

PROCEDURES

INTAKE

A College official will assist the reporting party with making choices and accessing resources. Assuming the reporting party chooses to move forward with a campus resolution, the next step is a preliminary inquiry.

All resolutions will be conducted by campus officials who receive training on issues related to domestic violence, dating violence, sexual assault, and stalking, and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

PRELIMINARY INQUIRY

An initial determination is made about the allegations and whether to move them forward to a formal investigation. This decision is made by the Title IX Coordinator, taking into account the nature of the allegations and the reporting party's wishes. If the decision is made to move forward, the Associate Dean of Student Affairs or a designee will take charge of the investigation.

INVESTIGATIONS

An investigative model is used to resolve allegations. A trained investigator will provide an investigation that is prompt, thorough, reliable, equitable, fair, and impartial. They will interview reporting and responding parties and witnesses, and prepare reports with their findings and sanctioning recommendations.

HEARINGS

The conduct panel consists of members of the Otis community. During the hearing, the conduct panel will have the opportunity to question the investigator(s) based on the submitted case report. The conduct panel will also ask clarifying questions to each party and any witnesses related to the case and the case report. Final determinations are made within the framework of campus policy, citing a preponderance of evidence to support the decision(s) made.

The parties may make opening and closing statements to address the issues raised in the investigators' report. If a party is found responsible of a policy violation, the panel may review a written impact statement, which can include desired sanctioning outcomes.

STANDARD OF EVIDENCE

The College uses a preponderance of evidence standard. Decision-makers consider whether, given the available credible evidence, it is more likely than not that a violation occurred.

PAST HISTORY

The past sexual history or character of an individual is not considered unless it is determined to be highly relevant. All such information sought to be entered for consideration by a party or the College will be presumed irrelevant until evidence of its relevance is offered. The existence of a pattern of behavior by a responding party may be relevant to the finding and sanction imposed. Both parties will be notified in advance if such information has been deemed relevant and will be considered during the process.

FINAL DETERMINATION

The parties will be informed in writing of the outcome of the resolution, without significant delay between the notifications to each party. This notice will include the procedures for appealing the decision, any change to the results that occurs prior to the time that such results become final, and when results are considered to be final.

APPEALS

All parties involved in sexual misconduct proceedings may appeal decisions within five (5) days on the basis of the three (3) grounds permitted by College's policy. All parties are included in any appeal reconsideration and have equal rights of participation. There is only one level of appeal. That decision is final. Please refer to The Hoot for further details.

REMEDIES

The College may take whatever steps are deemed necessary to appropriately respond to allegations of sexual misconduct, protect students' rights, and keep members of the campus community safe from further harm. Measures include, but are not limited to:

- Referring to counseling and health services.
- Reporting incidents to local police and/or prosecutors.
- Issuing interim suspensions pending a hearing.
- Implementing contact limitations between the parties.
- Providing campus escorts.
- Providing education to the community.
- Altering the housing situation of the reporting or responding party.
- Offering adjustments to academic deadlines, course schedules, etc.
- Altering work arrangements for employees.
- Referring to the Employee Assistance Program.

OTIS
COLLEGE
OF
ART
AND
DESIGN

ADDRESSING SEXUAL HARASSMENT AND SEXUAL VIOLENCE

KEY CONTACTS

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TITLE IX

<https://www.otis.edu/title-ix>

THE TITLE IX COORDINATOR

The Title IX Coordinator is available to you and responsible for...

- Overseeing all Title IX complaints and investigations to provide prompt, fair and equitable resolutions
- Identifying and addressing any patterns or systemic problems that arise
- Being available to meet with students, provide support and answer questions
- Working with other college officials
- Coordinating training, education and communication pertaining to Title IX
- Not having other job responsibilities that may create a conflict of interest
- Being available to assist campus safety employees regarding how to respond appropriately to reports of sexual violence
- Ensuring that our institution carries out its Title IX responsibilities. Sexual harassment, which includes acts of sexual violence such as rape and sexual battery and sexual coercion, is a form of sex discrimination prohibited by Title IX

"NO PERSON IN THE UNITED STATES SHALL, ON THE BASIS OF SEX, BE EXCLUDED FROM PARTICIPATION IN, BE DENIED BENEFIT OF, OR BE SUBJECTED TO DISCRIMINATION UNDER ANY EDUCATION PROGRAM OR ACTIVITY RECEIVING FEDERAL FINANCIAL ASSISTANCE."
- TITLE IX OF THE EDUCATION AMENDMENTS OF 1972

SEXUAL MISCONDUCT VIOLATIONS POLICY

SEXUAL HARASSMENT IS:

- unwelcome
- sexual, sex-based, and/or gender-based verbal, written, online, and/or physical conduct.
- Denies or limits a student's ability to participate in or benefit from the institution's education program

Sexual harassment can be verbal, non-verbal, or physical. Both male and female students can be victims of sexual harassment, and the harasser and the victim may be of the same sex.

HOSTILE ENVIRONMENT

A hostile environment is created when sexual harassment is:

- sufficiently severe, or
- persistent or pervasive, and
- objectively offensive that it unreasonably interferes with, denies, or limits someone's ability to participate in or benefit from the institution's educational [and/or employment], social, and/or residential program.

INTIMATE PARTNER VIOLENCE IS:

- Violence or emotional and/or psychological abuse between those in an intimate relationship toward each other;

RETALIATION IS:

- Any adverse action,
- taken against a person participating in a protected activity,
- because of that person's participation in that protected activity subject to limitations imposed by the First Amendment and/or academic freedom.

NON-CONSENSUAL SEXUAL CONTACT IS:

- any intentional sexual touching,
- however slight
- with any object,
- by a person upon another person,
- that is without consent and/or by force.

NON-CONSENSUAL SEXUAL INTERCOURSE IS:

- any sexual intercourse,
- however slight
- with any object,
- by a person upon another person,
- that is without consent and/or by force.

SEXUAL EXPLOITATION:

- Occurs when one person takes non-consensual or abusive sexual advantage of another for his/her/their own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and
- that behavior does not otherwise constitute one of the other sexual misconduct offenses.

STALKING

Stalking 1

- a course of conduct directed at a specific person,
- on the basis of actual or perceived membership in a protected class,
- that is unwelcome, and would cause a reasonable person to feel fear.

Stalking 2

- repetitive and menacing
- pursuit, following, harassing, and/or interfering with the peace and safety of another.

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

All members of the campus community, guests, and visitors are protected by this policy regardless of their sexual orientation or gender identity. The College has jurisdiction over all acts of sexual misconduct involving members of the campus community, no matter where they occur, whether on- or off-campus. For more details on this policy, please visit:

[HTTPS://WWW.OTIS.EDU/REGISTRATION-RECORDS/COURSE-CATALOG-STUDENT-HANDBOOK](https://www.otis.edu/registration-records/course-catalog-student-handbook)

REPORTING PROCESS

IF YOU HAVE EXPERIENCED SEXUAL MISCONDUCT

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

File an Incident Report with Otis Safety and Security 24 Hours a day on your Otis Student Dashboard:

<https://my.otis.edu/student/campus-security/Pages/default.aspx>

CAMPUS SAFETY AND SECURITY	310-665-6965	24 HOURS/7 DAYS A WEEK
TITLE IX COORDINATOR	310-846-2554	M-F 8:30AM - 5:00PM
STUDENT HEALTH AND WELLNESS CENTER	310-846-5738	M-F 8:30AM - 5:00PM
OFFICE OF STUDENT AFFAIRS	310-665-6960	M-F 9:00AM - 4:00PM
STUDENT COUNSELING SERVICES	310-846-5738	M-F 9:00AM - 4:00PM (CONFIDENTIAL)
SANTA MONICA RAPE TREATMENT CENTER	310-319-4000	24 HOUR CONFIDENTIAL HOTLINE
RAINN	800-656-4673	24 HOUR CONFIDENTIAL HOTLINE
DOMESTIC VIOLENCE SHELTER/AGENCY	310-264-6644	24 HOUR CONFIDENTIAL HOTLINE
LOS ANGELES POLICE DEPARTMENT (WESTCHESTER)	310-482-6334	24 HOURS/7 DAYS A WEEK

Additional information about campus crime, state laws, and disclosures related to sexual misconduct can be found online in the campus Annual Security Report.

Access it here:

[HTTP://WWW.OTIS.EDU/CAMPUS-SAFETY/ANNUAL-SECURITY-REPORT](http://www.otis.edu/campus-safety/annual-security-report)

Sanctions on sexual misconduct violations range from warning through expulsion/termination.

IF YOU ARE OFF-CAMPUS AND EXPERIENCING AN EMERGENCY SITUATION, YOU CAN CALL LOCAL POLICE BY DIALING 911. YOU MAY ALSO CALL THE LOCAL POLICE DEPARTMENT'S NON-EMERGENCY LINE AT (310) 482-6334 (CULVER CITY/WESTCHESTER).