct, including sexual assault, sexual battery (i.e., nonconsensual sexual contact), dating and domestic violence, sexual exploitation, and stalking constitute prohibited conduct and violate this policy. Such conduct generally violates Title VII of the Civil Rights Act of 1964, as amended; Title IX of the Education Code; and/or California law.

All individuals are protected against prohibited conduct (defined below in Section III) regardless of gender. For the purposes of this policy, the term “gender” is broadly defined, encompassing sex, sexual orientation, gender identity, and gender expression. Prohibited conduct can be committed by individuals of any gender and can occur between or among individuals of the same gender

or different genders, strangers, or acquaintances as well as people involved in intimate or sexual relationships.

Caltech also prohibits retaliation against an individual who reports, submits a complaint, or otherwise participates in good faith in any matter related to this policy.

Caltech will take prompt and equitable action upon receiving a report of prohibited conduct to determine what occurred and will take steps to stop and remedy the effects of any such conduct and prevent its recurrence. Caltech provides all parties with appropriate due process and will take appropriate action, including disciplinary measures, when warranted, up to and including termination of employment or changes to student enrollment status, including expulsion.

Any reference in this policy to a Caltech administrator is understood to include not only that administrator but also their designee.

2.0 Scope

This policy applies to all current students, faculty, supervisory and nonsupervisory staff, postdoctoral scholars, volunteers, interns, vendors, independent contractors, persons performing services under contract with the Institute, visitors, and any other individuals who are regularly or temporarily employed, studying, living, visiting, or otherwise participating in

Caltech's educational programs or activities ("covered persons"). The requirement not to discriminate in Caltech's educational programs or activities also extends to admissions and employment. Inquiries about the application to Caltech of Title IX and its implementing regulations may be referred to the Title IX Coordinator.

This policy applies, when both parties are covered persons, to (a) prohibited conduct occurring on Institute-controlled property, at Institute-sponsored events, in Institute programs or activities, or Institute-owned or controlled residential facilities, regardless of location; (b) prohibited conduct occurring on property or at events controlled or sponsored by Institute-affiliated organizations including student organizations, regardless of location; (c) prohibited conduct occurring off campus, in any location or context, when the occurrence of such alleged conduct could contribute to a hostile educational environment or otherwise interfere with a student's access to education; or (d) prohibited conduct occurring outside of Caltech's educational programs or activities, whether they occurred on or off campus, if, based on the allegations, there is any reason to believe that the incident could contribute to a hostile educational environment or otherwise interfere with a student's access to education.

Organizations affiliated with the Institute or that use Caltech property or resources in connection with their activities also are prohibited from engaging in prohibited conduct.

This policy also applies at the Jet Propulsion Laboratory (JPL).

Members of the Caltech community are encouraged to promptly report prohibited conduct to Caltech or consult with a confidential resource (see Appendix: Support Resources), regardless of where the incident occurred or who committed it. Supervisory employees and other Responsible Employees are required to promptly report prohibited conduct. An individual who has experienced sexual misconduct is encouraged to immediately seek assistance from a medical provider and report the incident to local law enforcement, which the confidential Campus Sexual Violence Advocate can coordinate and facilitate. Reports to Caltech and law enforcement may be pursued simultaneously.

Even if Caltech does not have jurisdiction under this policy over the person accused of prohibited conduct, or the allegations reported, Caltech will take prompt

action, as warranted and appropriate, to provide for the safety and well-being of the individual reporting and the campus community, including taking reasonable steps to stop and remedy the effects of the prohibited conduct and to prevent recurrence of the behavior.

3.0 Retaliation

Retaliation against any member of the Caltech community at any point in time for making a good-faith report of prohibited conduct or participating or refusing to participate in any manner in an investigation, proceeding, or hearing conducted by Caltech, or a state or federal agency is strictly prohibited. Retaliation is defined as overt or covert acts of reprisal, interference, discrimination, intimidation, or harassment against an individual or group for exercising their rights under Title IX or other federal and state laws. Threats of retaliatory action also constitute retaliation. Retaliation violates this policy and is unlawful.

Retaliation does not include charging an individual with a code of conduct violation for making a materially false statement in bad faith during the course of an investigation, proceeding, or hearing related to this policy, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

The following are examples of conduct that may constitute retaliation:

- A faculty or staff supervisor suspects and assigns blame for an anonymous report to the Equity and Title IX Office and gives the suspected reporter undesirable work or lab assignments, or a lesser recommendation or salary increase than the suspected reporter merits based on their actual work.
- A faculty or staff supervisor refuses to continue to work with a student, subordinate, or colleague who has reported a concern about them to the Equity and Title IX Office.
- A student spreads false information around the House about a fellow student who has reported a concern about them or a friend to the Equity and Title IX Office.
- A student gets other students to engage in "blackballing" or socially ostracizing behavior against a student who was called as a witness in a Title IX investigation where the respondent was a friend of the student organizing the blackballing.

- A staff supervisor requires an employee who raised concerns with them about differential treatment between men and women on the team to track their weekly time on assignments, but no one else is required to track their time, and there is no prior employment history to support the necessity of tracking time.

Caltech will take steps to prevent retaliation and will take prompt and appropriate corrective action to stop and remedy its effects if retaliation occurs. Caltech will involve senior academic, administrative, and Student Affairs leadership, as required, to prevent and remedy retaliation. Individuals who violate Caltech's policy prohibiting retaliation may be subject to disciplinary action up to and including termination of employment, student expulsion or being permanently excluded from Caltech controlled-premises.

4.0 Preservation of Evidence of Prohibited Conduct

Prohibited conduct, as defined in this policy, may also be a crime. Individuals who have experienced sexual violence are urged to seek medical treatment as soon as possible. Sexual assault forensic exams (or rape kit tests) are available free of charge at multiple local medical centers (see the Appendix: Support Resources chart at the end of this policy) and facilitate both evidence preservation and any necessary medical treatment. Evidence preservation is important in case an individual would like to file a report with law enforcement, pursue civil litigation, or obtain a protective order. If an individual chooses to receive a forensic exam, they should avoid showering, bathing, douching, eating, drinking, washing their hands, or brushing their teeth until after the medical examination. Exams should be performed within 72 hours of the incident. Individuals should save all clothing worn at the time of the assault. Each item of clothing should be placed in a separate paper bag, not a plastic bag. Individuals who have experienced sexual violence are strongly encouraged to preserve all physical and electronic evidence.

Examples of physical evidence may include clothing, bedding, contraceptives, letters, and notes. Any such items relating to an incident of prohibited conduct should be preserved.

Electronic evidence relating to any type of incident of prohibited conduct, such as texts, emails, photos, and social media posts, should be preserved.

Once an individual reports a concern or receives notification of their involvement in a report or complaint under this policy, whether as a respondent or witness, they are required to preserve any physical or electronic evidence they have. An intentional failure to preserve such evidence may be grounds for disciplinary action.

5.0 Emergency Notifications and Timely Warnings

In the event of a dangerous situation on campus that has involved an immediate threat to the health or safety of students or employees, Caltech will issue an emergency notification consistent with its emergency notification procedures. In the event that Caltech believes that there is a serious or continuing threat to the campus community, Caltech will issue a timely warning consistent with its timely warning procedures. Emergency notifications and timely warnings do not disclose the name of the victim.

SECTION II: REPORTING CONCERNS AND COMPLAINTS

6.0 Reporting to Caltech

Any person may report prohibited conduct, whether or not the person reporting is the person alleged to be the victim of the alleged prohibited conduct. They may make their report in person, by mail, by telephone, by electronic mail, or by any other means that results in the Title IX Coordinator receiving their verbal or written report. They may also use the [Report Form](#) on the Equity and Title IX Office website, which can be submitted anonymously by not filling in the contact information. The Report Form is also available from the Equity and Title IX Office and at equity.caltech.edu. A member of the Caltech community who wishes to report prohibited conduct should do so as soon as possible after the incident, although reports may be made at any time.

Anyone who witnesses, experiences, or is otherwise aware of conduct that the individual believes to be in violation of this policy, including retaliation, is urged to contact Caltech immediately. Individuals are encouraged to report to the Title IX Coordinator or a deputy coordinator. Any employee in a supervisory role, including faculty, must promptly report all alleged sexual harassment, sex and gender-based misconduct, and retaliation, regardless of its alleged severity or

frequency, to the Title IX Coordinator at campus or Deputy Title IX Coordinator for JPL, who will provide guidance and advice. In addition, other employees qualifying as Responsible Employees under 6.2 below must promptly report any instance of prohibited conduct to the Title IX Coordinator or the Deputy Title IX Coordinator for JPL, as appropriate.

If a member of the Caltech community would like support and guidance in reporting prohibited conduct, they may contact the Title IX Coordinator or a deputy coordinator, one of the deans or associate deans, the director of employee and organizational development in Human Resources, or the JPL section manager of talent management or Human Resources Business Partners at JPL. They may also contact any of the EEO coordinators identified in the [Nondiscrimination and Equal Employment Opportunity Policy](#).

Caltech is committed to protecting the privacy of all individuals involved in a report of prohibited conduct. All administrators involved in responding to a report of prohibited conduct understand the importance of properly safeguarding private information. Caltech will make every effort to protect individuals' privacy interests consistent with Caltech's obligation to address reports made to Caltech.

A student who participates as a complainant or witness in an investigation of sexual assault, dating violence, domestic violence, or stalking will not be subject to disciplinary sanctions for a violation of Caltech's student conduct policies at or near the time of the incident, including but not limited to the Substance Abuse policy, unless Caltech determines that the violation was egregious, including but not limited to an action that places the health or safety of any other person at risk or involves conduct that violates Caltech's policies prohibiting discrimination or other serious misconduct like plagiarism, cheating, research misconduct, or other forms of academic dishonesty.

6.1 Title IX Coordinator

The Title IX Coordinator is responsible for coordinating Caltech's compliance with Title IX and for Caltech's overall response to prohibited conduct falling under Title IX. The Title IX Coordinator oversees the implementation and application of this policy and the related procedures to ensure the prompt and equitable resolution of complaints and the consistent treatment of the parties involved. In doing so, the Title IX Coordinator oversees

all Title IX-covered and other sex- and gender-based misconduct complaints, monitors outcomes, identifies and addresses any patterns of systemic problems that arise, and assesses effects on the campus climate.

The names and contact information for the Title IX Coordinator and Deputy Title IX Coordinators are provided in the Procedures for Complaints of Sexual Misconduct Under Title IX and the California Education Code.

6.2 Responsible Employees

If an individual discloses prohibited conduct to any Responsible Employee, or if a Responsible Employee through any person or means, whether directly or indirectly, becomes aware of prohibited conduct, as defined below in III: Prohibited Conduct, Sections 15.0 and 16.0, they must report to the Title IX Coordinator all relevant details about the alleged conduct.

A Responsible Employee is broadly defined to mean an employee who has the authority to take action to redress sexual harassment or provide supportive measures to students, or who has the duty to report sexual harassment to an appropriate school official who has that authority.

At Campus, the following are Responsible Employees:

- Title IX Coordinator, deputy coordinators for faculty, students, and staff, and associated staff in the Equity and Title IX Office
- All faculty members, teachers, instructors, and lecturers
- All deans and associate deans
- All Housing and Student Affairs directors and coordinators, including Residential Life Coordinators
- Resident Associates while performing the duties of employment
- Staff members with a supervisory or managerial role, whom Caltech has not designated as confidential resources
- Security officers
- All Athletics directors, coordinators, and coaches at all levels
- Employee Relations consultants
- Coaches of any student athletic or academic team or activity (e.g., employees who are club advisors, music coaches, etc.)

- Graduate student instructors, while performing the duties of employment
- Laboratory directors, coordinators, or principal investigators
- Internship or externship directors or coordinators
- Study-abroad program directors or coordinators

At Campus, the term Responsible Employee does not include the licensed therapists in the Staff and Faculty Consultation Center and the Student Wellness Counseling Services, the Campus Sexual Violence Advocate, and the staff in Caltech's Center for Diversity and Inclusion, who have been designated by Caltech as confidential resources. These individuals are not required to report prohibited conduct to the Title IX Coordinator unless required by law to do so. However, these individuals shall inform each person who provides the individual with information regarding sexual harassment of the person's ability to report to a Responsible Employee and direct the person to those specific reporting resources.

At JPL, the following are Responsible Employees:

- Deputy Title IX Coordinator for JPL and associated staff
- Supervisors and managers
- Employee Relations representatives
- Education Office staff
- Chief Scientist Office staff

At JPL, the term "Responsible Employee" does not include licensed therapists in JPL's Employee Assistance Program provided through Empathia.

In addition, under the [Unlawful Harassment and Abusive Conduct Policy](#), any employee in a supervisory role, including faculty, must promptly report all alleged harassment, discrimination, and retaliation, regardless of its alleged severity or frequency, to the Equity and Title IX Office at Campus or Human Resources at JPL, which will provide guidance and advice.

6.3 Anonymous Reporting

Caltech provides the following resources for anonymous reporting:

Campus Hotline

(626) 395-8787 or (888) 395-8787

JPL Ethics Hotline

(818) 354-9999

JPL Protective Services Division's Workplace Violence Hotline (818) 393-2851

For either Campus or JPL by submitting a compliance [Hotline Contact Form](#).

You may also use the [Report Form](#) on the Equity and Title IX Office website, which can be submitted anonymously by not filling in the contact information.

A report is considered anonymous if the reporting party does not share their name or contact information. If a reporting party chooses to provide their name or contact information they will receive information about support resources, reporting options, and notification of an investigation, if an investigation is pursued.

6.4 Notification of Law Enforcement

Individuals who have experienced sexual assault, stalking, sexual exploitation, or domestic relationship, or dating violence are encouraged to notify local law enforcement. Caltech will provide assistance in notifying law enforcement if the individual so chooses. If the complainant chooses to notify law enforcement, they may seek the assistance of the Equity and Title IX Office. The Equity and Title IX Office is available to facilitate the contact with law enforcement and the scheduling of a meeting, if the complainant chooses to make a report. An individual who has experienced sexual violence also has the right to decline to notify law enforcement or Caltech.

Caltech makes the following mandated reports of sexual misconduct to law enforcement: (a) incidents of sexual assault or sexual battery of a minor, as defined by California law; and (b) summary reports of incidents of sexual assault or sexual battery, under California Education Code Section 67383); however, Caltech will not report identifying information about the complainant without the complainant's consent after being notified of their right to have personally identifying information withheld. If the complainant does not consent to be identified, personally identifying information about the respondent also will not be provided.

Individuals may also engage with the confidential Campus Sexual Violence Advocate (see Appendix: On-Campus Mental Health and Emotional Support Resources), who can facilitate a report to law enforcement.

Pasadena Police Department

207 N. Garfield Ave. | Pasadena, CA 91101

Call 911 for Emergency Response

Non-Emergency Response:

(626) 744-4241

7.0 Reports Involving Minors

Every member of the Caltech community who knows of or reasonably suspects child abuse or neglect, including any prohibited conduct involving a minor, has a personal responsibility to report the suspected child abuse or neglect to [Caltech Security](#) or the [JPL Protective Services Division](#) immediately.

Caltech employees who are mandated reporters have additional, legally required reporting obligations, including reporting immediately to the LA County Office of Child Protection and/or the local police department. See [Mandated Reporter Guidelines](#) and the [Violence Prevention Policy](#) for more information.

8.0 False Reports

Caltech expects its members to act with honesty, sincerity, and good faith in reporting concerns under this policy. Caltech will not tolerate intentional false reporting of information, allegations, or evidence. A good faith complaint that is not substantiated by a preponderance of the evidence after an investigation is not considered a false report.

However, when a complainant or third party is found to have intentionally fabricated or knowingly misrepresented information, allegations, or evidence, or otherwise to have acted with an intent to deceive or mislead in any of their dealings relating to Caltech's administration of this policy, they may be subject to disciplinary action up to and including termination of employment, student expulsion, or being permanently excluded from Caltech-controlled premises.

9.0 Privacy

Caltech will maintain the privacy of all individuals involved in a report of prohibited conduct to the extent practicable. All Caltech employees who are involved in the Institute's receipt of the report and the response,

including the Title IX Coordinator, deputy coordinators, and investigators, receive training about respecting and safeguarding private information. Throughout the process, every effort is made to protect the privacy interests of all individuals involved in a manner consistent with the need for a thorough review and administration of the matter.

Privacy generally means that information related to a report of prohibited conduct will only be shared with those individuals who have a "need to know." The determination of who has a "need to know" is within the discretion of the Title IX Coordinator. These individuals are required to treat the information and respect the privacy of all individuals involved appropriately.

No meetings or conversations that take place under this policy, the Procedures for Complaints of Sexual Misconduct, or the Procedures for Complaints of Unlawful Discrimination, Harassment, and Retaliation may be audio- or visually recorded by anyone. The only exception to this rule is that the Equity and Title IX Office, in compliance with Title IX, will record the hearing conducted under the Title IX Complaint Procedures in order to provide a verbatim record of the hearing. These recordings will be maintained by the Equity and Title IX Office.

10.0 Requests for Confidentiality or that Complaint Not Be Pursued

With respect to allegations of prohibited conduct under this policy, the Title IX Coordinator and deputy coordinators make every effort to respect the concerns and goals of complainants, as well as their capacity to make independent choices regarding resolution options for addressing their complaints under this policy and the Procedures for Complaints of Sexual Misconduct Under Title IX and California Education Code.

In instances where a complainant requests that their name not be used, that Caltech not pursue any action against the respondent, including an investigation, or that no disciplinary action be taken, Caltech will seriously consider the request but weigh the request against Caltech's responsibilities, including under applicable laws, to take action to provide a safe, nonthreatening, and nondiscriminatory environment for all community members, including the complainant. The Title IX Coordinator will discuss with the

complainant the reasons for their requests and attempt to address the underlying concerns, such as taking steps to prevent retaliation.

Where the complainant remains committed to the requests mentioned above, and the prohibited conduct falls under Section 15.0 below, the Title IX Coordinator will weigh the request against factors that may lead the Title IX Coordinator to take action on behalf of Caltech, which may be contrary to the wishes of the complainant, including potentially disclosing the complainant's name and/or proceeding to an investigation, to protect the health and safety of the complainant and the Caltech community. The factors considered are within the discretion of the Title IX Coordinator and include, but are not limited to, the nature and seriousness of the alleged conduct, whether the allegations are contested, the involvement of multiple respondents, the existence of multiple or prior reports of misconduct against the respondent, whether there was a weapon, physical restraints, battery, or other violence involved, whether the use of alcohol or drugs to induce vulnerability to sexual activity without consent was allegedly involved, whether there is evidence of a pattern of conduct, the presence of other circumstances that suggest there is a significant risk that the respondent will commit further acts of prohibited conduct, the age of a complainant, whether the respondent is a faculty or staff member with oversight of students, whether there is a power imbalance between the complainant and respondent, whether the complainant believes that the complainant will be less safe if the complainant's name is disclosed or an investigation is conducted, and whether Caltech is able to conduct a thorough investigation and obtain relevant evidence in the absence of the complainant's cooperation. Where the complainant remains committed to the requests above, and the prohibited conduct does not fall under Section 15.0, but only under 16.0 and/or 17.0, the Title IX Coordinator may elect to pursue action on Caltech's behalf without considering these factors.

If Caltech determines that it can honor the student's request for confidentiality, it shall still take reasonable steps to respond to the complaint, consistent with the request, to limit the effects of the alleged prohibited conduct and prevent its recurrence without initiating formal action against the alleged respondent or revealing the identity of the complainant. These steps may include increased monitoring, supervision, or security at locations or activities where the alleged misconduct

occurred; providing additional training and education materials for students and employees; or conducting climate surveys regarding sexual violence. The Institute shall also take immediate steps to provide for the safety of the complainant while keeping the complainant's identity confidential as appropriate. These steps may include changing living arrangements or course schedules, assignments, or tests. The complainant shall be notified that the steps Caltech will take to respond to the complaint will be limited by the request for confidentiality.

If Caltech determines that it must disclose the complainant's identity to the respondent or proceed with an investigation, it shall inform the complainant prior to making this disclosure or initiating the investigation. The complainant is not required to participate in the ensuing process. Caltech shall also take immediate steps to provide for the safety of the complainant where appropriate. In the event the complainant requests that Caltech inform the respondent that the student asked Caltech not to investigate or seek discipline, Caltech shall honor this request.

If the complaint includes allegations that may constitute a possible crime, the Title IX Coordinator will notify the complainant of their right to file a criminal complaint or to choose not to notify law enforcement. As stated above in Section 6.4, Caltech does not report sex- and gender-based misconduct to law enforcement on a complainant's behalf, unless such a report is mandated by law (e.g., sexual assault of a person under 18). If the complainant chooses to notify law enforcement, they may seek the assistance of the Equity and Title IX Office to facilitate the contact with law enforcement and the scheduling of a meeting to make a report.

The Title IX Coordinator, depending on facts and circumstances, may also elect to file a formal complaint and initiate an investigation even if the complainant does not have the standing to do so.

Formal complaints may be filed even if a complainant elects not to notify law enforcement and/or pursue a criminal complaint.

All final determinations and decisions taken under this provision 10.0, except the complainant's decision to file a criminal complaint or to choose not to notify law enforcement, rest solely with the Title IX Coordinator.

11.0 Contacting Government Agencies

Employees, students, and others participating in Caltech's educational programs or activities may direct questions regarding Title IX to or file complaints with the U.S. Department of Education Office for Civil Rights, (415) 486-5555, ocr.sanfrancisco@ed.gov, or (800) 421-3481, OCR@ed.gov. In addition, employees may file complaints with the California Civil Rights Department at dfeh.ca.gov/contact-us or the United States Equal Employment Opportunity Commission (EEOC) at eeoc.gov. Complaints can also be directed to the Bureau for Private Postsecondary Education at bppe.ca.gov.

NASA-funded program participants may file a complaint at AssistedProgramComplaint@nasa.gov or find more information at missionstem.nasa.gov/filing-a-complaint.html. NSF-funded program participants may file a complaint with the Office of Diversity and Inclusion at programcomplaints@nsf.gov, (703) 292-8020, or find more information at nsf.gov/od/odi/harassment.jsp. Participants in programs funded by other federal agencies providing federal financial assistance to Caltech may file directly with those agencies.

Filing a complaint with a federal agency under Title IX must be done within 180 days of an alleged discriminatory or harassing event, and there is no requirement to exhaust remedies through (i.e., utilize or go through) Caltech's internal procedures before filing directly with a federal agency.

12.0 Clery Reporting

The federal Clery Act requires Caltech to issue an [Annual Security and Fire Safety Report](#), which includes crime statistics for sexual assault (rape, fondling, incest, and statutory rape), domestic violence, dating violence, and stalking. Campus Security gathers these crime statistics from the Equity and Title IX Office, security reports, Pasadena Police Department information, JPL, and reports by Campus Security authorities. Crime statistics do not disclose any identifying information about the complainant, respondent, witnesses, or others and do not disclose any details of the incident. For more information and statistics for the past three years, see the current [Annual Security and Fire Safety Report](#).

SECTION III: PROHIBITED CONDUCT

13.0 Scope

This section sets out what conduct is prohibited under this policy. For clarity, transparency, and administrative ease, this section delineates sexual harassment prohibited under the federal Title IX regulations (Section 15.0) and under the California Education Code (Section 16.0). All such misconduct is prohibited by Caltech. Additional misconduct prohibited by Caltech and other applicable law, including attempts and threats of prohibited conduct, is described in Section 17.0. Examples of specific types of Prohibited Conduct are provided in Section 18.0.

Reported behavior that does not constitute prohibited conduct under this policy but is nevertheless determined to be inappropriate pursuant to another applicable Caltech policy may subject the offending individual to disciplinary action.

The term "complainant" refers to the individual who allegedly is the subject of the prohibited conduct, and "respondent" refers to the individual who is alleged to have engaged in the prohibited conduct. The complainant and respondent may sometimes be referred to collectively as the "parties" in this document and the related Procedures for Complaints of Sexual Misconduct Under Title IX and the California Education Code.

The Title IX Coordinator will determine whether reported prohibited conduct is covered under the sexual harassment provisions of Title IX or constitutes other prohibited conduct as described under this policy and will apply the appropriate procedures. The Title IX Coordinator's determination will be communicated in writing to the parties. Allegations of Title IX-covered (Section 15.0) and California Education Code-covered (Section 16.0) prohibited conduct will be addressed under the Procedures for Complaints of Sexual Misconduct ("Procedures"). Where multiple allegations of prohibited conduct are at issue, and the Title IX Coordinator determines that only a portion falls within the scope of Sections 15.0 and 16.0, all of the allegations will be adjudicated under the Procedures

for Complaints of Sexual Misconduct. Allegations of prohibited conduct falling exclusively under Section 17.0 will be addressed under Caltech's Procedures for Complaints of Unlawful Discrimination, Harassment, and Retaliation.

14.0 Affirmative Consent

Consent is a key component of various definitions of prohibited conduct. Affirmative consent is the standard of consent in Caltech's policy. Affirmative consent is the affirmative, conscious, and voluntary agreement to engage in sexual activity.¹

- It is the responsibility of each person involved in the sexual activity to ensure that they have the affirmative consent of the other person(s) 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 each time sexual activity is engaged in, and it can be revoked at any time. Consent to one form of sexual activity is not, by itself, consent to other forms of sexual activity.
- The existence of a dating relationship between the persons involved, or the fact of any past sexual activity between them, should never by itself be assumed to be an indicator of consent.

It is not a valid excuse, including in the evaluation of complaints in any resolution process, in response to an alleged lack of affirmative consent that the respondent believed that the complainant consented to the sexual activity under either of the following circumstances:

- The respondent's belief in affirmative consent arose from the intoxication or recklessness of the respondent.
- The respondent did not take reasonable steps, in the circumstances known to the respondent at the time, to ascertain whether the complainant affirmatively consented.

It is not a valid excuse that the respondent believed that the complainant affirmatively consented to the sexual activity if the respondent knew or reasonably should have known that the complainant was unable to consent to the sexual activity under any of the following circumstances:

- The complainant was asleep or unconscious.
- The complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the complainant could not understand the fact, nature, or extent of the sexual activity.
- The complainant was unable to communicate due to a mental or physical condition.

A person who is incapacitated is not capable of giving effective consent to sexual activity. An incapacitated person lacks the physical and mental capacity to make informed, reasonable judgments about whether or not to engage in sexual activity. A person who is incapacitated may not be able to understand where they are, whom they are with, how they got there, or what is happening.

A person may be incapacitated by a temporary or permanent mental or physical condition, sleep, or unconsciousness. A person may also be incapacitated as a result of voluntary or involuntary (e.g., induced, forced) consumption of alcohol or drugs. Incapacitation is a state beyond mere intoxication or drunkenness. Just because someone is under the influence of alcohol or drugs does not necessarily mean that a person is incapacitated. Impairment must be significant enough to render a person unable to understand the fact, nature, or extent of the sexual activity. In evaluating affirmative consent in cases involving an allegation of incapacitation, Caltech considers the state and degree of intoxication of the reporting party and the knowledge of the respondent.

One's own intoxication, even to the point of incapacitation, does not relieve an individual from responsibility for a policy violation when they engage in sexual conduct without the affirmative consent of the other party or parties. However, a respondent who was incapacitated during sexual conduct has the right to file a formal complaint alleging they were incapacitated and unable to consent to the reported sexual activity.

15.0 Sexual Misconduct Covered under Title IX

Sexual harassment is covered under Title IX if it meets the definitions and scope requirements set out in this section.

NOTE: While Title IX prohibits discrimination on the basis of sex, sexual harassment is subject to specific procedures that do not apply to complaints of sex- and gender-based discrimination. Accordingly, sex- and gender-based discrimination is addressed separately below in Section 17.0 to ensure that the appropriate procedures are applied.

¹ A minor under the age of eighteen (18) is deemed to be incapable of providing affirmative consent under this policy.

15.1 Definition of Sexual Harassment under Title IX

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following: (1) an employee of Caltech conditioning the provision of an aid, benefit, or service of Caltech on an individual's participation in unwelcome sexual conduct; (2) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Caltech's education program or activity; or (3) sexual assault, dating violence, domestic violence, or stalking as defined below.

15.1.1 Sexual Assault

Sexual assault means an offense classified as a sex offense under the uniform crime reporting system of the Federal Bureau of Investigation, as follows:

Sex Offenses. Any sexual act directed against another person without the 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. This definition excludes statutory rape.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including in instances where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

For purposes of this policy, the term private body parts includes breast, genitals, groin, anus, or buttocks.

Caltech interprets fondling to include potentially, depending on the facts and circumstances, (a) the disrobing or exposure of another without their consent, and (b) the touching of another person's private body parts for the purpose of sexual gratification without consent through clothing, as well as directly.

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, which in California is 18.

15.1.2 Dating and Domestic Violence

Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with a complainant. The existence of such a relationship shall be determined based on the complainant's statement as well as 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. Dating Violence does not include acts covered under the definition of Domestic Violence.

Domestic violence means conduct, on the basis of sex, that constitutes a felony or misdemeanor crime of violence committed upon a victim who is (a) the offender's spouse

or former spouse, (b) the offender's cohabitant or former cohabitant; or (c) the offender's fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship; (d) the parent of the offender's child; or (e) any other victim who is protected under the domestic or family violence laws of the state where the domestic violence occurred.

15.1.3 Stalking

Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

"Course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with the person's property.

"Reasonable person" means a reasonable person under similar circumstances and with similar legally protected or other characteristics to the victim.

Stalking is also covered by the Violence Prevention policy and should be reported to the Equity and Title IX Office and Security at campus or the Protective Services Office at JPL.

Making an audio or video recording of an individual without their consent is prohibited and may constitute stalking under this policy or the Violence Prevention Policy.

15.2 Scope of Requirements for Title IX Sexual Harassment

Title IX addresses sexual harassment in an education program or activity of Caltech against a person in the United States.

At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in an education program or activity of Caltech. The term "attempting to participate" includes when a complainant has: (a) applied for admission; (b) graduated but intends to apply for a new program; (c) graduated but intends to participate in alumni programs and activities; (d) gone on leave but is still enrolled; (e) gone on leave but intends to re-apply after the leave; (f) withdrawn due to alleged sexual harassment and expresses a desire to re-enroll if Caltech responds appropriately to the allegations.

The term "education program or activity" includes buildings or other locations that are part of the school's operations, including remote learning platforms; (a) locations, events, or circumstances, even if off-campus, over which Caltech exercised substantial control over both the respondent and the context in which the alleged sexual harassment occurred; and (b) any building, even if off-campus, owned or controlled by a student organization that is officially recognized by Caltech.

15.3 Limitation on Claiming Consent as a Defense to Sexual Harassment

When a consensual personal relationship arises and a power differential exists, Caltech does not consider consent as a defense to a claim of sexual harassment. The individual in the relationship with greater power will be held responsible.

16.0 Sexual Misconduct Covered under the California Education Code

Prohibited conduct under this policy is covered under the California Education Code (CEC) if it meets any of the definitions of sexual assault, dating violence, domestic violence, and stalking under Section 15.0, and sexual harassment set out below in this section.

16.1 Definition of Sexual Harassment under the CEC

Sexual harassment means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:

1. Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress.
2. Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
3. The conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.

Verbal sexual harassment includes but is not limited to unwelcome epithets, comments, or slurs of a sexual nature.

Visual sexual harassment includes but is not limited to derogatory posters, cartoons, drawings, obscene gestures, or computer-generated images of a sexual nature.

Physical sexual harassment includes but is not limited to assault, impeding or blocking movement, or any other physical interference with work or academic activities or movement when directed against an individual on the basis of sex.

When an individual sexually harasses a student, the harassing conduct creates a hostile environment on campus for the purposes of this section if the conduct is sufficiently serious that it interferes with or limits a student's ability to participate in or benefit from the institution's programs or

activities. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment on campus, particularly if the harassment is physical. A single or isolated incident of sexual harassment, including sexual violence, may create a hostile environment on campus if the incident is sufficiently severe.

4. Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.
5. Sexual violence, which means physical sexual acts perpetrated against a person without the person's affirmative consent, including rape and sexual battery.
6. Rape, which is defined as penetration, no matter how slight, of the vagina or anus with any part or object, or oral copulation of a sex organ by another person, without the consent of the victim.
7. Sexual battery, which means the (a) intentional touching, directly or through clothing, of another person's intimate parts without consent, (b) intentionally causing a person to touch the intimate parts of another, directly or through clothing, without consent, or (c) using a person's own intimate part to intentionally touch another person's body, directly or through clothing, without consent.

Intimate body parts are the breast, genitals, groin, anus, or buttocks.
8. Sexual exploitation, which means a person taking sexual advantage of another person for the benefit of anyone other than that person without that person's consent, including, but not limited to, any of the following acts:
 - a. The prostituting of another person.
 - b. The trafficking of another person, defined as the inducement of a person to perform a commercial sex act, or labor or services, through force, fraud, or coercion.
 - c. The recording of images, including video or photograph, or audio of another person's sexual activity or intimate parts, without that person's consent.
 - d. The distribution of images, including video or photograph, or audio of another person's sexual activity or intimate parts, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to the disclosure.

The viewing of another person's sexual activity or intimate parts, in a place where that other person would have a reasonable expectation of privacy, without that person's consent, for the purpose of arousing or gratifying sexual desire.

16.2 Limitation on Claiming Consent as a Defense to Sexual Harassment

When a consensual personal relationship arises and a power differential exists, Caltech does not consider consent as a defense to a claim of sexual harassment. The individual in the relationship with greater power will be held responsible.

17.0 Additional Conduct Prohibited by Caltech

This section lists and describes additional misconduct prohibited by Caltech, and under applicable law, but that is not subject to the Procedures for Complaints of Sexual Misconduct. Complaints of such prohibited conduct will be addressed under the Procedures for Complaints of Unlawful Discrimination, Harassment, and Retaliation.

17.1 Prohibition on Sex- or Gender-Based Discrimination

Sex- and Gender-Based Discrimination constitutes prohibited conduct under this policy.

Sex discrimination under Title IX occurs when a person in the United States, on the basis of actual or perceived sex, is excluded from participation in, or is denied the benefits of, or is subjected to discrimination, under any Caltech education program or activity. The term “education program or activity” encompasses all of the operations of Caltech.

Sex- or gender-based discrimination also includes unfavorable treatment on the basis of sex, gender, gender identity, gender expression, and sexual orientation.

Gender expression means a person’s gender-related appearance and behavior, whether or not stereotypically associated with the person’s assigned sex at birth.

17.2 Prohibition on Sex- and Gender-Based Harassment

Sex-based and gender-based harassment is harassment based on an individual’s actual or perceived sex, gender, gender identity, or gender expression, including harassing or bullying conduct based on the individual’s gender expression, gender identity, transgender status, gender transition, or nonconformity with sex stereotypes.

17.3 Prohibition on Relationships between Employees and Undergraduates

This policy prohibits sexual or romantic relationships between an undergraduate student and a faculty member, postdoctoral scholar, or staff member. Any Responsible Employee who becomes aware of such a relationship is expected to report it immediately to the Title IX Coordinator. The non-undergraduate party in the relationship will be held responsible for prohibited conduct violating this policy, regardless of whether a complaint is filed.

17.4 Prohibition on Evaluative Responsibilities in Certain Circumstances

Even when relationships are consensual, care must be taken to eliminate the potential for harassment or other conflicts. Caltech practice, as well as more general ethical principles, prohibits individuals, including Teaching Assistants, from participating in evaluating the work or academic performance of those with whom they have romantic and/or sexual relationships, or from making hiring, salary, or similar decisions regarding those individuals. Upon learning about a consensual relationship involving such a power differential, the supervisor, dean, or division chair should immediately notify the Title IX Coordinator and, in consultation with the Title IX Coordinator, should review and remedy any direct administrative or academic relationship between the involved individuals. The individual with greater power may be subject to disciplinary action for a violation of this prohibition.

17.5 Prohibition on Inequitable Treatment Stemming from Consensual Relationships

Even when relationships are consensual, care must be taken to eliminate the potential for harassment or other conflicts. If a consensual relationship exists, it is not acceptable to treat the individual in the relationship more favorably than other similarly situated individuals in the context of employment or academic performance.

17.6 Prohibition on Uncompleted Attempts or Threats of Prohibited Conduct

To the extent that uncompleted attempts or threats of prohibited conduct are not covered in Sections 15.0 and 16.0 of this policy, they are covered in Section 17.0. Threats of prohibited conduct may also constitute retaliation under this policy.

17.7 General Caution about Maintaining Appropriate Professional Boundaries

All members of the Caltech community should maintain respectful and professional boundaries with one another. This is particularly important when Caltech employees, whether faculty, postdoctoral scholars, or staff, interact with their subordinates, or with graduate and undergraduate students, due to the power differential that exists between them.

While certain conduct may not constitute prohibited conduct, it can create situations where students or others feel uncomfortable but reluctant to voice that sentiment. Depending on the circumstances, such situations may include hosting students at private homes, sharing lodging on academic-related trips (e.g., conferences, field trips), wearing swimsuits (e.g., marine research outing), and any interaction where alcohol is consumed (e.g., dinners at conferences, field trips, holiday parties).

Caltech encourages employees and other community members to think carefully about maintaining appropriate professional boundaries at all times, to state their boundaries as appropriate, and to consider seeking guidance from the Title IX Coordinator.

18.0 Examples of Prohibited Conduct

The following illustrative examples are provided to help prevent inappropriate behavior and are not evidence that similar allegations would automatically constitute that particular type of prohibited conduct. The examples below may constitute prohibited conduct, depending on the specific facts and circumstances.

18.1 Sex- or Gender-Based Discrimination

- Denying an employee a promotion because they are openly gay and some of the team who would be reporting to them strike you as somewhat conservative and you worry that the employee might not feel comfortable supervising them
- Rejecting a student from House membership because some students feel uncomfortable with the student's openness about their recent gender transition
- Rejecting a faculty candidate after a hiring team member opined that the candidate's voice and mannerisms are too high-pitched and animated to be perceived as sufficiently professional and authoritative to run a lab effectively

- Telling a masculine-presenting nonbinary individual that they cannot wear makeup or wear feminine clothing in the workplace

18.2 Sexual and Sex- or Gender-Based Harassment

- Sending unwanted sexually-oriented jokes to a student or work group email list or other group communication mediums (e.g., Slack, Teams)
- Displaying explicit sexual pictures in common areas of Institute housing or on a work computer station where others can view it
- Making or using derogatory comments, epithets, slurs, or jokes of a gender-based or sexual nature
- Ostracizing individuals from group activities because of their sex, gender or gender identity, gender expression, or sexual orientation, or because they objected to harassing behavior
- Threatening to "out" someone's deadname or sexual orientation
- Making unwelcome graphic comments about an individual's body, using sexually degrading words to describe an individual
- Engaging in unwanted suggestive or obscene communications
- Engaging in unwelcome touching, fondling, or groping of a sexual nature
- Making unwanted sexual advances
- Promising a benefit to someone in exchange for engaging in sexual activity
- Exposing one's genitals to another without consent

18.3 Stalking

- Repeated unwanted communication, including face-to-face contact, telephone calls, voice messages, emails, text messages, postings on social networking sites, written letters, or gifts
- Posting picture(s) or information of a sexual nature on social networking sites or other websites
- Gathering information about the person through the use of public records, online searches, going through the garbage, or contacting the person's family, friends, or co-workers
- Posting private pictures or videos on school bulletin boards or internet sites, including on social media sites
- Installing spyware on another person's personal devices, including phones or computers

- Surveillance or other types of observation, including staring or peeping
- Pursuing, following, or showing up uninvited at or near places like classrooms, residence, workplace, or other places frequented by the person
- Directly or indirectly making threats to the person
- Inducing friends, family members, or other persons to engage in any of the above conduct
- Inducing friends, family members, or other persons to track and report on the person's whereabouts and activities

19.0 Informational Resources

Information on prohibited conduct, as well as copies of Caltech's Sex- and Gender-Based Misconduct; Nondiscrimination and Equal Employment Opportunity; Unlawful Harassment; and Violence Prevention policies are available from the following resources:

AT CAMPUS: Caltech's Title IX Coordinator and deputy Title IX Coordinators, Caltech's EO Coordinators, Human Resources, Student Affairs, the Deans' Offices, the Caltech Center for Inclusion and Diversity, Resident Associates, the Staff and Faculty Consultation Center, and Employee and Organizational Development.

AT JPL: JPL's deputy Title IX Coordinator, EO Coordinator, and Human Resources Business Partners.

The policies are published in the [Caltech Catalog](#) and on the following Caltech and JPL websites: [JPL Human Resources](#), [Equity and Title IX Office](#), and [Student Affairs](#).

Related Policies and Procedures:

- [Procedures for Complaints of Sexual Misconduct Under Title IX and the California Education Code](#)
- [Nondiscrimination and Equal Employment Opportunity Policy](#)
- [Unlawful Harassment and Abusive Conduct Policy](#)
- [Procedures for Complaints of Unlawful Discrimination, Harassment and Retaliation](#)
- [Violence Prevention Policy](#)

Policy Resources

RESOURCE	CONTACT INFORMATION	TYPE OF RESOURCE	CONFIDENTIAL
SAFETY RESOURCES			
Campus Security	(626) 395-5000 24/7	Safety situations, contact mental health and/or law enforcement resources, and provide transportation vouchers to off-campus resources. Security can contact the caller's choice of a confidential or other resource.	No
Pasadena Police Department	911 (626) 744-4241 24/7	Local law enforcement.	No
JPL Protective Services Division	(818) 393-3333 (818) 354-3333 24/7	Safety situations, contact mental health and/or law enforcement resources and arrange for transportation to off-campus resources. Security can contact the caller's choice of a confidential or other resource.	No
ON-CAMPUS MENTAL HEALTH AND EMOTIONAL SUPPORT RESOURCES			
Campus Sexual Violence Advocate: PILAR MONTENEGRO	(626) 395-4770 M-F 9-6	Sexual violence support resource for crisis response, case management, and advocacy.	Yes
Student Wellness, Counseling Services	After-hours crisis support available 24/7: (626) 395-8331, press "2" when prompted, please stay on the line M-F 8-5, after hours	Individual psychotherapy and counseling, consultation, referrals, psychiatric evaluation and medication, and crisis intervention for students.	Yes
Staff and Faculty Consultation Center	(626) 395-8360 M-F 8-5	Professional counseling services for staff, faculty, and postdocs.	Yes
Caltech Center for Inclusion and Diversity	(626) 395-8108 M-F 9-6	Support resource for students; not required to report complaints to Equity and Title IX Office.	No
Empathia/Life Matters for JPL employees	(800) 367-7474 24/7	Mental health resource and can contact mylifematters.com (password: JPL).	Yes

OFF-CAMPUS MENTAL HEALTH AND EMOTIONAL SUPPORT RESOURCES

<p>Peace Over Violence</p>	<p>892 N. Fair Oaks Avenue, Suite D Pasadena, CA 91103 (626) 584-6191 M-F 9-5:30, after hours (626) 793-3385 (24-hour line)</p>	<p>24-hour emergency services offer victims of sexual assault, domestic violence, and stalking emotional support, information, and compassion, as well as accompaniment, referral, and advocacy services.</p>	<p>Yes</p>
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MEDICAL RESOURCES

Note that medical providers (but generally not psychological counselors) must notify the police regarding assaultive or abusive conduct, including sexual assault.

<p>Caltech Student Wellness Services</p>	<p>After-hours crisis support available 24/7: (626) 395-8331 press “2” when prompted, please stay on the line M-F 8-5, after hours</p>	<p>Medical consultation, lab and radiology services, pharmacy, women’s health and sexual health services.</p>	<p>Yes</p>
<p>Huntington Health (formerly Huntington Memorial Hospital)</p>	<p>100 W. California Blvd., Pasadena, CA 91105 (626) 397-5112 24/7</p>	<p>Emergency and trauma services. Social workers available to provide counseling as needed.</p>	<p>Yes</p>
<p>The Rape Treatment Center at Santa Monica-UCLA Medical Center</p>	<p>(424) 259-7208 www.uclahealth.org/rtc 24/7</p>	<p>24-hour emergency medical treatment for victims of sexual assault, including forensic services (“rape kit”).</p> <p>We strongly and preferentially recommend this resource over any other Sexual Assault Response Team (SART).</p> <p>If you contact Security Dispatch in the Holliston Parking Lot, at (626) 395-5000, 24/7, they will provide you with travel vouchers to cover the trip by Uber.</p>	<p>Yes</p>
<p>San Gabriel Valley Medical Center Sexual Assault Response Team (SART)</p>	<p>438 W. Las Tunas Dr. San Gabriel, CA 91776 (626) 289-5454 (SART) Hotline: (877) 209-3049 24/7</p>	<p>24-hour medical care, emotional support, and comprehensive exams including forensic evidence collection (the “rape kit”).</p> <p>Immediate connection to on-call nurse for sexual assault services.</p>	<p>Yes</p>
<p>Planned Parenthood Pasadena and San Gabriel Valley</p>	<p>1045 N. Lake Ave Pasadena, CA 91104 (626) 798-0706 M: 8:30-4:30, T: 7:00-3:30, W/TH: 11-7, F: 8:30-4:30, S: 8-4</p>	<p>Health clinic for emergency contraception, pregnancy resources, health and wellness, birth control, and family planning.</p>	<p>Yes</p>

NATIONAL HOTLINES

<p>National Suicide Prevention Lifeline</p>	<p>988 or (800) 273-8255 <hr/>24/7</p>	<p>Provides free and confidential emotional support to people in suicidal crisis or emotional distress 24 hours a day, 7 days a week, across the United States. The Lifeline is comprised of a national network of over 170 local crisis centers, combining custom local care and resources with national standards and best practices.</p>	<p>Yes</p>
<p>National Sexual Assault Hotline-RAINN (Rape Abuse and Incest National Network)</p>	<p>(800) 656-4673 <hr/>24/7</p>	<p>RAINN created and operates the National Sexual Assault Hotline, accessible 24/7. The organization works closely with more than 1,000 local sexual assault service providers to offer confidential support services to survivors, regardless of where they are in their recovery.</p>	<p>Yes</p>
<p>National Domestic Violence Hotline</p>	<p>(800) 799-7233 <hr/>24/7</p>	<p>Operates 24/7, confidential and free of cost, and provides lifesaving tools and immediate support to enable victims to find safety and live lives free of abuse. Callers can expect highly trained, experienced advocates to offer compassionate support, crisis intervention information, educational services, and referral services in more than 200 languages.</p>	<p>Yes</p>

PROCEDURES FOR COMPLAINTS OF SEXUAL MISCONDUCT UNDER TITLE IX AND THE CALIFORNIA EDUCATION CODE



I. Introduction and Scope

Caltech's Sex and Gender-based Misconduct Policy reflects Caltech's commitment to support and encourage individuals who have been subjected to prohibited conduct to come forward. Caltech takes all allegations of prohibited conduct seriously and responds appropriately.

Caltech will take prompt and appropriate action to address all reports of prohibited conduct in a fair and impartial manner. Complainants, respondents, and all other participants in the process will be treated with dignity, care, and respect.

Caltech's policy and these procedures are intended to ensure that individuals accused of engaging in prohibited conduct are not prejudged; that they have notice and a full and fair opportunity to respond to allegations before findings and conclusions are reached; and that decisions are based on the evidence gathered in a process that is fair to both complainants and respondents when an investigation is conducted. Caltech will conduct a fair, impartial, timely, and thorough investigation that provides all parties with appropriate due process.

Consistent with Section 6.0 of the Sex- and Gender-Based Misconduct Policy, Caltech encourages students and other members of its community who are not designated Responsible Employees to report to the Title IX Coordinator sexual harassment and other misconduct by third parties (i.e., report situations on behalf of others).

The contact information for the Title IX Coordinator and Deputy Coordinators and methods of reporting are fully provided in Section 6.0 of the policy. Reporting options include contacting the Title IX Coordinator by email (equity@caltech.edu), telephone (626-395-3132), in-person visit (Center for Student Services, 414 S. Holliston Avenue, Suite 205), and the [online report form](#) which can be submitted anonymously. Caltech will respond to any such reports to address or prevent a hostile educational environment or to ensure a student's access to education.

Notice of the Sex-and Gender-Based Misconduct Policy and these Sexual Misconduct Procedures, which include information on where and how reports and complaints may be filed, is provided to all Caltech students on the [Equity and Title IX Office website on the Resources page](#) as well as by email at the start of the academic year.

These procedures are to be applied, when both parties are covered persons, to address allegations of prohibited conduct that (a) fall within the scope, as set out in Section I, 2.0, of the Sex- and Gender-Based Misconduct Policy, and (b) fall within the definitions of sexual harassment, as defined by Title IX and the California Education Code and set out in Sections 15.0 or 16.0, respectively, of the Caltech Sex- and Gender-Based Misconduct Policy (policy). All other prohibited conduct under the policy is addressed under the Procedures for Unlawful Discrimination, Harassment, and Retaliation. The Title IX Coordinator determines whether these procedures apply.

Throughout these procedures, any reference to a Caltech or JPL administrator is understood to include not only that administrator but also their designee.

Information, including statistics, concerning the prevalence of sexual harassment and sexual violence in the educational setting and the differing rates at which students experience such misconduct based on race, gender, gender identity, sexual orientation, and disability can be found on [Caltech's Equity and Title IX Office website, on the Resources/Policies page](#), under Reports. See Association for American Universities Campus Climate Survey 2019 and the National Academies of Science Engineering and Medicine 2018 Report on Sexual Harassment of Women. [AAU survey](#) data is also provided on Caltech's Institutional Research Office website.

II. Retaliation

Retaliation against any member of the Caltech community at any point in time for making a good-faith report of prohibited conduct or participating or refusing to participate in any manner in an investigation, proceeding, or hearing conducted by Caltech or a state or federal agency, is strictly prohibited. Retaliation is defined as overt or covert acts of reprisal, interference, discrimination, intimidation, or harassment against an individual or group for exercising their rights under Title IX or other federal and state laws. Threats of retaliatory action also constitute retaliation. Retaliation violates this policy and is unlawful.

Caltech will maintain the confidentiality of persons involved in reports and complaints of prohibited conduct, except as required or allowed under the Sex- and Gender-Based Misconduct Policy, these procedures, the Unlawful Harassment Policy and related procedures, or federal or state law.

The following actions do not constitute retaliation: the exercise of rights protected under applicable law or charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a resolution process. However, a determination that a respondent was or was not responsible for alleged prohibited conduct, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Allegations of retaliation that are alleged at the time of a formal complaint of sexual harassment, as defined in policy Sections 15.0 and 16.0, will be addressed as part of that complaint. Complaints of retaliation that are not alleged at the time of a sexual harassment complaint will be addressed under the Procedures for Complaints of Unlawful Discrimination, Harassment, and Retaliation. The Title IX Coordinator will have the ultimate discretion over which procedures apply to a claim of retaliation.

III. Adviser of Support Person

The complainant and respondent may have an adviser or support person (hereinafter, collectively, "adviser") of their choice (other than a witness or their direct supervisor or other member of their line management), including a victim advocate or an attorney, accompany and generally support them at any virtual or live meetings or phone calls at any point in the procedures discussed below. However, Caltech resolution processes, including the investigation process, are not legal proceedings and the adviser may not speak or submit written statements on behalf of the individual they are advising, other than at the hearing as described below in Section XIII(D)(8). Caltech will not be responsible for communicating information to advisers, or scheduling meetings around advisers' availability, except to the extent required to comply with Section XIII(D)(8) of these procedures. Advisers are required to sign and abide by Caltech's Adviser Policy setting forth the parameters of their role.

The role of the adviser is to (a) provide general support to a party participating in any step of the processes outlined below, (b) encourage the party whom the adviser supports to communicate for themselves, and (c) respect the process and procedures. All communications, whether oral or written, will be between the Equity and Title IX Office staff member(s), investigator(s), or other appropriate participating administrator(s), or their designees, ("Title IX process administrators"), and the party only. The adviser may not speak during any meeting, including on behalf of the party whom they support, ask questions of the administrator(s) or of the party whom they support, or otherwise interfere with or disrupt the meeting, conversation, or procedure. Nor may an adviser communicate on behalf of the party in emails or other correspondence with the Equity and Title IX Office. However, during meetings, the adviser may provide written notes or instructions to the party whom they support.

All parties have the right to consult with an attorney at their own expense, at any procedural step set forth below, if they wish to do so. An attorney may serve, but is not required to serve, as an adviser.

Caltech is not required to identify or provide advisers to parties, except as provided below in Section XIII(D)(8).

IV. Timelines

These procedures set out reasonably prompt time frames for major procedural stages.

The Title IX Coordinator, at their own discretion or upon the request of a party or witness, may extend a time frame for good cause, providing prompt written notice to the parties of any delays or extensions and the reasons therefor.

Good cause may include but is not limited to the absence of a party, a party's adviser, or a witness; concurrent law enforcement activity; the need for language assistance or accommodation of disabilities; the breadth and scope of the allegations, e.g., in terms of content and date, the number of potential witnesses, and the amount of available, relevant documentary evidence; the need to conduct a thorough, fair, and accurate investigation; and office closures.

Parties must communicate requests for extensions to the Title IX Coordinator before deadlines have passed, to the extent practicable.

Where an individual asks for adjustments to timelines based on an accommodation of a medical condition or disability, they will be required to follow the applicable Institute disability accommodation process in requesting an accommodation, as described in the Institute Disability and Reasonable Accommodation Policy or appropriate student accessibility services process. Requests for extensions may be denied where individuals fail to meet deadlines established during the accommodations process.

The Title IX Coordinator shall not unreasonably deny a party's request for an extension of a deadline related to a complaint during periods of examinations or school closures.

V. Initial Title IX Assessment

Within 14 days of receiving a report of prohibited conduct, Caltech's Title IX Coordinator will make an initial assessment of the report to determine the following:

- 1. a reasonable assessment of any safety concerns posed to any member of the Caltech community or Caltech's campus;**
- 2. whether the allegations on their face present a potential violation of the Sex- and Gender-Based Misconduct Policy, and if so, whether they are covered under these procedures or under Caltech's Unlawful Discrimination, Harassment, and Retaliation procedures; or, if not, whether they should be addressed under a different Caltech policy and process;**
- 3. whether and what supportive measures are warranted; and**
- 4. whether emergency removal is warranted..**

The Title IX Coordinator or their designee will promptly reach out (in writing, to the extent appropriate) to each identifiable complainant or alleged victim of the report to inform them, as appropriate, of the receipt of the report, discuss the availability of supportive measures, consider their wishes with respect to supportive measures, inform them that supportive measures are available with or without the filing of a formal complaint, and explain to them the process for filing a formal complaint and the importance of preserving evidence and identifying witnesses and their locations. The Title IX Coordinator's outreach will also include a statement that retaliation for filing a complaint or participating in a resolution process, or both, is prohibited by Caltech policy and federal and California law. The Title IX Coordinator will provide them a copy of these Sexual Misconduct Procedures. Where a crime may have occurred, the Title IX Coordinator will provide the complainant/alleged victim notice of their right, but not the obligation, to report the matter to law enforcement and information on how Caltech can help facilitate such reporting. The Title IX Coordinator will also describe how Caltech responds to reports of prohibited conduct, as well as potential disciplinary consequences. The Title IX Coordinator will also refer them to and help coordinate, if desired, support resources, including providing information on the availability of and contact information for on-campus and off-campus resources and services. Finally, the Title IX Coordinator will request for the complainant/alleged victim to meet with them to discuss options for responding to the report.

The Title IX Coordinator may also meet with the respondent and other relevant individuals in order to make an initial assessment. The respondent also will be offered the opportunity to request and receive supportive measures at this time.

The complainant and the respondent will be provided with the following:

- Information on their rights and options under the Sex- and Gender-Based Misconduct or Unlawful Harassment policies and related procedures as appropriate, and copies of these documents;
- Written materials outlining information on on-campus and off-campus support resources and services, including contact information and days and hours of availability, as well as information on coordination with law enforcement;
- Information on the importance of and policy concerning evidence preservation;
- Information on the policy against retaliation for filing a complaint or participating in a complaint process.

VI. Supportive Measures

Supportive measures are non-disciplinary, nonpunitive individualized services offered as appropriate and reasonably available to the parties before or after the filing of a formal complaint or where no formal complaint has been made or no investigation has been undertaken. Supportive measures are available to parties regardless of whether they participate in a resolution process. They are designed to restore or preserve equal access to Caltech's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or Caltech's educational environment, or to deter prohibited conduct.

Supportive measures may include counseling, academic accommodations (e.g., extensions of deadlines, course-related adjustments), modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, including in a virtual or electronic environment, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of campus, referrals to campus and off-campus support resources, and other similar measures. Caltech will maintain as confidential any supportive measures provided to any party to the extent such confidentiality does not impair Caltech's

ability to provide the supportive measures (e.g., notifying appropriate administrators involved in academic accommodations). The Title IX Coordinator will coordinate the effective implementation of supportive measures. Academic accommodations should be requested in a timely manner, reasonably in advance of deadlines. Retroactive accommodations, such as re-taking tests or extensions after the due date has passed, will not be granted.

Supportive measures affecting faculty, postdoctoral scholars, and staff, including employees at JPL, might include transfer of supervisory or evaluative responsibility regarding grading, supervision, tenure review, letters of recommendation, and/or changes to office assignments.

Caltech will endeavor to minimize the burden on the party receiving supportive measures without unreasonably burdening the other party. If a complainant wishes to seek a temporary restraining order or similar judicial order, Caltech will help the complainant with that process. Parties may seek the assistance of the Campus Sexual Violence Advocate, who can be contacted directly or through the Equity and Title IX Office.

When requested by a complainant or otherwise determined to be appropriate, Caltech will issue a mutual no-contact order. Caltech will not issue such an order automatically but instead shall consider the specific circumstances of each case to determine whether the order is necessary or justifiable to protect the non-complaining party's safety or well-being, or to respond to interference with a resolution process. Upon the issuance of a mutual no-contact order, Caltech will provide the parties with a written justification for the order, an explanation of its terms, and the circumstances, if any, under which violation could be subject to disciplinary action.

Moreover, Caltech shall consider and respond to requests for accommodations relating to prior incidents of sexual harassment that could contribute to a hostile educational environment or otherwise interfere with a student's access to education where both individuals are, at the time of the request, subject to Caltech's policies.

The imposition of supportive measures is not indicative of a determination of responsibility or any other outcome. These measures may be modified at any time and may be kept in place after a final investigative decision is reached.

All parties are expected to comply with any supportive measures that may be imposed. Failure to comply with supportive measures may be grounds for disciplinary action. A party may be subject to discipline under the appropriate Caltech policy for failure to comply with a supportive measure even if they are found not responsible for the underlying report of prohibited conduct.

NOTE: The Institute may undertake remedies and systemic remedies set forth below in Section XIII(D)(9) (Potential Sanction, Remedies, and Systemic Remedies), as appropriate and consistent with the requirements of Title IX and this Section VI, to safeguard a complainant's access to education, at any time. The complainant's engagement in a resolution process is not a prerequisite for such action by Caltech.

VII. Emergency Removal

The Title IX Coordinator will undertake an individualized safety and risk analysis for the purpose of determining whether the respondent, based on the alleged conduct, is an immediate, imminent threat to the physical health or safety of any student or other individual, justifying their removal from campus or other appropriate scope of removal. The Title IX Coordinator may consult with any individuals they consider pertinent and appropriate to making the emergency removal determination. The safety and risk factors that the Title IX Coordinator will consider include but are not limited to the nature of the allegations, the alleged number and age of the complainant(s), the power differential between the respondent and complainant(s), whether the respondent is alleged to have used a weapon, violence, drugs, or alcohol to intimidate, harm, or control a complainant, and whether the allegations present a pattern of behavior or otherwise suggest a likelihood of repeated misconduct.

Where the Title IX Coordinator has determined that emergency removal of a student respondent is appropriate, the respondent will be provided with notice and an opportunity to challenge the decision immediately following the removal. To challenge a removal decision by the Title IX Coordinator, the respondent must submit a written appeal to the associate vice president for human resources within seven (7) calendar days of receipt of notice. In deciding this appeal, the associate vice president for human resources may consult with any individuals they consider pertinent and appropriate to making the decision.

The decision of the associate vice president for human resources is final.

Prior to the beginning of a new term, an individual who has been subject to emergency removal may request that the Title IX Coordinator reconsider the scope or continuation of their removal.

Caltech may place nonstudent employee respondents on administrative leave while a complaint resolution process is pending.

VIII. Complainant's Ability to Exercise Options

With respect to allegations of prohibited conduct under the Sex- and Gender-Based Misconduct Policy, the Title IX Coordinator and deputy coordinators make every effort to respect the concerns and goals of complainants, as well as their capacity to make independent choices regarding resolution options for addressing their complaints under the policy and these procedures.

In instances where a complainant requests that their name not be used, that Caltech not pursue any action against the respondent, including an investigation, or that no disciplinary action be taken, Caltech will seriously consider the request but weigh the request against Caltech's responsibilities, including under applicable laws, to take action to provide a safe, nonthreatening, and nondiscriminatory environment for all community members, including the complainant. The Title IX Coordinator will discuss with the complainant the reasons for their requests and attempt to address the underlying concerns, such as taking steps to prevent retaliation.

Where the complainant remains committed to the requests mentioned above, and the prohibited conduct falls under Section 15.0 below, the Title IX Coordinator will weigh the request against factors that may lead the Title IX Coordinator to take action on behalf of Caltech, which may be contrary to the wishes of the complainant, including potentially disclosing the complainant's name and/or proceeding to an investigation, to protect the health and safety of the complainant and the Caltech community. The factors considered are within the discretion of the Title IX Coordinator and include, but are not limited to, the nature and seriousness of the alleged conduct, whether the allegations are contested, the involvement of multiple respondents, the existence of multiple or prior reports of misconduct against the respondent, whether there was a weapon, physical restraints, battery, or other violence involved, whether

the use of alcohol or drugs to induce vulnerability to sexual activity without consent was allegedly involved, whether there is evidence of a pattern of conduct, the presence of other circumstances that suggest there is a significant risk that the respondent will commit further acts of prohibited conduct, the age of a complainant, whether the respondent is a faculty or staff member with oversight of students, whether there is a power imbalance between the complainant and respondent, whether the complainant believes that the complainant will be less safe if the complainant's name is disclosed or an investigation is conducted, and whether Caltech is able to conduct a thorough investigation and obtain relevant evidence in the absence of the complainant's cooperation. Where the complainant remains committed to the requests above, and the prohibited conduct does not fall under Section 15.0, but only under 16.0 and/or 17.0, the Title IX Coordinator may elect to pursue action on Caltech's behalf without considering these factors.

If Caltech determines that it can honor the student's request for confidentiality, it shall still take reasonable steps to respond to the complaint, consistent with the request, to limit the effects of the alleged prohibited conduct and prevent its recurrence without initiating formal action against the alleged respondent or revealing the identity of the complainant. These steps may include increased monitoring, supervision, or security at locations or activities where the alleged misconduct occurred; providing additional training and education materials for students and employees; or conducting climate surveys regarding sexual violence. The Institute shall also take immediate steps to provide for the safety of the complainant while keeping the complainant's identity confidential as appropriate. These steps may include changing living arrangements or course schedules, assignments, or tests. The complainant shall be notified that the steps Caltech will take to respond to the complaint will be limited by the request for confidentiality.

If Caltech determines that it must disclose the complainant's identity to the respondent or proceed with an investigation, it shall inform the complainant prior to making this disclosure or initiating the investigation. The complainant is not required to participate in the ensuing process. Caltech shall also take immediate steps to provide for the safety of the complainant where appropriate. In the event the complainant requests that Caltech inform the respondent that the student asked Caltech not to investigate or seek discipline, Caltech shall honor this request.

If the complaint includes allegations that may constitute a possible crime, the Title IX Coordinator will notify the complainant of their right to file a criminal complaint or to choose not to notify law enforcement. Caltech does not report sex- and gender-based misconduct to law enforcement on a complainant's behalf, unless such a report is mandated by law (e.g., sexual assault of a person under 18, de-identified reporting as required under California Education Code Section 67383). If the complainant chooses to notify law enforcement, they may seek the assistance of the Equity and Title IX Office. The Equity and Title IX Office will facilitate the contact with law enforcement and the scheduling of a meeting, if the complainant chooses to make a report.

The Title IX Coordinator, depending on facts and circumstances, may also elect to file a formal complaint, even if the complainant elects not to do so or does not have standing to do so.

Where the Title IX Coordinator files a formal complaint, the complainant would still be treated as a party with all associated rights parties have under the formal complaint resolution procedures, as set out below.

Formal complaints may be filed even if a complainant elects not to notify law enforcement and/or pursue a criminal complaint.

All final determinations and decisions taken under this provision 10.0, except the complainant's decision to file a criminal complaint or to choose not to notify law enforcement, rest solely with the Title IX Coordinator.

IX. Filing a Formal Complaint

In order to exercise resolution options for addressing and resolving complaints of alleged prohibited conduct covered under these procedures, the complainant must file a formal complaint document with the Title IX Coordinator in person or by regular or electronic mail requesting that Caltech initiate a complaint resolution process. The document must contain the complainant's physical or digital signature or otherwise indicate that the complainant is the person filing the formal complaint.

At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in an education program or activity of Caltech. The term "attempting to participate" includes when a complainant has: (a) applied for admission; (b) graduated but intends to apply for a new program; (c) graduated but intends to participate in alumni programs and activities; (d) gone on

leave but is still enrolled; (e) gone on leave but intends to re-apply after the leave; or (f) withdrawn due to alleged sexual harassment and expresses a desire to re-enroll if Caltech responds appropriately to the allegations.

The term “education program or activity” includes prohibited conduct occurring in locations, events, or circumstances, on or off-campus, over which Caltech exercised substantial control over both the respondent and the context in which the alleged prohibited conduct occurred, and also includes any building owned or controlled by a student organization that is officially recognized by Caltech. For reports of conduct occurring off-campus, the Title IX Coordinator will determine whether the alleged prohibited conduct occurred in a Caltech education program or activity.

However, even if a complainant is not qualified to bring a formal complaint, the respondent is outside the jurisdiction of Caltech’s policy, or the alleged prohibited conduct took place outside of Caltech’s educational programs and activities, if there is any reason to believe that the alleged prohibited conduct could contribute to a hostile educational environment, interfere with a student’s access to education, or otherwise compromise the safety of the Caltech community, Caltech will still take prompt action, as warranted and appropriate, to provide for the safety and well-being of the individual reporting and the campus community, including taking reasonable steps to stop and remedy the effects of the prohibited conduct and to prevent recurrence of the behavior. This may include the Title IX Coordinator’s initiating a formal complaint under these procedures on their own authority on Caltech’s behalf or initiating an investigation process under the Unlawful Harassment Policy. If other Institute policies are implicated, the Title IX Coordinator may also refer the matter to the appropriate office for follow-up.

Where the Title IX Coordinator initiates activity under these procedures and on their own authority, as authorized under Policy Section 10.0 and reiterated above in Section VIII of these procedures, the formal complaint requirements must still be met.

X. Consolidation of Formal Complaints

The Title IX Coordinator may consolidate formal complaints of allegations covered under these procedures against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations arise out of the same facts or circumstances.

XI. Notice of Allegations

Upon receiving or initiating a formal complaint, within fourteen (14) calendar days, the Title IX Coordinator must provide written notice to the parties of the following, with sufficient time for the parties—generally fourteen (14) calendar days— to prepare a response before any initial interview:

- 1. resolution processes set out below;**
- 2. allegations, including sufficient details known at the time, including the identities of the parties involved in the incident, if known, the misconduct alleged, and the date and location of the alleged incident, if known;**
- 3. alleged institute policy violations under review;**
- 4. procedures that will be used;**
- 5. statement that the respondent is presumed not responsible for the alleged misconduct (i.e., innocent) and that a determination regarding responsibility is made at the conclusion of an investigation process or by an administrative resolution in which the respondent takes responsibility for the alleged misconduct;**
- 6. that the parties may have an adviser of their choice, who may be, but is not required to be, an attorney, accompany them at any stage of the process;**
- 7. that the parties may review and inspect evidence under an investigation process; and**
- 8. that knowingly making false statements or submitting false information is prohibited and may subject the offending party to discipline;**
- 9. information regarding appropriate counseling and other support resources developed and maintained by the Institute;**
- 10. copies of the policy and pertinent procedures.**

Any new allegations that arise during the course of the investigation that could subject either party to new or additional sanctions shall be subject to these same notice requirements.

XII. Dismissal of Formal Complaint

Upon receiving a formal complaint, within fourteen (14) calendar days, the Title IX Coordinator will dismiss the complaint for resolution under these procedures if the conduct alleged does not constitute sexual harassment, as defined either under Title IX (policy Section 15.0) or the CA Education Code (policy Section 16.0). If the conduct alleged does not fall under either section, the Title IX Coordinator, if appropriate, will refer

the allegations for resolution under other appropriate Caltech policies and procedures, including the Unlawful Harassment Policy and related procedures.

The Title IX Coordinator may also dismiss a formal complaint or allegations therein if at any time during a resolution process a complainant notifies the Title IX Coordinator in writing that they would like to withdraw their complaint or certain allegations; if the respondent is no longer enrolled or employed at Caltech; or if, as determined by the Title IX Coordinator, specific circumstances prevent Caltech from gathering evidence sufficient to reach a determination as to the complaint or certain allegations.

The Title IX Coordinator will promptly and simultaneously send written notice to the parties of any dismissal and the reason(s) for the dismissal.

The parties may submit an appeal of any dismissal decision, in writing, to the associate vice president of human resources, within seven (7) calendar days of receiving the dismissal decision.

This appeal of a dismissal of a formal complaint, or of certain allegations therein, is limited to one or more of the following grounds: a procedural irregularity that affected the dismissal decision; new evidence (including a new witness) that was not reasonably available at the time of the dismissal decision that could affect that decision; and the Title IX Coordinator, investigator(s), or decision maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the dismissal decision.

If a party submits an appeal of a dismissal, the other party will have the opportunity to submit a written response to the appeal within ten (10) calendar days of the filing of the appeal. The parties simultaneously will be informed, in writing, of the outcome of the appeal. The appeal decision letter will state the rationale for the result. Appeal decisions are final.

Even where dismissal of a formal complaint occurs, the Title IX Coordinator may still provide supportive measures to parties or take other appropriate action in response to alleged concerns.

A formal complaint will not be dismissed, and a resolution process will not be discontinued, merely because it has not concluded before an undergraduate or graduate student has graduated. Caltech may

continue the process, even if the graduated student elects not to participate in the process. Caltech will not delay graduation or deny a degree on the ground that this process is ongoing. Caltech may, however, document, and communicate to other institutions or employers, when authorized and appropriate, that a former student declined to participate in a pending Title IX process, including where such non-participation resulted in the dismissal of a complaint.

XIII. Resolution Options

The outcomes of each of the four options set out below—the remedy-based resolution, the administrative resolution, mediation, and the investigation, subject to any appeal process—are considered final. In other words, once one option has concluded, a party may no longer exercise another option regarding the same alleged conduct. However, a party may elect to raise or pursue another option before the option currently being pursued has concluded.

Under any of the four options, remedies are designed to restore or preserve equal access to Caltech's education program or activity. Remedies may include actions that qualify as supportive measures, but unlike supportive measures, remedies may include actions that are disciplinary, punitive, or burden the other party.

Any person designated by Caltech to facilitate any of the resolution processes set out below (e.g., Title IX Coordinator, investigator, mediator, decision maker, administrator who determines sanctions and remedies, administrator hearing an appeal of an outcome of an investigation process) may not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Parties will be provided an opportunity at appropriate junctures in a process to object to a person carrying out a facilitation role in the process for the consideration and decision of the Title IX Coordinator on the grounds of a conflict of interest or bias. Where an objection is made about the Title IX Coordinator, the decision as to their suitability will be made by the associate vice president for human resources.

Any consideration of impartiality, or objections based on conflict of interest or bias, of those involved in Title IX processes must be reviewed with thoughtful consideration of individual circumstances. Determination of whether a conflict of interest or bias exists in a particular instance will be a matter of judgment involving all the material facts of the situation.

In addition, any person designated by Caltech to facilitate any of the resolution processes set out below (e.g., Title IX Coordinator, investigator, decision maker, mediator, administrator who determines sanctions and remedies, administrator hearing an appeal of an outcome of an investigation process) will receive training that is trauma-informed and comprehensive and that includes information appropriate to their respective roles.

The Administrative Resolution process, the Mediation process, and the Remedy-Based Resolution process are available only at the discretion of the Title IX Coordinator under circumstances they deem appropriate. Civil law remedies may also be available to complainants. A complainant may, on their own, choose to pursue any such remedies independent of and in addition to any of Caltech's resolution processes. Caltech does not provide legal advice about civil law remedies or criminal justice options.

A complainant may report to law enforcement and pursue available criminal justice options, in addition to filing a formal complaint and exercising one of the Caltech resolution processes set out below. In compliance with Title IX and FERPA, Caltech will not provide information regarding parties and witnesses or a resolution process to law enforcement, unless required by a subpoena, other court order, or as otherwise required by law or permitted consistent with this policy.

In deciding the scope of their participation in resolution processes, parties should consider that statements and evidence provided in the course of a resolution process may be produced to law enforcement in compliance with a subpoena or other court order and used in a civil or criminal proceeding.

A. Administrative Resolution

The Title IX Coordinator, with the voluntary written consent of the parties, may offer the opportunity to resolve the complaint by administrative resolution. Administrative resolution (AR) provides an opportunity for the respondent to accept responsibility for their alleged conduct and proceed to a resolution without a formal investigation. Complainants and respondents participating in this process may have an adviser of their choice accompany them when engaging in this resolution process, as set forth above in Section III.

If the AR option is agreed to by a complainant, the Title IX Coordinator will meet with the respondent to review

the allegations. The Title IX Coordinator will provide the respondent with information on the respondent's rights and options under the policy and these procedures. The Title IX Coordinator will also provide the respondent with written materials outlining information on campus support resources and services, including their contact information and days and hours of availability.

The Title IX Coordinator will offer the respondent the opportunity to resolve the complaint by AR by accepting responsibility for the alleged conduct. It is the respondent's option and decision whether to do so. If the respondent elects to acknowledge that the alleged conduct occurred and takes responsibility for the alleged conduct, the respondent will sign a written acknowledgement, and the matter will be referred to the appropriate decision maker for a decision concerning sanctions and remedies that may be appropriate.

Generally, for purposes of determining sanctions in connection with an AR, the decision maker shall be determined based upon the respondent's affiliation (the vice provost of research or administration for faculty, the assistant vice president for human resources for postdoctoral scholars and campus staff, or the deputy director for Human Resources at JPL for JPL employees). In the case of student respondents, the appropriate dean will serve as the decision maker.

In determining sanctions and remedies, decision makers will consult with the Title IX Coordinator and may consult with any other individual they deem appropriate.

The parties will both be notified simultaneously in writing of the resolution, including any sanctions and remedies. Within ten (10) calendar days of receiving this letter, either party may appeal in writing as outlined below in Section D, 11.

An AR process will be concluded within a reasonably prompt time frame after the complaint has been made, generally forty-five (45) calendar days. The Title IX Coordinator will keep the parties informed of the status of the process. The Title IX Coordinator may delay the process temporarily or extend the time frame for good cause, providing written notice to the parties of any delays or extensions and the reasons therefor. Good cause may include but is not limited to the absence of a party or a party's adviser; the need for language assistance or accommodation of disabilities; the breadth and scope of the allegations and number of parties; and office closures.

If a resolution is not reached under this process within a reasonable amount of time, or if the Title IX Coordinator determines that one or both parties are not participating in good faith or a timely or appropriate manner in the process, the Title IX Coordinator may terminate the process, and the complainant may pursue other applicable resolution options.

An AR is the final resolution of the allegations contained therein.

B. Remedy-Based Resolution

The RBR is not available to resolve allegations made by a student of Title IX-covered prohibited conduct set out in Section 15.0 of the Policy against a Caltech employee.

A Remedy-Based Resolution (RBR) is a mutual non-disciplinary agreement entered into among Caltech and the parties to a formal complaint. The Title IX Coordinator determines whether an RBR is an appropriate option for resolving the allegations at issue, depending on their assessment of the allegations and circumstances. In a RBR, a respondent agrees to undertake, or all parties agree to undertake, certain social, academic, and/or administrative steps, on a certain timeline, as a means of resolving a complaint of prohibited conduct without an investigation and a finding regarding responsibility. All parties, and the Title IX Coordinator on behalf of Caltech, must voluntarily agree to, and sign a written agreement setting out, all the terms of the RBR as the complete and final resolution of the formal complaint(s). In other words, if an agreement is reached, the complainant cannot subsequently file a formal complaint for an investigation regarding the same alleged conduct, unless a respondent does not fulfill their agreed upon commitments under the RBR as determined by the Title IX Coordinator. Complainants and respondents participating in this process may have an adviser of their choice accompany them when engaging in this resolution process, as set out above in Section III.

Key aspects of an RBR include that it:

- is a voluntary process when available to resolve allegations; unlike an investigation process, there are no circumstances (e.g., safety of a minor, safety of a party or the community) under which Caltech can undertake this process against the wishes of a party;

- focuses on non-disciplinary remedies to the concerns underlying the alleged prohibited conduct. For example, under an RBR, a respondent can agree to undertake a counseling and/or education program to address behavioral issues. In an investigation process, a decision maker cannot compel counseling as part of the sanction;
- provides a measure of control to the complainant in crafting measures and remedies undertaken by the respondent, allowing the complainant to focus on remedying specific social, academic, or administrative concerns;
- leaves open to the parties the alternative option of pursuing an investigation at any time during the negotiation process, or if the parties ultimately cannot come to a mutually acceptable agreement or if a party fails to comply with any or all of their commitments under an executed RBR as determined by the Title IX Coordinator;
- provides both parties a final resolution of the complaint if an agreement is reached; and
- does not involve an adjudication of the allegations and a potential finding of responsibility against the respondent.

In cases in which the Title IX Coordinator determines an RBR may be appropriate, the Title IX Coordinator will discuss with a complainant, potential elements of an RBR pertinent to their concerns and allegations to help them determine whether an RBR is an option they wish to pursue. If all parties to a formal complaint are agreeable to pursuing a resolution through the RBR process and provide voluntary written consent to engage in the RBR process, the Title IX Coordinator will work with the parties separately to negotiate and craft the agreement. The parties do not engage directly with one another. The Title IX Coordinator, with the consent of the parties, may seek the assistance of academic and administrative leadership, as appropriate, to make possible and implement elements of the agreement.

Potential elements of an RBR agreement include, but are not limited to, counseling or substance abuse treatment for a respondent; training for a respondent provided by the Title IX Coordinator and/or other resources; and other supportive measures, as described above in Section VI.

An RBR process culminating in a signed agreement will be concluded within a reasonably prompt time frame after the complaint has been made, generally forty-five (45) calendar days. The Title IX Coordinator

will keep the parties informed of the status of the process. The Title IX Coordinator may delay the process temporarily or extend the time frame for good cause, providing written notice to the parties of any delays or extensions and the reasons therefor. Good cause may include but is not limited to the absence of a party or a party's adviser; the need for language assistance or accommodation of disabilities; the number of parties; and office closures.

If a resolution is not reached under this process within a reasonable amount of time, or if the Title IX Coordinator determines that one or both parties are not participating in good faith or a timely or appropriate manner in the process, the Title IX Coordinator may terminate the process, and the complainant may pursue other applicable resolution options.

A Remedy-Based Resolution is the final resolution of the allegations it addresses, unless a party fails to carry out their commitments under the agreement, as determined by the Title IX Coordinator.

C. Mediation

The Mediation Process is not available to resolve allegations made by a student of Title IX-covered prohibited conduct set out in Section 15.0 of the policy against a Caltech employee.

In appropriate cases, as determined by the Title IX Coordinator, Mediation may be offered as a resolution option to resolve a formal complaint. The Title IX Coordinator will discuss with each party potential elements of a mediation agreement pertinent to their concerns and allegations to help them determine whether Mediation is an option they wish to pursue.

Mediation is a voluntary process where a facilitator (mediator) works with the complainant and respondent and Caltech (represented by the Title IX Coordinator) to attempt to reach a mutually agreeable resolution of a formal complaint of prohibited conduct (Mediated Resolution). A Mediated Resolution will be reflected in a written agreement signed by the parties and the Title IX Coordinator, on behalf of Caltech. A Mediated Resolution entered into by the parties and Caltech is the final resolution of the complaint and the allegations therein (i.e., the complainant cannot subsequently file a formal complaint for an investigation regarding the same alleged conduct), unless a party fails to carry out their commitments under the Mediated Resolution Agreement, as determined by the Title IX Coordinator.

A Mediation is different than a Remedy-Based Resolution in that the elements of the agreement may include disciplinary sanctions. As with an RBR, there are no formal findings of responsibility in a Mediation process. However, in a Mediation process, measures that otherwise may be imposed as a sanction as a result of a finding of responsibility may be agreed upon by the parties, including Caltech, in the context of a mediated resolution.

If all parties to a formal complaint are agreeable to the Mediation process and provide voluntary written consent to engage in the Mediation process, the Title IX Coordinator will assign a mediator who will work with the parties to negotiate and prepare the agreement. The Title IX Coordinator has the discretion to elect to conduct the mediation or may appoint another appropriately trained individual to conduct the mediation. The Title IX Coordinator will notify the parties of their right to and process for objecting to the mediator on the basis of conflict of interest or bias.

During a Mediation, the parties do not engage directly with one another. The Title IX Coordinator, with the consent of the parties, may seek the assistance of academic and administrative leadership, as appropriate, to make possible and implement elements of the Mediated Resolution agreement.

A Mediation process culminating in a signed agreement will be concluded within a reasonably prompt time frame after the complaint has been made, generally sixty (60) calendar days. The Title IX Coordinator will keep the parties informed of the status of the process. The Title IX Coordinator may delay the process temporarily or extend the time frame for good cause, providing written notice to the parties of any delays or extensions and the reasons therefor.

If a resolution is not reached under this process within a reasonable amount of time, or if the Title IX Coordinator determines that one or more parties are not participating in good faith or a timely or appropriate manner in the process, the Title IX Coordinator may terminate the process, and the complainant may pursue other applicable resolution options.

Complainants and respondents participating in this process may have an adviser of their choice accompany them when engaging in this resolution process, as set out above in Section III.

D. Facilitation of Administrative Resolution, Mediation, or Remedy-Based Resolution During Investigation Process

At any time following the filing of a formal complaint, including during an investigation process, prior to reaching a final determination regarding responsibility, inclusive of any appeal process, the Title IX Coordinator may facilitate an administrative resolution (AR), Mediation, or a Remedy-Based Resolution (RBR), if determined to be appropriate, provided that the Title IX Coordinator:

- 1. Provides to the parties written notice disclosing the allegations, the requirements, and consequences of the AR, Mediation, or RBR process, including that: (a) completing such a resolution process precludes the parties from initiating or resuming a formal complaint arising from the same allegations; (b) at any time prior to completing the AR, Mediation, or RBR process, either party has the right to withdraw and initiate or resume the investigation process; and (c) notice of records that will be maintained or could be shared and with whom.**
- 2. Obtains the parties' voluntary written consent to the AR, Mediation, or RBR process.**

E. Investigation Process

1. Introduction

This option provides both parties with an investigation and adjudication of the allegations. The investigation and adjudication of alleged prohibited conduct under this section is not an adversarial process between the complainant, the respondent and the witnesses, but rather a process by which Caltech complies with its obligations under existing law. The complainant does not have the burden to prove, nor does the respondent have the burden to disprove, the allegations of prohibited conduct. If the decision maker determines that a preponderance of the evidence substantiates alleged prohibited conduct and a violation of the Sex- and Gender-Based Misconduct Policy, sanctions, remedies, or systemic remedies, as appropriate, will be imposed. The decisions made by the decision maker, subject to the resolution of any appeal, represent the final resolution of the formal complaint, whether or not a respondent is found responsible.

Caltech's investigation will occur independently from any legal/criminal proceedings that may take place. Caltech may defer fact gathering for an appropriate time during a criminal investigation.

The Title IX Coordinator will assign appropriate investigator(s) to carry out the investigation. The investigator(s) must be impartial and free of any conflict of interest. Generally, for complaints involving students, staff, or faculty, the Title IX Coordinator will refer the investigation to the investigator(s) and appropriate deputy Title IX Coordinator. The Title IX Coordinator may appoint different investigator(s).

All participants in an investigation will receive a fair and impartial process and be treated with dignity, care, and respect. Caltech's policy and investigation procedures are intended to ensure that individuals reported for prohibited conduct are not prejudged and are provided with adequate notice and an opportunity to be heard regarding the allegations made against them. Respondents are presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the investigation process.

The purpose of the investigation is to gather the evidence relating to the complaint, and decisions are based on an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence. Evidence may include statements from the parties and witnesses; documents relating to the complaint, such as texts, photographs, and emails; and physical evidence, such as clothing, rape kit evidence, and weapons.

Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.

The investigation will be trauma-informed and impartial. Those involved in questioning parties and witnesses—namely, the Title IX Coordinator and Title IX deputies, the investigator(s) and the decision maker—will receive training in conducting fair and trauma-informed investigations and hearings.

The investigation will be treated as private to the extent possible. Caltech administrators will be informed on a need-to-know basis. Caltech will make reasonable and appropriate efforts to preserve the privacy of the parties and witnesses and protect the confidentiality of information. With the exception of the hearing portion of the investigation process, as set out below, no meetings or conversations that take place as part of the investigation process may be recorded by anyone. Investigation files, including the recording of the hearing, will be maintained by the Equity and Title IX Office.

Caltech does not tolerate retaliation and will take steps to prevent retaliation and strong responsive action if it occurs. All participants, including complainants, respondents, and witnesses, are protected against retaliation, and will be advised to notify Caltech immediately if retaliation occurs.

Any new allegations that arise during the course of the investigation that could subject either party to new or additional sanctions shall be subject to the notice requirements set out above in Sections V (Initial Title IX Assessment) and XI (Notice of Allegations).

Parties and witnesses who elect to participate in the investigation process are expected to do so in good faith and in a timely, reasonable, and appropriate manner. If the Title IX Coordinator determines that an individual is not complying with this expectation (e.g., failing to schedule meetings with the investigator, not showing up to meetings, neglecting to provide evidence they said they would provide, failing to respond to the draft investigation report), the Title IX Coordinator may conclude the investigation phase without further opportunity by such individual to provide evidence.

2. Limitations on Questioning

The investigator(s) and decision maker will not ask parties or witnesses questions that are repetitive, irrelevant, or harassing. Consistent with federal and state law, the investigator(s) and the decision maker will not ask questions or seek evidence of a complainant's or respondent's prior or subsequent sexual conduct with anyone other than the respondent, except to the extent such questions and/or evidence are used to determine whether someone other than the respondent committed the conduct alleged by the complainant. Furthermore, evidence of a prior consensual sexual, romantic, or intimate relationship between the complainant and respondent does not by itself imply consent or preclude a finding of prohibited conduct. The investigator(s) and decision maker shall not consider the existence of a dating relationship or prior or subsequent consensual sexual relations between the parties unless the evidence is relevant to how the parties communicated consent in prior or subsequent consensual sexual relations. Where the investigator(s) or decision maker allow consideration of evidence about a dating relationship or prior or subsequent consensual sexual relations between the parties, the mere fact that the parties engaged in other consensual sexual relations with one another is never sufficient, by itself, to establish that the

conduct in question was consensual. Before allowing the consideration of any evidence described in this section, the investigator(s) or decision maker shall provide a written explanation to the parties as to why consideration of the evidence meets the requirements for consideration.

The investigation, at any stage, will not require, allow, rely upon, or use questions or evidence that constitute or seek the disclosure of information protected under a legally recognized privilege (e.g., attorney-client, doctor-patient, clergy-penitent), unless the person holding such privilege has waived the privilege. Questions that seek information about any party's medical, psychological, and similar records are not permitted unless the party has given written consent.

3. Amnesty Concerning Student Policy Violations: Complainants and Witnesses

The investigator(s) will investigate any allegations that alcohol or drugs were involved in the incident.

A student who participates as a complainant or witness in an investigation of sexual assault, dating violence, domestic violence, or stalking will not be subject to disciplinary sanctions for a violation of Caltech's student conduct policies at or near the time of the incident, including but not limited to the Substance Abuse Policy, unless Caltech determines that the violation was egregious, including but not limited to, an action that places the health or safety of any other person at risk or involves conduct that violates Caltech's policies prohibiting discrimination, or other serious misconduct like plagiarism, cheating, research misconduct, or other forms of academic dishonesty.

Whether a student's violation of the Student Health and Hygiene Policies and other COVID-19-related measures warrants amnesty will be determined on a case-by-case basis by the Title IX Coordinator. However, absent conduct showing a deliberate and reckless disregard for the health of others - for example, by hiding one's own known infected status and exposing others - a student who participates as a complainant or witness in an investigation of sexual assault, dating violence, domestic violence, or stalking will not be subject to disciplinary sanctions for a violation of such policies and measures.

4. Standard of Evidence

All decisions made in the course of this investigation process will utilize the preponderance of evidence standard. A preponderance of evidence means that

it is more likely than not that the alleged prohibited conduct occurred. Stated another way, it means that the likelihood the alleged prohibited conduct occurred is any amount over 50%. The decision maker will make a decision on the disputed facts and also decide whether the evidence makes it more likely than not that the alleged prohibited conduct occurred based on the evidence available at the time of the decision. When the decision maker is presented with two different but plausible versions of alleged prohibited conduct, credibility determinations may affect the outcome.

5. Identity of the Decision Maker

The Title IX Coordinator shall have the discretion to determine which appropriately trained individual will serve as the decision maker in the investigation process. As set forth below, the decision maker conducts any hearing that takes place under these procedures. The parties will be notified of the identity of the decision maker before the hearing as well as the process for objecting to the identity of the decision maker on the basis of a conflict of interest or bias.

6. Determination of Sanctions, Remedies, and Systemic Remedies

At the conclusion of the investigation process, if there is a finding of responsibility, the appropriate administrator will determine the appropriate sanctions, remedies, and systemic remedies.

Generally, the appropriate administrator shall be determined based upon the respondent's affiliation (the vice provost for research or administration for faculty, the assistant vice president for human resources for postdoctoral scholars and campus staff, the deputy director for human resources at JPL for JPL employees, and the appropriate dean for student respondents).

In determining sanctions, remedies, and systemic remedies, these administrators will consult with the Title IX Coordinator and may consult with any other individual they deem appropriate.

7. Timeline

Complaints will be investigated and resolved within a reasonably prompt time frame after the complaint has been made, generally 120 calendar days.

The Title IX Coordinator will provide the parties written updates of the status of the investigation every thirty (30) days, including the date by which the parties shall

be notified of the outcome of the investigation and the deadlines and process for parties to appeal. The Title IX Coordinator may delay the investigation process temporarily or extend the time frame for good cause, providing prompt written notice to the parties of any delays or extensions and the reasons therefor.

Good cause may include but is not limited to the absence of a party, a party's adviser, or a witness; concurrent law enforcement activity; the need for language assistance or accommodation of disabilities; the breadth and scope of the allegations, in terms of content and date, the number of potential witnesses, and the amount of available, relevant documentary evidence; the need to conduct a thorough, fair and accurate investigation; and office closures. The Title IX Coordinator shall not unreasonably deny a party's request for an extension of a deadline related to a complaint during periods of examinations or school closures.

8. Procedural Steps for Investigation

- 1.** The Title IX Coordinator initiates the investigation process with a notification sent to both parties. This initial notification will identify the assigned investigator(s) and will notify the parties of their right to and process for objecting to either of the investigator(s) or to the Title IX Coordinator on the basis of conflict of interest or bias. The notification will include the estimated date by which the parties will be notified of the outcome of any investigation.
- 2.** The complainant and respondent may have an adviser of their choice, in accordance and subject to the requirements set out above in Section III of these procedures and the Adviser Policy.
- 3.** The Title IX Coordinator or associate vice president of human resources, as appropriate, will consider any objections by the parties on the basis of conflict of interest or bias and determine the Title IX Coordinator and investigator(s) for the process.
- 4.** After a reasonable amount of time to review the notice of allegations and applicable policies and procedures, the parties will be given equal opportunity to meet with the investigator(s). In those meetings, the investigator(s) will seek and gather evidence about the allegations, including any documents or physical evidence, as well as the identification and location of witnesses. The parties may submit written statements and evidence to the investigator(s) that document their experiences.

Each party is free to choose to meet or not to meet with the investigator(s), or otherwise free to choose to participate or not to participate in the investigation process. Regardless of the scope of a party's participation, the party would still be treated as a party with all associated rights, for example, the right to review and inspect draft and final evidence reports and appendices of evidence, to provide a written response to the draft evidence report to the investigator(s) for consideration and potential follow up, to submit questions for the decision maker before and during the hearing, to attend the hearing and observe the testimony of other parties and witnesses, to receive a copy of the decision regarding responsibility, and to submit an appeal of that decision in keeping with the appeal process.

In deciding the scope of their participation, parties should consider that statements and evidence provided in the course of an investigation may be produced to law enforcement in compliance with a subpoena or other court order and used against them in a civil or criminal proceeding.

5. Throughout the process, the parties may suggest witnesses and documents to the investigator(s) as well as questions for the investigator(s) to ask the other party and any witnesses. The investigator(s) will determine whether the suggestions are relevant and appropriate.

The parties may not, however, engage in coercion, pressure, undue influence, or retaliation with respect to potential witnesses or other parties in the course of identifying evidence for the investigator(s). The parties may seek guidance from the Title IX Coordinator and the investigator(s) on avoiding these concerns. Communications between parties and witnesses deemed to have resulted from coercion, pressure, undue influence, or retaliation may be discounted altogether by the decision maker or may be considered by the decision maker in making credibility determinations and weighing evidence deemed subject to the undue influence.

6. The investigator(s) will interview relevant witnesses and gather other evidence related to the allegations, if any. Witnesses may submit documents or written statements to the investigator(s).
7. The following documents which will be shared with the parties are considered Confidential Materials by Caltech and any inappropriate copying, printing, emailing, photographing, downloading, or posting on social media

of such materials may subject the disclosing party to disciplinary action for violation of Caltech policy protecting confidentiality or other Caltech policies, including Caltech's Honor Code, and, further could subject the disclosing party, to an allegation by a party of retaliation or harassment: the draft and final evidence reports, including the appendices of evidence, and the hearing transcript. It is permissible for a party to share the Confidential Materials with attorneys for the purpose of seeking legal advice or with any non-attorney adviser they have in the process, and it is permissible to share the contents of the materials with others to obtain informational or emotional support from family, therapists, or others to exercise any rights under the investigation process, including writing a response to the draft investigation report or preparing for the hearing.

8. The investigator(s) will prepare a draft investigation report identifying the facts disputed by the parties for each allegation, as well as summarizing and identifying the relevant, related evidence gathered, including facts relevant to the credibility of parties or witnesses or items of evidence. The investigator(s) will also provide appendices containing the evidence gathered. The complainant and respondent will be given equal opportunity to review and respond to the investigation report. The report will also be provided to the parties' advisers. The parties will have at least ten (10) calendar days to submit a written response to the report. The investigator(s) will determine whether the parties' responses require any follow-up investigatory action or an opportunity for the other party to respond.
9. The investigator(s) will finalize the investigation report. This finalized investigation report will be provided to the parties and their advisers, and the decision maker at least thirty (30) calendar days before any hearing.
10. Where the investigation addresses allegations that only fall within the policy Section 16.0, setting out conduct prohibited by the California Education Code, Caltech will determine whether a hearing is necessary to determine whether that alleged prohibited conduct more likely than not occurred. In making this decision, Caltech will consider whether the parties elected to participate in the investigation, as well as the fact that each party had the opportunity to suggest questions for other parties, or witnesses, or both, during the investigation. If Caltech determines a hearing is necessary, that hearing will not involve any cross-examination of any party or witness conducted directly by a party or a party's adviser.
11. Prior to any hearing, the parties will be notified of the identity of the decision maker and will be given an opportunity to object to that individual on the basis of a conflict of interest or bias.

- 12.** At any hearing conducted under the investigation process, the decision maker will meet face-to-face, in person or via video, separately, with the parties, and others whom the decision maker deems appropriate, prior to deciding how to resolve the disputed facts, make credibility determinations, and determine whether the allegations and any policy violations are substantiated by a preponderance of the evidence. Any hearing is private and closed to the public. Only the decision maker, the parties and their advisers, witnesses, appropriate administrators, and others determined by Caltech to be necessary to the hearing may attend. The decision maker will determine an appropriate and reasonable scope and time frame for the hearing, as well as logistical processes for the hearing, such as for making objections and submitting questions.
- 13.** The hearing will be conducted with the appropriate technology to allow the parties to virtually observe each other's meeting, and any witness meetings, with the decision maker while maintaining their physical separation. Parties or witnesses may request to appear by video from a remote location. Caltech will grant the request of any party that the entire hearing, including cross-examination, be held virtually. In making this request, the party does not need to provide a reason. In the absence of such a request, the Title IX Coordinator has the discretion to allow any party or witness to appear at the hearing virtually, with technology enabling participants simultaneously to see and hear each other, as appropriate. Any requests for disability accommodations should be made to the Title IX Coordinator and Caltech's Accessibility Services Specialist.
- 14.** All of the evidence that was made available previously in the investigation report will be made available at the hearing to give each party equal opportunity to refer to such evidence during the hearing.
- 15.** Before and during the hearing, the parties may submit written questions for the investigator(s) and decision maker to ask the other party and any witnesses with whom the decision maker is meeting (indirect cross-examination). The parties can submit written questions during the hearing through the appropriate technology while maintaining their physical separation. The decision maker will facilitate the questioning and may consult with the investigator(s). The decision maker will have the discretion to exclude any question(s) that they determine inappropriate. At the hearing, the other party shall have the opportunity to note an objection in writing to a question posed. Neither the decision maker nor Caltech is obligated to respond to the objection but may consider it and must include it in the record. The decision maker shall have the authority and obligation to discard or rephrase any question that the decision maker deems to be repetitive, irrelevant or harassing. In making these determinations, the decision maker is not bound by, but may take guidance from, the formal rules of evidence.
- 16.** Generally, the parties are not permitted to introduce evidence, including witness testimony, at the hearing that the party did not identify during the investigation and that was available at the time of the investigation. However, the decision maker has the discretion to accept for good cause, or to exclude, such new evidence offered at the hearing.
- 17.** In addition, consistent with guidance issued by the Department of Education Office of Civil Rights, the following procedural steps in this paragraph (q) apply only at hearings adjudicating allegations of prohibited conduct covered under Title IX (policy Section 15.0) and occurring, in whole or in part, on or after August 14, 2020: (i) each party's adviser (but not the parties themselves) may directly and orally ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility (direct cross-examination); (ii) before a party or witness answers an adviser's direct question, the decision maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant or otherwise inappropriate; and (iii) for the purpose of the hearing only, if a party does not have an adviser, Caltech will provide without fee or charge to that party an adviser of Caltech's choice who may be, but is not required to be, an attorney, to conduct direct cross-examination on behalf of that party.
- In conducting direct cross-examination of a party or witness, the adviser of a party may ask only those questions drafted by the party whom they are advising. The adviser may not ask questions their party has not drafted. The adviser, moreover, must maintain a calm and respectful tone throughout the direct cross-examination. An adviser may not make objections, statements, or arguments during the cross-examination or otherwise during the hearing. The decision maker may disqualify an adviser who does not follow these rules.
- 18.** The decision maker will comply, and ensure others when allowed to ask questions comply, throughout the hearing with Section XIII(D)(2) (Limitations on Questioning) of these procedures.

19. Caltech cannot compel either party, or any witness, to meet with the decision maker at the hearing or, when the procedure is applicable, to answer direct cross examination questions (see Step 17 above). Regardless of the scope of a party's participation in the hearing, the party would still be treated as a party with all associated rights. The decision maker cannot draw an inference about responsibility or credibility based solely on a party's or witness's absence from the hearing or refusal to answer questions from the decision maker or, when applicable, a party's adviser during direct cross-examination.

The decision maker may re-evaluate the relevance of any question a party or witness refuses to answer after the hearing has concluded.

In deciding the scope of their participation in the hearing, individuals should consider that statements and evidence provided in the course of an investigation may be produced to law enforcement in compliance with a subpoena or other court order and used in a civil or criminal proceeding.

20. Caltech will create an audio or audio-visual recording, or transcript, only of the hearing and make it available to the parties upon request for their inspection and review. No party, adviser, or witness is permitted to make independent recordings of the hearing or any other meeting or conversation that takes place under the investigation process.

21. The decision maker will resolve the disputed facts, make credibility determinations, and decide whether the allegations and any policy violations are substantiated by a preponderance of the evidence. In making these decisions, the decision maker will consider the final investigation report and appendices of evidence, the parties' responses to the draft investigation report, the information gathered in the hearing, and the decision maker's credibility assessments of those interviewed at the hearing, as appropriate. The potential conclusions the decision maker can reach include but are not limited to: a violation of Caltech's Sex- and Gender-Based Misconduct Policy occurred; inappropriate behavior but no violation occurred; the complaint was not supported by the evidence; the complaint was brought without a reasonable good-faith basis.

After making these decisions, the decision maker will meet with the appropriate administrator who will determine any sanctions, remedies, and systemic remedies, in order to brief them on the process and factual findings and conclusions. That administrator

will be identified and will determine any sanctions, remedies, and systemic remedies, if appropriate, in accordance with Section XIII(D) (5)(Identity of the Decision Maker), (6)(Determination of Sanctions, Remedies, and Systemic Remedies), and (9)(Potential Sanction, Remedies, and Systemic Remedies) of these procedures.

The decision maker will notify the parties simultaneously of all of these determinations in writing. The letter will include:

- identification of the allegations;
- a description of the procedural steps taken from the receipt of the formal complaint through the determination of responsibility, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- findings of fact supporting the determination;
- conclusions regarding the application of the Sex- and Gender-Based Misconduct Policy and any other applicable Caltech policy to the facts;
- a statement, and rationale for, the result as to each allegation, including a determination regarding responsibility and any sanctions, remedies, and systemic remedies determined by the appropriate administrator; and
- procedures and permissible bases for the complainant and respondent to appeal.

22. The determinations regarding responsibility and sanctions, remedies, and systemic remedies become final either on the date that the parties are provided the result of any appeal, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.

23. The Title IX Coordinator will be informed of the outcome of the investigation and any appeal in order to carry out their responsibilities to consult on and coordinate implementation of any sanctions, remedies, and systemic remedies, monitor outcomes, identify and address areas of needed education and training presented by the case, and assess and address effects on the campus climate.

24. Exceptions to or modification of these procedures can be made at any time by the Title IX Coordinator, provost, deans or associate deans, associate vice president for human resources, or director for human resources at JPL in order to ensure these procedures promote fairness to both parties and compliance with the law.

9. Potential Sanctions, Remedies, and Systemic Remedies

If a violation of Caltech's Sex- and Gender-Based Misconduct Policy has occurred, appropriate sanctions, remedies, and systemic remedies, as appropriate, will be imposed. The appropriate administrator may impose any one or more of the following:

Sanctions

- Verbal warning;
- Training;
- Mandatory coaching;
- Mandatory substance abuse treatment;
- A formal written warning placed in the respondent's file;
- Exclusion from participation in certain activities for a specified period of time;
- Temporary or permanent exclusion from campus;
- Suspension of the right to accept new graduate students or postdoctoral scholars;
- Transfer of advisees;
- Removal from positions of administrative responsibility;
- Suspension from positions requiring supervision or interaction with students or other members of the Caltech community;
- Restricted access to Caltech premises;
- Restricted access to Caltech's educational programs or activities;
- Removal from Caltech housing;
- Removal from a supervisory position;
- Involuntary leave of absence/suspension;
- Expulsion;
- Termination of employment;
- Permanent separation from the Institute;
- Revocation of admission;
- Delay or revocation of degree.

Remedies

- Access to counseling services and assistance in setting up initial appointment, both on and off campus;
- Imposition of "No Contact Letter;" where a no-contact directive is issued after a finding of responsibility has been made, it shall be unilateral and apply only against the party found responsible

- Rescheduling of exams and assignments, and reassignment of grading or other evaluative responsibilities (in conjunction with appropriate faculty and deans as necessary);
- Providing alternative course completion options (with the agreement of the appropriate faculty);
- Change in class schedule, including the ability to take an "incomplete," drop a course without penalty, or transfer sections (with the agreement of the appropriate faculty);
- Change in work schedule or job assignment;
- Change in on-campus housing, when feasible;
- Arranging to dissolve a housing contract and prorating a refund in accordance with campus housing policies;
- Assistance from Caltech support staff in completing housing relocation;
- Limiting an individual or organization's access to certain Caltech facilities or activities pending resolution of the matter;
- Voluntary leave of absence;
- Providing an escort to ensure safe movement between classes and activities;
- Providing medical services;
- Providing academic support services, such as tutoring;
- Any other remedy that can be tailored to the involved individuals to reasonably achieve the goals of this policy.

Systemic Remedies

- Institute-wide, Division-wide, and/or Option-wide, or other team-based communication or outreach effort and training, as appropriate;
- Addition of information to Equity and Title IX Office website, or other Institute website, as appropriate;
- Conduct of appropriate climate survey to gather information pertinent to preventative outreach efforts.

If the respondent was found not to have violated Caltech's Sex- and Gender-Based Misconduct Policy, but the investigation concluded that they committed some other wrongful or improper act, appropriate corrective action will be taken. Effective corrective action may also require remedies for a complainant and/or systemic remedies for the broader Caltech community. Caltech will take appropriate measures to prevent the reoccurrence of any prohibited conduct, and to correct and prevent any discriminatory or retaliatory effects, as appropriate.

In determining sanctions, remedies, and systemic remedies, as appropriate, the administrator will consult with the Title IX Coordinator and other persons they deem appropriate, to enable Caltech to take steps to prevent recurrence of any harassment and to correct its discriminatory effects on the complainant and, if appropriate, others.

NOTE: The Institute may undertake remedies and systemic remedies, as appropriate, to safeguard a complainant's access to education, at any time. The complainant's engagement in a resolution process is not a prerequisite for such Institute action. Moreover, Caltech shall consider and respond to requests for accommodations relating to prior incidents of sexual harassment that could contribute to a hostile educational environment or otherwise interfere with a student's access to education where both individuals are, at the time of the request, subject to Caltech's policies.

10. Disclosure of Outcomes

Outcomes of disciplinary proceedings may be disclosed consistent with applicable law, including FERPA, Title IX, and the Clery Act. Upon request, Caltech will disclose the outcomes of a disciplinary proceeding against a student who is the alleged perpetrator of any crime of sexual violence to the alleged victim.

Outcomes of the investigation process will be disclosed on a need-to-know basis, as determined by the Title IX Coordinator, in order to effect sanctions and/or other remedies and systemic remedies.

11. Appeal

Appeals may be submitted by either party. They must be in writing and submitted within ten (10) calendar days of notification of the decision to the appropriate administrator (the provost for faculty, the associate vice president for human resources for postdoctoral scholars and campus staff, the vice president of student affairs for students, or, the director for human resources at JPL for JPL employee respondents). In assessing appeals, these administrators may consult with any individual they deem appropriate. The recipient of the appeal will notify the Title IX Coordinator and any other party in writing when an appeal is filed.

Appeals of decisions resulting from the investigation process are limited to one or more of the following grounds: (a) a procedural irregularity that affected the outcome of the matter; (b) new evidence (including a new witness) that was not reasonably available at the time the determination regarding responsibility was made and that could affect the outcome of the matter; (c) the Title IX Coordinator, investigator(s), decision maker(s), or administrator who determined and imposed any sanctions or remedies had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter; (d) the sanctions or remedies are substantially disproportionate to the conduct for which the respondent was found responsible.

If a party submits an appeal, the other party will have the opportunity to submit a written response to the appeal within ten (10) calendar days of the filing of the appeal. The parties simultaneously will be informed, in writing, of the outcome of the appeal. The appeal decision letter will state the rationale for the result. Appeal decisions are final.

If the appeal is granted in whole or in part, the administrator deciding the appeal will inform the Title IX Coordinator, the decision maker, and/or other appropriate Caltech administrator(s) so that appropriate follow up action can be taken to implement the appeal decision.

If the appeal is granted based on ground (d), the appeal administrator will determine what sanctions or remedies are appropriate if any, and their decision is final.

XIV. Further Complaints

If the corrective action does not end the prohibited conduct, the complainant should immediately notify at campus the Title IX Coordinator, or a deputy Title IX Coordinator, the provost or a division chair, dean or associate dean, Employee and Organizational Development director; or at JPL, the Deputy Title IX Coordinator. In such cases, the complainant has the right to file another formal complaint based on new prohibited conduct.

Related Policies and Procedures:

- [Sex- and Gender-Based Misconduct Policy](#)
- [Nondiscrimination and Equal Employment Opportunity Policy](#)
- [Unlawful Harassment Policy](#)
- [Procedures for Complaints of Unlawful Discrimination, Harassment and Retaliation](#)
- [Violence Prevention Policy](#)

XV. Title IX Coordinators

The Title IX Coordinator is responsible for coordinating Caltech's compliance with Title IX and for Caltech's overall response to prohibited conduct falling under Title IX. The Title IX Coordinator oversees the implementation and application of this policy and the related procedures to ensure the prompt and equitable resolution of complaints and the consistent treatment of the parties involved. In doing so, the Title IX Coordinator oversees all Title IX-covered and other sex- and gender-based misconduct complaints, monitors outcomes, identifies and addresses any patterns of systemic problems that arise, and assesses effects on the campus climate.

The Title IX Coordinator is supported by deputy Title IX Coordinators, all of whom can answer questions regarding Caltech's Title IX-related policies and Title IX.

Title IX Coordinator and Assistant Vice President for Equity and Equity Investigations

HIMA VATTI

205 Center for Student Services
(626) 395-3132
equity@caltech.edu

Deputy Title IX Coordinator and Civil Rights Resolution Specialist

VALERIE NEWCOMB

215 Center for Student Services
(626) 395-1743
vnewcomb@caltech.edu

Deputy Title IX Coordinator for Staff and Postdoctoral Scholars and Director, Employee and Organizational Development

OFELIA VELAZQUEZ-PEREZ

206 Central Engineering Services
(626) 395-3819
Ofelia.Velazquez-Perez@caltech.edu

Deputy Title IX Coordinator for JPL

JACKIE CLENNAN-PRICE

Human Resources T1720-165 at JPL
(818) 393-0016
Jackie.A.CleNNanprice@jpl.nasa.gov

The following persons are authorized to initiate corrective action in response to reports of prohibited conduct covered under section 15.0 and 16.0 on Caltech's behalf: Title IX Coordinator, Deputy Title IX Coordinators, Director of Employee and Organizational Development, Associate Vice President for Human Resources, and JPL Director for Human Resources.

REGISTERED SEX OFFENDERS

The Campus Sex Crimes Prevention Act requires the police to track convicted sex offenders enrolled at or employed by institutions of higher education. Sex offenders are required to register with local law enforcement. The Pasadena Police Department is the local law enforcement agency for registering and getting information regarding sex offenders in the area. To identify local sex offenders, online access is available at <http://meganslaw.ca.gov/>.

PASADENA POLICE DEPARTMENT

201 Garfield Ave. | Pasadena, CA 91101
(626) 744-4501



MISSING STUDENT NOTIFICATION

Caltech takes student safety very seriously. To this end, the following policies and procedures have been established to assist in locating Caltech students living in Caltech on-campus housing who, based on the facts and circumstances known to Caltech, the Institute has determined to be missing for more than 24 hours.

At the beginning of each academic year, Caltech will provide students with information about its missing student notification procedures for students who reside in on-campus student housing facilities.

The information will include the following:

- Students have the option of identifying an individual to be contacted by Caltech within 24 hours after the time the student has been determined to be missing.
 - Undergraduates can register their confidential contact information with the Dean of Students Office (626-395-6351) and graduates can register it with the Office of Graduate Studies (626-395-6346). This information will be accessible only to authorized campus officials and may not be disclosed except to law enforcement personnel in a missing person investigation. If a student chooses not to provide a confidential contact and is deemed to be missing, Caltech will notify the student's emergency contact or parent.
 - If the student is under 18 years of age, and not an emancipated individual, Caltech is required to notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to any additional contact person designated by the student.
 - Caltech will notify the appropriate law enforcement agency within 24 hours after the time that the student is determined to be missing.
- If Caltech Security or law enforcement personnel have been notified and subsequently make a determination that a student who is the subject of a missing person report has been missing for 24 hours and has not returned to campus, Caltech will initiate the emergency contact procedures in accordance with the student's designation.
 - Caltech will follow this notification procedure for a missing student who resides in on-campus housing.
 - Any faculty, staff, or student who believes a student is missing or has been missing for 24 hours, must immediately notify Security. Once Caltech receives this missing student report, Security will notify the following offices and administrators:
 - A. Vice President for Student Affairs and the deans
 - B. Director of Housing and the Senior Director, Student Activities and Programs.
 - Any official missing person report relating to this student shall be immediately referred to Security.
 - If Security, after investigating the report, determines that a student has been missing for 24 hours, Caltech will contact the individual identified by the student, the custodial or legal guardian, if the student is under 18 and not emancipated, and local law enforcement within 24 hours.

The full text of the Missing Student Policy and Procedure can be found [here](#).

FIRE SAFETY REPORT

Under the Campus Fire Safety Right-to-Know Act, colleges and universities are required to maintain a written fire log that records, by date reported, any fire that occurs in an on-campus student housing facility. The act also requires colleges and universities to provide to all current students, employees, and any applicant for enrollment or employment, upon request, an annual fire safety report containing information about the campus fire safety practices and standards.

Fire Safety

The mission of the Environment, Health, and Safety (EHS) Office is to facilitate innovative research at Caltech through a comprehensive safety program that promotes the health and safety of students, faculty, staff, and visitors. Through education, training, and information, safety awareness and practices are integrated into all activities at Caltech.

The EHS office provides supporting services to the campus, including monitoring evacuation and emergency drills and safety training for new students, staff, and faculty, and helps develop building-specific emergency action plans. EHS also partners with City of Pasadena Fire Department activities such as training, response activities, and building inspection visits.

Log

The EHS Office maintains a fire log that contains information on all fires occurring in on-campus housing. The fire log includes the date that the fire was reported, the nature of the fire, the date and time of the fire, and the general location of the fire. The fire log for the most recent 60-day period is available [here](#). A fire log with older entries is available within two business days of a request to view it. To make such a request, please contact the EHS Office at (626) 395-6727.

Annual Report

Under the provisions of "The Campus Fire Safety Right-to-Know Act," incidents involving fire in student residential facilities are compiled and reported annually by EHS in this Annual Security and Fire Safety Report. This report contains:

- Fire safety practices and standards at Caltech
- Evacuation procedures
- Description of the fire safety system for each student residential facility
- Fire statistics (number of fires, injuries, property damage)

Copies of this report are available during normal working hours at the EH&S Office located in Room B125 on the lower level of the Keith Spalding Building or online at <http://www.safety.caltech.edu/>.

Fire Safety Policy and Procedures

[Caltech's Fire Safety Policies and Procedures](#) for students is posted on the [Student Affairs website](#), and includes rules for portable electrical appliances and open flames in student housing facilities.

Barbecue Grills:

UG On Campus Housing Locations

Charcoal barbecues are only permitted for use in conjunction with Dining Services events. No other barbecue grills are allowed. Propane tanks must be stored separately from the barbecues when not in use. Dining Services will provide storage for propane tanks at the Browne cage dock. Propane tanks cannot be stored indoors.

Graduate Catalina Housing Locations

Barbecue grills are attached to each rec room for your use. Any other grills are strictly prohibited.

Graduate/Postdoc Off Campus Housing

Prior to their initial use, barbecue grills must be approved by Housing. Gas burning barbecues are permitted. You may not have more than one propane tank and when not in use, it must be shut off. Barbecue grills may only be used outdoors but not on balconies. You may not store an additional tank.

Bonfires: Bonfires or fires of any kind are not permitted on campus.

Candles: Candles and any other open-flame items are not permitted in campus housing.

Decorations: In general, decorations must not cover, block, or hide exit signs, lights, or fire safety equipment. To the extent possible, students should minimize the amount of combustible materials that are used and/or stored in living areas. Decorations such as fishnets, parachutes, and fabrics are a source of fuel and can spread a fire. Old newspapers, cardboard boxes, and magazines can also accelerate a fire. Particular attention should be given to decorations for special occasions. Fresh cut Christmas trees are strictly prohibited. Artificial trees must be labeled as made of non-combustible material. Any fire safety equipment including, but not limited to: smoke detectors, pull stations, fire sprinklers, etc., must not be painted over, covered, or tampered with at any time.

Electrical Appliances: All equipment utilized (lights, halogen lights, wires, plugs, connections, etc.) must be Underwriters Laboratories (UL) or Factory Mutual (FM) approved and in good condition. Pole or torchiere halogen lamps are not permitted. The use of improvised wiring and multi-outlet adapters (i.e., adapters that allow two or more appliances to be plugged into one outlet) are prohibited. Extension cords are not allowed but surge protectors or power strips are allowed as long as they are not ganged or joined together. Electrical cooking appliances such as coffee pots, air-fryers, or rice cookers with automatic shut off are permitted but must be used only in kitchen areas, and should be attended at all times while in use. Hot Plates are strictly prohibited. Housing-approved space heaters may be used in student rooms and must be attended while in use with an automatic shut off option.

Explosives and Improvised Explosive Devices:

Explosives, including fireworks, are extremely hazardous, and it is illegal and against Institute policy to possess manufactured or improvised explosives except as part of approved research in a laboratory. Use and storage of explosives is strictly controlled by local, state, and federal laws, and with the exception of a few specific research labs, are not allowed on campus. Explosive materials used for the Fleming Canon are contained in an appropriate storage magazine. Misuse of chemicals and stockroom privileges is a serious matter.

Flammable Liquids and Gases: Flammable liquids and gases pose a particular hazard when stored or used in living areas. The hazard is typically created by the evaporation of fuels or solvents in confined spaces mixing with air to form a flammable region and ignition by open-flame pilot lamps, stoves, cigarette lighters, or faulty wiring. Gasoline, acetone, camping stove fuel (white gas or butane), lighter fuel, and propane torch canisters are common items that supply the fuel.

The propellant in aerosol spray cans (paint) is also a flammable gas in some cases. No such materials may be used or stored in student living areas. Certain household combustibles such as hair spray and nail polish are exempt from this requirement and may be possessed by students in their living areas. Mopeds and motorcycles must not be stored inside residences since their gas shut-off valves can leak or not be properly used, creating a flammable vapor hazard. Caltech does not provide campus residences with approved storage locations for flammable materials.

Electronic Cigarettes: Caltech prohibits the use, possession, and storage of electronic cigarettes in all Caltech Housing locations.

Fire Alarms: It is a violation of Institute policy, and illegal, to intentionally set off a false fire alarm, tamper with a smoke detector, disable a fire alarm, discharge a fire extinguisher and suppress a warning device. Such conduct may result in criminal penalties as well as campus disciplinary actions.

Fire Doors: Fire doors must not be tampered with or blocked and must be kept closed at all times.

Fire Drills and Evacuation Procedures: Students must understand and conform to all Institute procedures for fire drills and evacuation procedures. Housing provides clear evacuation procedures. These procedures can be found on the back of each student residence room door. When a fire alarm is sounded, all individuals in the building must exit promptly to their designated evacuation site, and must fully cooperate with any responding emergency personnel.

Fire Extinguishers: Fire extinguishers are located, labeled, and maintained by Caltech Facilities so that they may be easily identified and in good operating condition. All fire extinguishers are checked monthly by Caltech Facilities to provide reasonable assurance that they operate properly.

Hallways and Walkways: Hallways, walkways, exit corridors, staircases, doors, and passageways leading to exits must be kept clear of all items that may obstruct the hallway or impede evacuation. The Safety Office, Housing, Security, and Facilities reserve the right to remove any combustible materials or items that may impede normal passage or evacuation routes.

Hoverboards: Caltech prohibits the use, possession, and storage of hoverboards, hands-free Segways, and self-balancing scooters (collectively “hoverboards”) on campus and in campus-owned or controlled buildings. When safety standards are developed and implemented by the manufacturers, this prohibition will be revised.

Indoor Fireplaces: Fireplace use with wood, gas or any other material is strictly prohibited. Fireplace screens must not be removed

Outdoor Fireplaces: Outdoor fireplaces are not permitted on Institute property.

No Smoking Policy: Smoking (including use of e-cigarettes) at all is not allowed in or around any Caltech Housing living area.

Sanctions: Violations of this Policy may result in investigation and disciplinary action by any of the following, including but not limited to: the Housing Office, the Conduct Review Committee, the Dean of Students, the Vice President for Student Affairs, the Dean of Graduate Studies, or the Graduate Review Board. In addition, the setting of a fire or tampering with fire safety equipment in violation of this Policy will result in a fine of up to \$500 for each person involved, in addition to reimbursements for damage. Further violations will result in eviction from Caltech Housing. In the event of a violation of law, state and federal authorities may also take action.

Fire Evacuation Drills

EH&S conducted campus building evacuation drills June 21-24. The Office of Student Affairs and EH&S conducted Student Housing evacuations on March 22, June 21, and September 22. Participation in fire evacuation drills is mandatory.

Procedures for Student Housing Evacuations

Evacuation procedures are posted on the back of each on-campus student’s room door, which has a building map to identify the closest exit for each room. When an alarm is sounded, all individuals in the building must exit promptly to their designated emergency assembly areas, and must cooperate with any responding emergency personnel.

Policies Regarding Fire Safety Training and Education

The objective of the Institute’s fire safety training is to increase awareness about fire safety, to provide fire safety training through demonstration, and to provide information to enable students to respond to a fire emergency.

Caltech offers various fire safety training opportunities to all students, faculty, and employees. Training opportunities are listed on the EHS website under the Training tab at [Safety.caltech.edu/training](https://safety.caltech.edu/training).

New incoming students, faculty, and staff are offered initial fire safety training during orientation events such as Freshman Orientation and New Researcher Training, and at the Institute's New Employees forum.

Residential life coordinators (RLCs) and resident associates (RAs) receive fire safety training on an annual basis. Training includes information on the use of a fire extinguisher, evacuation assembly areas for their buildings, the contents and use of their portable emergency equipment bags, and specific fire policies for student housing.

Several publications are also available that include pertinent information on fire safety. These include the New Student Orientation Guide, the Resident Guide to Institute Housing, and the Caltech Emergency Response Guide.

Students are expected to conform to all Institute procedures for fire drills and evacuations. Housing provides evacuation procedures. When an alarm is sounded, all individuals in the building must exit promptly and proceed to their designated emergency assembly areas, and must cooperate with any responding emergency personnel.

Reporting Procedures

In case of a fire, individuals should immediately call Security dispatch at x5000. They must then provide information regarding the nature of the emergency (smoke, fire) and their name, location, and phone number. After that, they should wait for the arrival of emergency personnel at the assembly area or in a safe location.

The following persons must be notified that a fire has occurred for reporting purposes:

- Assistant Vice President for Student Affairs Operations
- Chief of Security
- Director of Environment, Health, and Safety

Plans for Future Improvements in Fire Safety

- The Institute seeks annual input from students and staff to improve training material and methods used to educate incoming and returning students about fire safety.
- Continue to engage PFD in outreach and education activities.

STATISTICS FOR CALTECH ON-CAMPUS STUDENT HOUSING

Fire Statistics 2022

Year	Location	Cause of Fire	Number of Injuries that Resulted in Treatment at a Medical Facility	Number of Deaths Related to a Fire	Value of Property Damage Caused by Fire
2020	1170 E. Del Mar	Outlet arching/fire	0	0	\$100-\$999
2021	Ricketts House	Pallet wood burned	0	0	\$0
	Ricketts House	Student burned pants	0	0	\$0
	430 S. Catalina	Stairwell/unk cause	0	0	\$6000
2022	None				

STUDENT RESIDENCES WITH NO FIRES REPORTED IN 2022

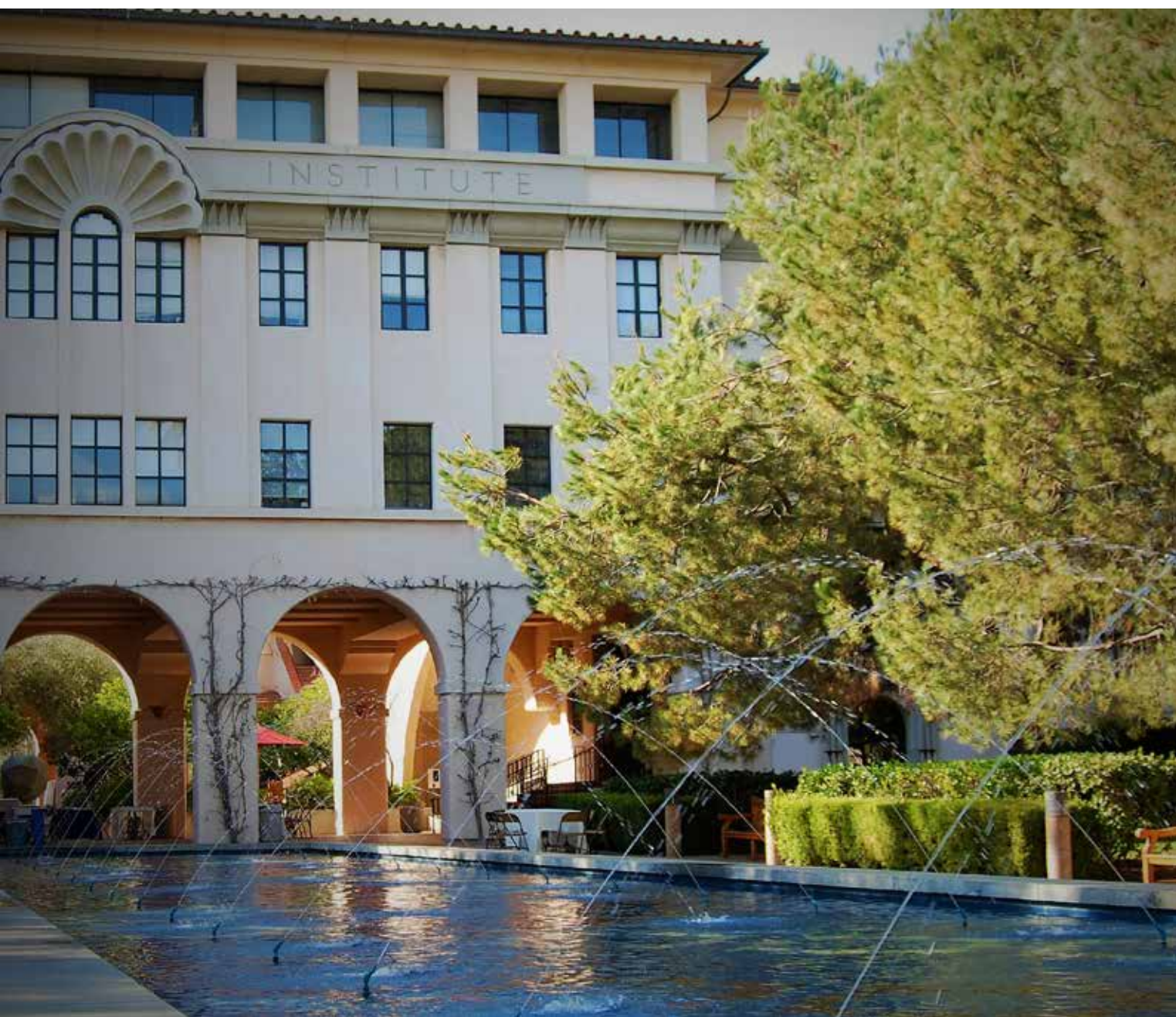
Avery	Bechtel	Blacker	Braun	Dabney	Fleming
Lloyd	Marks	Page	Ricketts	Venerable	Catalina 1
Catalina 2	SAC	131 S. Chester	135 S. Chester	145 S. Chester	145 ½ S. Chester
147 S. Chester	147 ½ S. Chester	150 S. Chester	153 S. Chester	155 S. Chester	180 S. Catalina
188 S. Catalina	216 S. Chester	222 S. Chester	229 S. Wilson	230 S. Wilson	232 S. Chester
234 S. Chester	236 S. Chester	240 S. Chester	242 S. Catalina	244 S. Catalina	250 S. Catalina
250 S. Chester	252 S. Catalina	260 S. Chester	260 S. Michigan	267 S. Wilson	269 S. Wilson
271 S. Wilson	272 S. Michigan	273 S. Wilson	295 S. Wilson	297 S. Wilson	307 S. Wilson
555 S. Catalina	1043 E. Del Mar	1052 E. Del Mar	1053 E. Del Mar	1055 E. Del Mar	1057 E. Del Mar
1059 E. Del Mar	1060 E. Del Mar	1061 E. Del Mar	1063 E. Del Mar	1065 E. Del Mar	1066 E. Del Mar
1067 E. Del Mar	1170 E. Del Mar	1205 E. Del Mar	1364 Cordova		

INSTITUTE FIRE SYSTEMS FOR ON CAMPUS HOUSING

FIRE SAFETY FEATURES	ON-CAMPUS HOUSING																																																			
<ul style="list-style-type: none"> ■ Fully outfitted with sprinklers ■ Supervised fire alarm system ■ A supervised smoke detector in each sleeping room 	Avery House, Catalina 1, Fleming House Blacker House, Dabney House Bechtel Residence, Ricketts House																																																			
<ul style="list-style-type: none"> ■ Supervised fire alarm system ■ A smoke detector in each sleeping room 	Braun, Page, Lloyd, Venerable Marks, 150 S. Chester Catalina 2, Catalina 3																																																			
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CONCLUSION

Caltech is committed to ensuring the safety and security of its community. This report, therefore, is provided to the Institute community not just as a fall initiative or compliance effort, but as a sincere attempt to ensure that any member of this campus is able to access the information (including crime and fire statistics) and guidance (lists of services, programs, and other campus resources) it provides.



APPENDIX A

Crime Statistics 2022

FINAL NUMBERS	ASR 2022 STATISTICS			
	ON-CAMPUS	RES. FACILITY	NON-CAMPUS	PUBLIC PROPERTY
Murder & Non-Negligent Manslaughter	0	0	0	0
Manslaughter by Negligence	0	0	0	0
Rape	5	5	0	0
^Fondling	26	25	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Domestic Violence	0	0	0	0
Dating Violence	3	2	0	1
Stalking	15	14	0	0
Robbery	1	0	0	0
Aggravated Assault	0	0	0	0
Burglary	6	6	0	0
Motor Vehicle Theft	3	0	0	0
Arson	0	0	0	0
WEAPONS LAW VIOLATIONS				
Arrest	0	0	0	0
Disciplinary Referral	0	0	0	0
DRUG LAW VIOLATIONS				
Arrest	0	0	0	0
Disciplinary Referral	12	11	0	0
LIQUOR LAW VIOLATIONS				
Arrest	0	0	0	0
Disciplinary Referral	145	137	0	0
*Hate Crimes	0	0	0	0

***Hate Crimes:**

(1) No hate crimes reported in 2022

No unfounded crimes for 2022

^Fondling - Twenty of the incidents came from one report

Crime Statistics 2021

FINAL NUMBERS	ASR 2021 STATISTICS			
	ON-CAMPUS	RES. FACILITY	NON-CAMPUS	PUBLIC PROPERTY
Murder & Non-Negligent Manslaughter	0	0	0	0
Manslaughter by Negligence	0	0	0	0
Rape	1	1	0	1
Fondling	2	2	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Domestic Violence	2	1	0	0
Dating Violence	1	1	0	0
Stalking	6	3	0	0
Robbery	1	0	0	0
Aggravated Assault	0	0	0	0
Burglary	6	4	0	0
Motor Vehicle Theft	0	0	0	0
Arson	2	2	0	0
WEAPONS LAW VIOLATIONS				
Arrest	0	0	0	0
Disciplinary Referral	0	0	0	0
DRUG LAW VIOLATIONS				
Arrest	1	0	0	0
Disciplinary Referral	8	8	0	0
LIQUOR LAW VIOLATIONS				
Arrest	0	0	0	0
Disciplinary Referral	19	19	0	0
*Hate Crimes	0	0	0	0

***Hate Crimes:**

(1) No hate crimes reported in 2021

No unfounded crimes for 2021

Crime Statistics 2020

FINAL NUMBERS	ASR 2020 STATISTICS			
	ON-CAMPUS	RES. FACILITY	NON-CAMPUS	PUBLIC PROPERTY
Murder & Non-Negligent Manslaughter	0	0	0	0
Manslaughter by Negligence	0	0	0	0
Rape	0	0	0	0
^Fondling	2	2	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Domestic Violence	2	1	0	0
Dating Violence	6	5	0	0
Stalking	9	4	0	0
Robbery	0	0	0	0
Aggravated Assault	1	1	0	0
Burglary	3	0	0	0
Motor Vehicle Theft	1	0	0	0
Arson	0	0	0	0
WEAPONS LAW VIOLATIONS				
Arrest	0	0	0	0
Disciplinary Referral	0	0	0	0
DRUG LAW VIOLATIONS				
Arrest	0	0	0	0
Disciplinary Referral	0	0	0	0
LIQUOR LAW VIOLATIONS				
Arrest	0	0	0	0
Disciplinary Referral	107	106	0	0
*Hate Crimes	0	0	0	0

***Hate Crimes:**

(1) No hate crimes reported in 2020

No unfounded crimes for 2020

APPENDIX B

Clery CRIME DEFINITIONS as defined by the FBI Uniform Crime Reporting (UCR)

Sex Offenses

Any sexual act directed against another person, without the 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.

Domestic Violence

The term “domestic violence” includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, or by any other person against an adult or youth victim who is protected from that person’s acts under California’s domestic or family violence laws.

Stalking

The term “stalking” means engaging in a course of conduct directed at a specific person that would cause a reasonable person to (a) fear for his or her safety or the safety of others; or (b) suffer substantial emotional distress.

Dating Violence

The term “dating violence” means violence committed by a person (a) who is or has been in a social relationship of a romantic or intimate nature with the victim; and (b) where the existence of such a relationship shall be determined based on a consideration of the following factors:

- i. The length of the relationship;
- ii. The type of relationship; and
- iii. The frequency of interaction between the persons involved in the relationship.

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.

Manslaughter by Negligence

The killing of another person through gross negligence.

Murder and Non-negligent Manslaughter

The willful (non-negligent) killing of one human being by another.

Robbery

The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force, threat of force or violence, and/or by putting the victim in fear.

Aggravated Assault

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

Burglary

The unlawful entry of a structure to commit a felony or a theft.

Motor Vehicle Theft

The theft or attempted theft of a motor vehicle.

Weapons: Carrying, Possessing, Etc.

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Drug Law Violations

The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Liquor Law Violations

The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

Larceny-Theft (Except Motor Vehicle Theft)

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.

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

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.

California Definitions of Domestic and Dating Violence, Stalking, and Sexual Assault

Caltech's policy defines domestic violence, dating violence, sexual assault, and stalking for purposes of Caltech's response to the policy violation. When a victim reports a crime to the police, the police and district attorney will look to the California Penal Code definitions of the crime, which are summarized below.

Domestic violence (including dating violence) is defined by California Penal Code sections 243 and 273.5 as: When a person willfully inflicts bodily injury resulting in a traumatic condition upon a victim who is or was one or more of the following:

the offender's spouse or former spouse; (b) the offender's cohabitant or former cohabitant; (c) the offender's fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship; (d) the mother or father of the offender's child. Dating relationship means frequent, intimate associations primarily characterized by the expectation of affection or sexual involvement independent of financial considerations.

Stalking in California is defined by California Penal Code section 646.9 as: Anyone who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses a person and who makes a credible threat with the intent to make the person fear for their safety or the safety of their family.

Crimes generally known as "sexual assault," are prosecuted in California as the crimes of sexual battery, rape, criminal sodomy, criminal oral copulation, and sexual penetration.

Sexual battery is defined by California Penal Code section 243.4 as: Any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery; any person who touches an intimate part of another person who is institutionalized for medical treatment and who is seriously disabled or medically incapacitated, if the touching is against the will of the person touched, and if the touching is

for the purpose of sexual arousal, sexual gratification, or sexual abuse; any person who touches an intimate part of another person for the purpose of sexual arousal, sexual gratification, or sexual abuse, and the victim is at the time unconscious of the nature of the act because the perpetrator fraudulently represented that the touching served a professional purpose; any person who, for the purpose of sexual arousal, sexual gratification, or sexual abuse, causes another, against that person's will while that person is unlawfully restrained either by the accused or an accomplice, or is institutionalized for medical treatment and is seriously disabled or medically incapacitated, to masturbate or touch an intimate part of either of those persons or a third person; any person who touches an intimate part of another person, if the touching is against the will of the person touched, and is for the specific purpose of sexual arousal, sexual gratification, or sexual abuse.

Touching means physical contact with another person, whether accomplished directly, through the clothing of the person committing the offense, or through the clothing of the victim.

Rape is defined by California Penal Code sections 261 and 262.

Section 261 defines rape as: An act of sexual intercourse accomplished with a person not the spouse of the perpetrator, where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act; where it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another; where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused; where a person is at the time unconscious of the nature of the act, and this is known to the accused; where a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief; where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and

there is a reasonable possibility that the perpetrator will execute the threat; where the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official.

Section 262 defines the rape of a person who is the spouse of the perpetrator as: An act of sexual intercourse accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another; where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known, by the accused; where a person is at the time unconscious of the nature of the act, and this is known to the accused; where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat; where the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official.

Sodomy is defined by California Penal Code section 286 as: Sexual conduct consisting of contact between the penis of one person and the anus of another person, where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat; where the victim is at the time unconscious of the nature of the act and this is known to the person committing the act; where the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act; where the victim is prevented from resisting by an intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused; where the victim submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief; where the act is

accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official.

Oral copulation is defined by California Penal Code section 288a as: The act of copulating the mouth of one person with the sexual organ or anus of another person, when accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person; where accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat; where the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act; where the victim is at the time unconscious of the nature of the act and this is known to the person committing the act; where the victim is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused.

Sexual penetration is defined by California Penal Code section 289 as: The act of causing the penetration, however slight, of the genital or anal opening of any person or causing another person to so penetrate the defendant's or another person's genital or anal opening for the purpose of sexual arousal, gratification, or abuse by any foreign object, substance, instrument, or device, or by any unknown object when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person; when the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat; where the victim is at the time incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act or causing the act to be committed; where the victim is at the time unconscious of the nature of the act and this is known to the person committing the act or causing the act to be committed; where the victim is prevented from

resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused; where the victim submits under the belief that the person committing the act or causing the act to be committed is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief; where the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official.

In a prosecution where consent is an issue, California Penal Code section 261.6 defines consent as: Positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved. A current or previous dating or marital relationship is not sufficient to constitute consent.

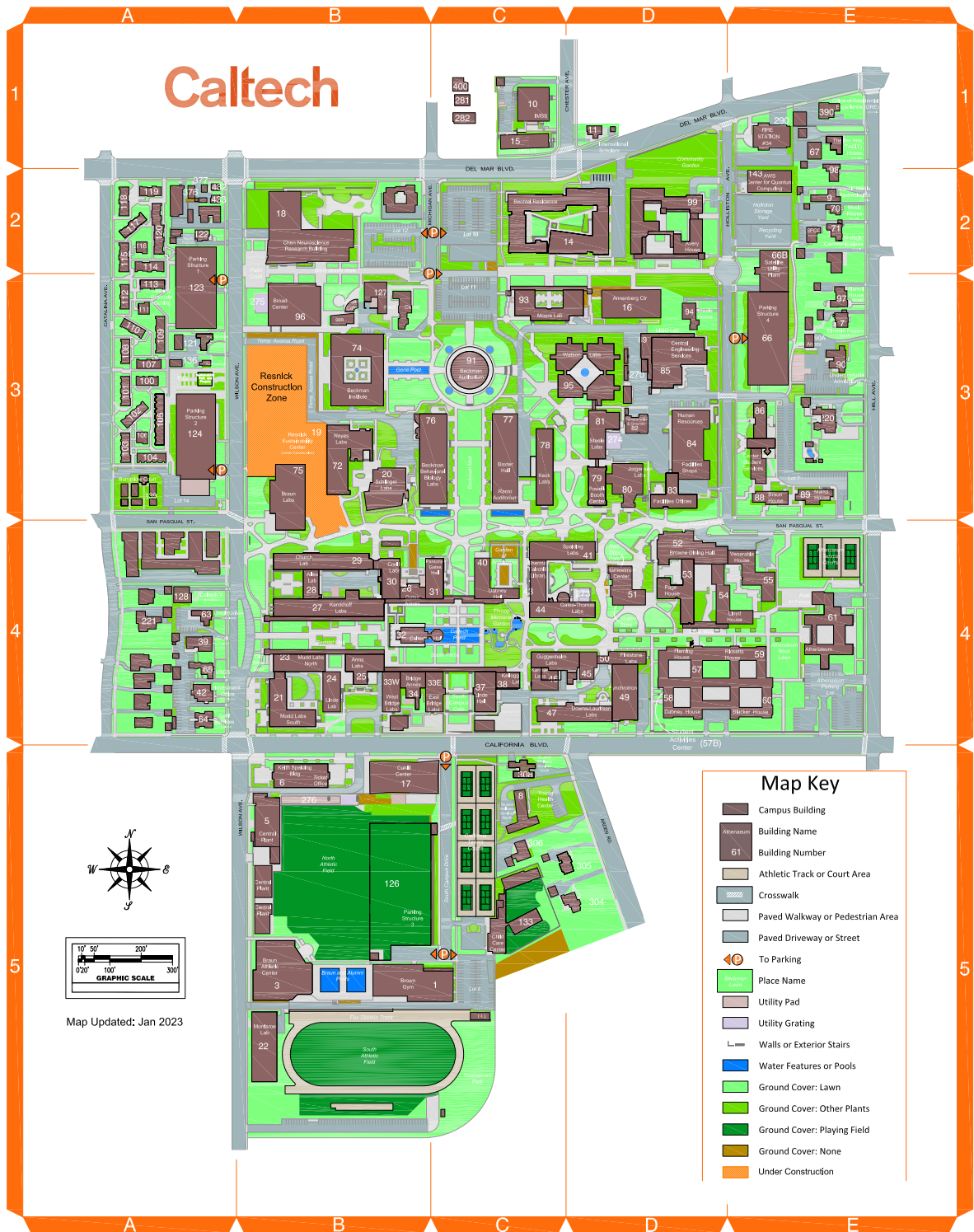
Seeking a Restraining Order and Orders of Prevention

An individual can seek a domestic violence restraining order from a California court if they have been abused or been threatened with abuse by someone with whom they have a close relationship—they are married or registered domestic partners, divorced or separated, dating or used to date, living together or used to live together (as more than roommates), are the parents together of a child, or are closely related (parent, child, brother, sister, grandmother, grandfather, in-law). Abuse does not have to be physical. Abuse can be verbal, emotional, or psychological. California Family Code 6200-6219. For help seeking a restraining order, contact Security at 626-395-5000.

For orders of protection, the Title IX office issues and enforces no contact orders. Security delivers cease and desist letters. The Title IX office and Security work with community agencies and law enforcement regarding restraining orders.

APPENDIX C

Caltech Campus Map



JPL Map

