

Campus Security and Crime Prevention Policy

The SAE Expression College – Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Report is prepared by the Campus Director and the Department of Academic and Student Services. The Report includes information on SAE’s policies and procedures with respect to safety and crime prevention, as well as statistics for all Clery-covered crimes reported to have occurred on SAE’s Clery geography over the past three calendar years. In addition, SAE annually contacts local law enforcement to obtain crime statistics for Clery-covered crimes reported to local police and occurring on SAE’s Clery geography.

The Final Report is distributed to students and employees on an annual basis and is provided to prospective students and new employees. The report is available to all currently enrolled students throughout the year through the school website.

Reporting Crimes and Emergencies

A safe environment is everyone’s responsibility. Students and employees are encouraged to accurately report all criminal acts, suspicious activities, or emergencies promptly to campus security personnel and appropriate law enforcement agencies when the victim of a crime elects not to, or is unable to, make such a report. Victims or witnesses have the right to report these matters confidentially and are encouraged to file a report of the incident. Reports can be filed on a voluntary and confidential basis for inclusion in the annual disclosure of crime statistics by contacting the Campus Director. Reports are kept secure in the administration office and names of victims or witnesses are not disclosed in the crime report or in any Timely Warning issued in connection with the incident. It is the policy of SAE Expression that all criminal acts or other emergencies be properly documented and reported to local authorities as required by law, except in certain limited instances where a student files a complaint alleging sexual harassment, declines to notify local law enforcement, and requests that SAE maintain the complainant’s confidentiality. Such requests will be evaluated pursuant to school policies. SAE does not have pastoral or professional counselors available to students or employees.

Students and employees should promptly report all criminal actions and emergencies occurring on or around campus to the Campus Director, either in person or by calling the school at (415) 344-0886, for the purposes of making Timely Warnings and the annual disclosure of crime statistics in this Report.

You may also contact the local police department by dialing 911. All criminal activity is documented by the completion of an Incident Report.

Campus Facilities: Security and Access to the Institution

It is the policy of SAE Expression College that access to facilities be limited to authorized personnel, students and invited visitors. Visitors are at all times subject to SAE’s policies and conduct codes and must register at the front desk upon arrival. Students and employees are responsible for the conduct of their guests at all times, pursuant to this policy:

All employees shall be required to:

- Keep all unsupervised and unoccupied areas locked at all times.
- Routinely check the alarm system and security lighting to ensure their operational effectiveness.
- Ensure that the security contacts are on site during all hours that the building is open. SAE Expression normal hours are: Monday-Thursday 8:00 am to 12:00 am and Fridays 9:00 am to 6:00 pm. Please check the SAE website at <https://usa.sae.edu/> for updates on campus protocols due to COVID.
- Report immediately, to the Campus Director, any suspicious activities related to the Institution or of its properties, regardless of how minor these may seem.
- Notify Security Guards or Studio Technicians of any activities when the Campus Director is not available.
- Be familiar with all the Institution’s procedures regarding the handling of any accidents or criminal activities.

The incident procedures are listed below:

- a) Immediately determine the condition of any injured employee, student, or other parties.
- b) Notify the appropriate authorities by calling 911 (if necessary).
- c) Ensure the Campus Director is made aware of the incident
- d) Gather information from any witnesses

- e) All involved parties must complete an Incident Report with the Campus Director or Security Guard. This report is filed in the corresponding student file and in the internal electronic Tickit system.
- f) Investigate property damage or theft, following the above steps.
- g) Should an alleged sex offense on campus be reported, the parties involved are permitted, if applicable, to change their academic schedule, depending on the availability of classes.
- h) A summary of the report is entered into the Contact Manager in CampusVue and entered into the internal electronic Tickit system.

All students are required to:

- Notify a staff member if a student becomes ill or is injured while on campus.
- Upon enrollment, report to the Student Services Advisor, any physical condition that may require immediate medical attention. A copy of this notification is maintained in the student's permanent confidential file.
- Be aware of any announcements or newsletters. These may contain information regarding the change of criminal or emergency contact information or procedures.

As noted above, facilities staff regularly check the alarm system and security lighting to ensure their operational effectiveness. Employees are encouraged to raise security concerns with school administrators. School administrators will address security considerations as they are raised or in response to patterns of crime.

Campus Security Enforcement

SAE Expression College has Campus Security Guards. The Campus Director or Security Guard or Studio Technician on duty will notify the Campus Security and Enforcement officer and/or police department as warranted. A staff member is on duty during all hours the building is occupied. This person is responsible for ensuring that persons entering the building are employees, students and their families or invited guests. They are authorized to request identification from those individuals who are unfamiliar to them, and identification is required of all individuals arriving or leaving after the building is secured. They have the authority to evict unauthorized persons from the premises; they do not have authority to make arrests. Students are advised to carry their School Photo ID card at all times. SAE personnel may not make arrests, but are instructed to promptly contact the Emeryville Police Department of any illegal activity.

Relationships with Local and State Police

SAE maintains a close working relationship with the Emeryville Police Department with periodic contact initiated by Campus Director to ensure that the Institution is aware of criminal offenses and arrests occurring on or near the campus. This is done to ensure that the Institution can properly report or warn students regarding crimes that represent a continuing threat. However, SAE does not have a memorandum of understanding in place with local law enforcement.

Timely Warnings

SAE will initiate a Timely Warning to notify the campus community in response to certain Clery Act crimes reported to campus authorities or local police departments that occurred on SAE's campus or covered public property and constitute an ongoing or continuing threat to students or employees. Timely Warnings are emailed to employees, and students are notified of any events by weekly in-class announcements. SAE will ensure that Timely Warnings withhold the victims' names and other identifying information as confidential.

Emergency Response and Evacuation Procedures

The following staff are responsible for carrying out Emergency Response and Evacuation Procedures:

- Campus Director
- Director of Education
- Security Guard

Should there be an emergency or dangerous situation that, in the judgment of the Campus Director, Director of Education or Security Guard, involve an immediate threat to the health or safety of students or employees occurring on campus, SAE will immediately notify the campus community and the larger community. The Campus Director, Director of Education or Security Guard will, without delay and taking into account the safety of the community, determine the content of the notification and the appropriate segment or segments of the campus

community to receive the notice, and initiate the notification system unless issuing a 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 Security Guard on duty will work with local law enforcement, other emergency officials, and SAE staff responding to an incident to confirm whether there is a significant emergency or dangerous situation and notify the the Campus Director and Director of Education of the emergency, who will notify all on campus students, by email or by posting messages on Canvas. In some cases, SAE will make public announcements. In cases of a hostile threat or medical emergency, the on duty Security Guard will call the police or paramedics if needed. If emergency evacuation is required, the Security Guard on duty will activate the fire alarm system. This will immediately notify students that emergency evacuation is required and students are required to follow the emergency evacuation procedures.

These procedures are posted in various locations around the school. Students are informed of these procedures during orientation and the information is accessible at any time on the school website. SAE staff members are trained on these procedures and will help escort the students out of the building in an orderly fashion during an emergency evacuation.

SAE will annually test the emergency response and evacuation procedures, including tests that may be announced or unannounced. Publication of the emergency response and evacuation procedures will be distributed to the campus in conjunction with at least one test per calendar year. Documentation for each test, including a description of the exercise, the date, time, and whether it was announced or unannounced will be maintained in the Campus Director's Office.

Programs to Inform Students and Employees about the Prevention of Crimes and Campus Security Procedures

All employees are instructed on crime awareness, prevention, and campus security upon employment.

Employees are instructed on any changes in SAE security policy and crime activity in the area during staff meetings, and are also encouraged to take responsibility for their own security, as well as the security of their fellow co-workers.

All new SAE students are instructed on crime awareness, prevention, and campus security during orientation, and are encouraged to take responsibility for their own security, as well as their fellow classmates. The class orientation includes a description of campus security policies and procedures, suggestions on how to avoid becoming a crime victim, evacuation plans at the institution, and procedures for reporting any criminal activity or emergency.

The institution provides publications designed to heighten awareness of crimes and prevention. These publication topics include personal safety, crime prevention, basic safety, and neighborhood watch programs. In addition to the annual report, students and employees are notified of specific security concerns should they arise throughout the year. In the event the Institution, with the assistance of the local police, determine that a particular criminal offense continues to be a threat to the campus SAE will notify the student body with messages in Canvas, notices read by instructors in classrooms as well as an email to SAE student email accounts.

Off-Campus Student Organizations

SAE does not recognize any student organizations with non-campus locations. Should a student or employee be a victim of injury or crime during a school-sponsored activity away from campus, the student or employee should contact the police by dialing 911 and notify the Director of Education and the Campus Director of the incident in a timely manner.

Drug and Alcohol Policies

SAE forbids the use, possession, distribution, or sale of drugs or alcohol by students, faculty or staff anywhere within the school facilities or in connection with any school event. Anyone in violation of state, federal, or other local regulations, with respect to illegal drugs or alcohol, including underage drinking, may be subject to both criminal prosecution and school disciplinary action. SAE's full drug and alcohol policy, including a description of drug and alcohol abuse education programs, is available at <http://usa.sae.edu/about/alcohol-and-drug-prevention/>.

Procedures for Victims Reporting Crimes of Sexual Assault, Domestic Violence, Dating Violence, and Stalking

SAE prohibits crimes of dating violence, domestic violence, sexual assault and stalking. In **California** the same, or similar crimes, are defined as follows:

Sexual Battery under California Penal Code §243.4 is defined as: touching 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.

Rape under California Penal Code §261 is defined as: (a) Rape is an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under any of the following circumstances:

(1) 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. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris- Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent.

(2) 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.

(3) 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.

(4) Where a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, "unconscious of the nature of the act" means incapable of resisting because the victim meets any one of the following conditions:

(A) Was unconscious or asleep.

(B) Was not aware, knowing, perceiving, or cognizant that the act occurred.

(C) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact.

(D) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.

(5) 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.

(6) 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. As used in this paragraph, "threatening to retaliate" means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.

(7) 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. As used in this paragraph, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.

Unlawful sexual intercourse is similar to **statutory rape** and is defined under California Penal Code §261.5 as an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a "minor" is a person under the age of 18 years and an "adult" is a person who is at least 18 years of age.

California does not have a separate definition of the crime of **Fondling**.

Incest is included in California Penal Code § 285 and is defined as persons being within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who intermarry with each other, or who being 14 years of age or older, commit fornication or adultery with each other, are punishable by imprisonment in the state prison.

Domestic Violence under California Penal Code §13700 as: abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. For purposes of this subdivision, "cohabitant" means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to, (1) sexual relations between the parties while sharing the same living quarters, (2) sharing of income or expenses, (3) joint use or ownership of property, (4) whether the parties hold themselves out as husband and wife, (5) the continuity of the relationship, and (6) the length of the relationship.

Under **California** law, **Dating Violence** is included within the definition of **Domestic Violence** in California Penal Code §13700 (above).

Stalking is defined in §646.9 of the California Penal Code as (a) Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking.

In **California**, and for the purposes of the College's Title IX/Sexual Misconduct Policy, an **Affirmative Consent** standard is applied to allegations of sexual misconduct. That term is defined in the California Education Code §67386:

1) An affirmative consent standard in the determination of whether consent was given by both parties to sexual activity. "Affirmative consent" means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

(2) A policy that, in the evaluation of complaints in any disciplinary process, it shall not be a valid excuse to alleged lack of affirmative consent that the accused believed that the complainant consented to the sexual activity under either of the following circumstances:

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

(3) A policy that the standard used in determining whether the elements of the complaint against the accused have been demonstrated is the preponderance of the evidence.

(4) A policy that, in the evaluation of complaints in the disciplinary process, it shall not be a valid excuse that the accused believed that the complainant affirmatively consented to the sexual activity if the accused knew or reasonably should have known that the complainant was unable to consent to the sexual activity under any of the following circumstances:

- (A) The complainant was asleep or unconscious.
- (B) 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.
- (C) The complainant was unable to communicate due to a mental or physical condition.

Should a student or employee be a victim of a crime of dating, violence, domestic violence, sexual assault, or stalking, it is the student's or employee's option to notify the appropriate law enforcement authorities, including Campus Director and local police, or to decline to notify the authorities. At the victim's request, SAE officials will assist in notifying the proper authorities. The victim has the right to request the SAE personnel take steps or actions reasonably feasible to prevent any unnecessary or unwanted contact or proximity with the alleged assailants, or to change his or her academic schedule, or to request a protective order or similar order from a criminal, civil, or tribal court or from the institution. Complainants may also seek orders of protection, restraining orders, or other similar orders issued by a court of law, of which SAE Institute will enforce.

Victims of sexual assault or rape should follow these recommended steps:

- 1) Go to a safe place following the attack
- 2) Do not shower, bathe or destroy any of the clothing you were wearing at the time of the attack
- 3) Go to a hospital emergency room for medical care
- 4) Make sure you are evaluated for the risk of pregnancy and/or venereal disease. A medical examination is the only way to ensure you are not injured and it could provide valuable evidence should you decide to prosecute.
- 5) Call someone to be with you, you should not be alone

Any person who has been the victim of physical sexual violence is urged to go to the local emergency room at any local hospital for medical attention. It is important to preserve any evidence that may assist in proving that an alleged criminal offense occurred or may be helpful in obtaining a protective order.

It is also recommended that victims call the National Sexual Assault Hotline 800-656-HOPE (4673) or Online Hotline online.rainn.org. This resource is open 24 hours a day and counselors can help answer medical and emotional questions in complete confidence. Reporting the rape to the police is up to the discretion of the victim, but it is important to remember that reporting a rape is not the same as prosecuting a rape. Victims are strongly encouraged to call the police and report the rape. The offense should be reported to the Director of Education, or the Director, either in person or by calling the school at (415) 344-0886.

SAE will protect the confidentiality of victims and other necessary parties by completing publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim. SAE will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality will not impair the ability of the institution to provide the accommodations or protective measures.

If the victim requests, SAE Expression will assist in identifying off-campus counseling or mental health services, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims both within the institution and in the community. SAE will also provide options for and available assistance in, and how to request changes to academic and working situations or protective measures if the victim requests them and regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

Victims that notify SAE Expression of an incident involving sexual misconduct will be provided with written information regarding the following:

- Procedures to follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred, including:
 - the importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order;
 - how and to whom the alleged offense should be reported;
 - options about the involvement of law enforcement and campus authorities, including the victim's option to (1) notify proper law enforcement authorities, including on- campus and local police; (2) be assisted by campus authorities in notifying law enforcement authorities if the victim so chooses; and (3) decline to notify such authorities.
- information about how SAE will protect the confidentiality of victims, including completing publicly available recordkeeping without inclusion of personally identifying information about the victim, and maintaining as confidential any accommodations or protective measures provided to the victim;

- existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims both within the institution and in the community;
- options for, available assistance in, and how to request changes to academic, living, transportation, and working situations or protective measures. SAE will make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement; and
- an explanation of the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault or stalking.

Prevention Awareness Program

SAE offers programming designed to prevent domestic violence, dating violence, sexual assault, and stalking to all students and employees, including all incoming students and new employees. The program covers the following subjects:

- identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- defines using definitions provided both by the Department of Education as well as state law what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- defines what behavior and actions constitute consent to sexual activity;
- provides a description of safe and positive options for bystander intervention. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene;
- provides information on risk reduction. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence;
- outlines procedures victims should follow if a crime of dating violence, domestic violence, sexual assault, or stalking has occurred, including topics such as how to report such crimes, the importance of preserving evidence, and options for involving law enforcement;
- reviews information about how the institution will protect the confidentiality of victims and other necessary parties;
- provides an overview of information contained in the ASR, including procedures for institutional disciplinary action in cases of sexual assault.

Resources

National Domestic Violence Hotline at 1-800-799-7233 or visit www.thehotline.org

National Teen Dating Helpline at 1-866-331-9474 or visit www.loveisrespect.org National

Sexual Assault Hotline at 1-800-656-4673 or visit www.rainn.org

Local resources that provide education and support services for rape, acquaintance rape, and other forcible and non-forcible sex offenses.

Alameda County Victim Assistance

1401 Lakeside Drive #802, Oakland, CA 94612

Ph: (510) 272-6180

Alameda County Family Justice Center

470 27th Street, Oakland, CA 94612

Ph: (510) 267-8800

www.acfjc.org/

ACFJC provides services and support to individuals and families who have experienced domestic violence, sexual assault and exploitation, child abuse, elder and dependent adult abuse, and stalking.

Bay Area Women Against Rape

470 27th Street, Oakland, CA 94612

(510) 845-7273

24-Hour Hotline in English and Spanish

Shalom Bayit

(510) 451-8874

A grassroots organization dedicated to empowering battered Jewish women.

PO Box 10102

Oakland, CA 94610

www.shalom-bayit.org

Local resources for off campus counseling services, including mental health and services for victims include:

Emergency Resources

If you need *immediate* help, please reach out to one of the following resources.

Bay Area Suicide & Crisis Intervention Alliance

(800)-273-TALK (1-800-273-8255)

24/7/365 hotline

Crisis Support Services of Alameda County

1-800-309-2131

24/7/365 intake (for mental health emergencies)

P.O. Box 3120

Oakland, CA 94609

Child Crisis Services

(415) 970-3800

24/7/365 hotline

Specifically for children. Offers home visit for evaluation and treatment.

Non-Emergency Resources

Berkeley Mental Health Division

Family, Youth and Children's Services

(510) 981-5280

3282 Adeline, Berkeley, CA 94703

Monday-Friday 9:00am-5:00pm

<http://www.ci.berkeley.ca.us/mentalhealth>

Outpatient psychotherapy, consultation, education, and other information to Berkeley and Albany children and their families. Sliding scale.

East Bay Community Recovery Project

2579 San Pablo Ave., Oakland, CA 94612

(510) 446-7100

Monday-Friday 8:00am-5:00pm

<http://www.ebcrrp.org>

Counseling, education, support groups (including 12-step groups), information and referral.

Mandana Community Recovery Center

3989 Howe Street, Oakland, CA 94611

(510) 595-9690

Monday-Friday 1:00pm-9:00pm

Drop-in center for people (and their families) in recovery. Self-help and peer support groups, including 36 12-step groups. Group fees differ, call for information. No one turned away for lack of funds.

Psychological Service Center

1440 Broadway, Suite 610, Oakland, CA 94612

(510) 628-9065

M-Th 9am-8:30pm F 9am-4:30pm No drop-in services

Individual, couples, and family therapy for children, teenagers, and adults. Also assessments. Training clinic for the California School of Professional Psychology. Fees on a sliding scale and accepts Medi-Cal.

Disciplinary Action and Sanctions

SAE uses one grievance procedure to investigate and respond to claims of dating violence, domestic violence, sexual assault, or stalking. The proceeding will be prompt, fair, and impartial from the initial investigation to the final result and conducted by officials who receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking, and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

Reporting

Reporting a sex offense, domestic violence, dating violence, sexual assault or stalking to the police or a campus official does not obligate a reporting individual to pursue further legal action. The earlier an assault is reported the more likely it is that law enforcement can conduct a thorough and accurate investigation of the crime, and more likely that the case can be prosecuted successfully, should the reporting student decide to pursue legal action. Even if the reporting individual does not initially intend to pursue legal action, it helps to have a prompt and strong investigation should they choose to pursue legal action in the future.

Any member of the SAE community may choose to file a complaint or report an incident to SAE Expression instead of, or in addition to, seeking legal action outside the college. Someone with a complaint of sexual misconduct may decide to report an incident via the legal system without going through the college's disciplinary process. However, in the interest of community safety, SAE Expression may be obligated to conduct an internal investigation and pursue disciplinary procedures.

If a student believes he or she is a victim of sexual assault, stalking, or a violent crime, he or she is encouraged to immediately notify Law Enforcement or the Title IX Coordinator. In the initial meeting with police, the reporting individual will be asked to tell them what happened, where it happened, and provide a physical description of the attacker. If the reporting individual wishes to have the assailant prosecuted, the police and district attorney's office will handle the legal proceedings without expense to you. The reporting individual is not required to hire an attorney to pursue legal action.

The Title IX Coordinator is available to provide guidance to reporting students on the reporting process and supply access to important resources and support services. If it is determined that any of the individuals involved need immediate medical care, the first priority is to make sure those individuals receive the necessary medical attention.

If an individual wishes to pursue internal action within the college, a Complaint and Incident Form should be completed and submitted to the Title IX Coordinator. The accused also has a right to submit a counter-complaint by completing a Complaint or Incident Form.

If the complainant or respondent is a student, a complaint is addressed according to the procedures for student discipline. If the complainant or respondent is a staff or faculty member, a representative from the Human

Resources Department will be consulted to work with college administrators to help guide the individuals through the appropriate process.

Notification

Once a Complaint and Incident Form is received, written notification is sent to both parties outlining the charges/accusations, as well as the disciplinary process. The college has a maximum of 60 days to investigate and reach a resolution. If it appears that a resolution will not be reached within 60 days, written notification shall be given to all involved parties within 45 days stating that a decision will be reached after the 60 day mark.

Formal complaints regarding sexual misconduct will be reviewed at a disciplinary hearing held by the Disciplinary Committee. The Disciplinary Committee is chaired by the Campus Director. When safety and/or time issues mandate the need for an immediate decision, the Campus Director or General Manager/Chief Operating Officer has the authority to determine a temporary course of action until the Disciplinary Committee can convene.

- If an individual is deemed a threat to campus safety, an interim suspension may be invoked where the individual is banned from campus pending the hearing outcome.
- If a respondent is allowed to remain on campus, a “no contact” order may be issued prohibiting any verbal, written, or physical contact between the complainant and the respondent.

Pre-Hearing Conference

Before a formal disciplinary hearing proceedings begin, both the complainant and respondent are required to attend separate pre-hearing conferences. As the pre-hearing conference, violations of school policy are identified, the disciplinary process is reviewed, and each party is assigned an Advisor who can provide clarification regarding school policy, disciplinary procedures and definitions. The complainant and respondent are also informed of the disciplinary hearing date and advised on what to expect in the hearing.

Hearing

Both the respondent and the complainant have the right to appear at the hearing. If one or both parties decline to appear, proceedings will continue as planned. All information gathered during the investigatory, pre-hearing, and hearing process will be taken into consideration.

During the hearing, each party will appear before the Disciplinary Committee separately. The Disciplinary Committee will work to ensure the following:

- Proceedings will be conducted by individuals who receive annual training on issues related to domestic violence, dating violence, sexual assault, and stalking, as well as how to conduct an investigation that protects the safety of victims and promotes accountability.
- Both the respondent and complainant shall be simultaneously informed, in writing, of the outcome of the campus disciplinary proceedings, any new developments related to the charges in question, and the right to appeal results of the proceedings.
- Complainants shall receive options for changing academic, living, and/or working situations if such options are within reason and available, regardless of whether the complainant reports the crime to law enforcement.
- The respondent and complainant will be treated with dignity, courtesy, and professionalism.
- In an effort to follow Civil Rights Law, and Title IV guidelines, SAE will adhere to a preponderance-of-the-evidence standard. There must be substantial evidence showing that the alleged incident/behavior is “more likely than not” to have happened in order for disciplinary action to take place.
- No final decisions regarding disciplinary actions will be declared until a thorough investigation of the alleged offense has been completed.

Once the Disciplinary Committee has reached a decision, a written Notification of Outcome is sent to both parties. The notification shall include the final determination, any sanctions imposed, statement of no retaliation, and information on the appeal process.

Appealing

Students and staff have the right to appeal any decision(s) made by the Disciplinary Committee by submitting an official Appeal Form. Appeals must be received within 5 business days of receipt of the written Notice of Outcome. The matter will then be handed over to the Appeals Committee, who will once again review all facts and information, and may interview all involved parties a second time. The Chair of the Appeals Committee is the SAE Dean, who appoints the other members. No one who served on the Disciplinary Committee can serve on the Appeals Committee. The decision of the Appeals Committee is final.

Penalties

The range of college penalties and sanctions include, but are not limited to: alternation of class or work schedule, loss of privileges, conduct probation, mandated counseling, and/or termination from the school or workplace.

Violations of the law regarding rape or sexual offenses may be subject to prosecution through both legal and civil authorities. Such legal decisions are separate from, but may supersede any SAE Expression disciplinary decisions.

The preponderance of the evidence standard will be used during any institutional disciplinary proceeding arising from an allegation of dating violence, domestic violence, sexual assault, or stalking.

Both the accuser and the accused are entitled to have others present throughout the grievance procedure, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. SAE will not limit the choice of advisor or presence for either the accuser or accused in any meeting or institutional disciplinary proceeding. Restrictions regarding the extent to which the advisor may participate in the proceedings will apply equally to both parties. Both parties will be informed simultaneously of the outcome of any proceeding arising from an allegation of dating violence, domestic violence, sexual assault, or stalking; the procedures for the accused and the victim to appeal the result of any proceeding; any change to the result; and when the result becomes final.

SAE will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this requirement. Sanctions the institution may impose following a final determination of an institutional disciplinary proceeding regarding rape, acquaintance rape or other forcible or nonforcible sex offenses are outlined below.

Sex Offender Registration

Information regarding registered sex offenders can be obtained at the following website maintained by the California Department of Justice:

<http://www.meganslaw.ca.gov/disclaimer.aspx?lang=ENGLISH>

Crime Statistics

SAE prepares an annual disclosure of crime statistics that includes crime statistics for the previous three calendar years. Statistics include crimes reported to campus officials or local police authorities that occurred on any on-campus or non-campus building, or any public property. Statistics are compiled by type of crime and by location and reported annually to the U.S. Department of Education. These statistics are also made available to current and current and prospective students.

Offense	Year	On-Campus Property	Public Property
Murder/Non-negligent manslaughter	2019	0	0
	2020	0	0
	2021	0	0
Manslaughter by Negligence	2019	0	0
	2020	0	0
	2021	0	0
Rape	2019	0	0
	2020	0	0
	2021	0	0
Fondling	2019	0	0
	2020	0	0
	2021	0	0
Incest	2019	0	0
	2020	0	0
	2021	0	0
Statutory rape	2019	0	0
	2020	0	0
	2021	0	0
Robbery	2019	0	1
	2020	0	0
	2021	1	0
Aggravated assault	2019	0	0
	2020	0	0
	2021	0	0
Burglary	2019	0	0
	2020	7	0
	2021	0	0
Motor vehicle theft	2019	0	3
	2020	0	0
	2021	1	0
Arson	2019	0	0
	2020	0	0
	2021	0	0
Domestic violence	2019	0	0
	2020	0	0
	2021	0	0
Dating violence	2019	0	0
	2020	0	0
	2021	0	0
Stalking	2019	0	0
	2020	0	0
	2021	0	0

Arrests-Weapons: carrying, possessing, etc.	2019	0	0
	2020	0	0
	2021	0	0
Arrest-Drug abuse violation	2019	0	0
	2020	0	0
	2021	0	0
Arrest-Liquor law violations	2019	0	0
	2020	0	0
	2021	0	0
Disciplinary-Weapons: carrying, possessing, etc.	2019	0	0
	2020	0	0
	2021	0	0
Disciplinary-Drug abuse violation	2019	0	0
	2020	0	0
	2021	0	0
Disciplinary-Liquor law violations	2019	0	0
	2020	0	0
	2021	0	0

SAE Expression did not receive reports of any hate crimes occurring at the Emeryville campus in 2019, 2020, or 2021. In addition, SAE does not have any on-campus student housing or non-campus property. 0 total number of crimes reported were unfounded.