

FIDM/ Fashion Institute of Design & Merchandising

919 S. Grand Ave. Los Angeles, CA 90015



ANNUAL SAFETY AND SECURITY REPORT:

Including Clery Act Disclosures of Campus Security Policy and Crime Statistics,
Drug and Alcohol Abuse Prevention Program and Title IX Policy

Calendar Year 2021, 2022 and 2023 Crime Statistics

Publication Date: August 13, 2024

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INTRODUCTION

Fashion Institute of Design & Merchandising (“FIDM”) is dedicated to providing a safe working and learning environment. To maintain compliance with Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (“Clery Act”), Higher Education Act (“HEA”) requirements, and related statutes and regulations, and in an effort to continuously promote and improve safety and security measures on campus, FIDM collects and publishes information regarding its security policies, available services and crime statistics. Once collected, the information is presented annually in this Annual Safety and Security Report (“Report”) to prospective and current students, prospective and current faculty and staff, and to the public. Any questions about this Report should be directed to Lisa Davis, Executive Assistant to the Vice President, Education & Title IX Coordinator, who serves as the Campus Security Survey Administrator at 213.624.1200, ext. 3017 or ldavis@fidm.edu.

COMPLETION AND DISSEMINATION OF THE REPORT

Prior to October 1st of each year, FIDM compiles this Report based on crime, arrest and referral information obtained from local law enforcement agencies and as reported to FIDM’s designated campus security authorities (Campus Security Survey Administrator/Title IX Coordinator). The Report is published every year by October 1st and contains three years of campus crime statistics and campus security policy statements. All crime statistics contained in this Report are for Clery Act reportable crimes occurring on the campus, as defined by 34 C.F.R. § 668.46(a), and on public property, including thoroughfares, streets, sidewalks, and parking facilities, within the campus or immediately adjacent to or accessible from the campus. The Report also includes FIDM’s current policies required pursuant to the current version of 34 C.F.R. § 668.46 and the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (“Clery Act”), as amended by the Violence Against Women Reauthorization Act of 2013 (“VAWA”), Pub. Law 113-4, and Violence Against Women Reauthorization Act of 2022 (as incorporated in the Consolidated Appropriations Act, 2022), Pub. Law 117-103.

FIDM administrators prepare this Report, which includes reported campus crime, arrest, and referral statistics, to local law enforcement agencies and designated campus officials. Additionally, FIDM reviews crime reports from local law enforcement agencies whenever published and maintains incident reports. Both of these sources of information are utilized in the review process regarding the annual report, and this information is retained by the Title IX Coordinator.

FIDM distributes this Report to all enrolled students and current employees via a notice by electronic mail that the current version of the Report has been posted to FIDM’s website; (<http://fidm.edu/en/about/policies+disclosures/general+information/>) and that a paper copy of the Report will be provided upon request by contacting Lisa Davis, Campus Security Survey Administrator, at 213.624.1200, ext. 3017 or ldavis@fidm.edu. The Admissions Department provides written notice to all prospective students prior to enrollment regarding the availability and location of the Report. The Executive Assistant to the Vice President of Education provides all prospective employees with information regarding the availability and location of the Report and can also provide prospective employees with a copy of the Report. Additionally, a copy of the current Report is made available to the public on FIDM’s website. The crime statistics contained in this Report, as reported annually to the U.S. Secretary of Education, can also be viewed by searching FIDM’s name at <https://ope.ed.gov/campusafety/#/>

GEOGRAPHICAL AREA: DESCRIPTION OF THE CAMPUS

The Clery Act requires each institution to disclose crime statistics that occur on three types of property: campus, non-campus buildings or property, and public property areas.

¹ FIDM’s San Diego campus closed in June 2020. FIDM’s San Francisco campus closed in July 2021. FIDM’s Orange County campus closed in September of 2021. Crime statistics were not collected or analyzed for the time period after the campus closure. The current Report only reflects the Crime Statistics for the Los Angeles campus.

“Campus” is defined in 34 CFR 668.46(a) as (i) any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to the institution’s educational purposes, including residence halls; and (ii) any building or property in that contiguous area identified in (i) of this definition, that is owned by the institution but controlled by another person, is frequently used by students and supports institutional purposes (e.g. a food or retail vendor).

“Public property” is defined in 34 CFR 668.46(a) as public property that is located within the same reasonably contiguous geographic areas of the campus, like a sidewalk, street or public parking lot, that is adjacent to a facility owned or controlled by the institution for purposes related to the institution’s educational purposes. Crimes occurring on “public property” must also be reported in the crime statistics. In order for this definition to apply, the property in question must satisfy all three conditions: (1) public (e.g., publicly owned); (2) within or immediately adjacent to campus; and (3) accessible from campus. This definition excludes any private property.

A “non-campus building or property” is defined in 34 CFR 668.46(a) as any building or property owned or controlled by a school-recognized student organization, or one that is owned or controlled by the institution and used by students or by the institution for education-related purposes and that is not within the same reasonably contiguous geographic area of the campus. Crimes occurring on “non-campus property” must be reported. However, incidents occurring on public property adjacent to “non-campus buildings or property” do not have to be included. Examples include industry classrooms and non-campus housing.

ACCURATE AND PROMPT CRIME REPORTING PROCEDURES

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety-related incidents in an accurate and prompt manner. Whether it happens to a student or a student witnesses an event, they have a responsibility to call Campus Security and report the incident to the Title IX Coordinator or the local Police Department to report a crime.

“In the First Two Minutes...” When police arrive at the scene of a crime-in-progress within two minutes of receiving the call, the chances of apprehending a suspect are significantly increased. The odds of making an arrest decrease quickly as the minutes tick by. Timely reporting of a crime is essential and can help prevent it from happening again. Immediately go to a safe place and call. Stay on the line and tell the dispatcher everything you can remember about the suspect (clothing, vehicle, and direction of travel).

POLICIES FOR REPORTING AND RESPONDING TO CRIME AND EMERGENCIES

Reporting Crimes

Students, faculty, and staff are strongly encouraged to report all crimes to local law enforcement, dial 9-1-1 (emergencies only). Any suspicious activity or person seen in the parking lots or loitering around vehicles or inside the building should be reported to the local law enforcement agency.

Police Department Contact Information

Police District	Phone #	Website	Address
CENTRAL COMMUNITY	213.486.6606	<i>lapdonline.org</i>	251 E. 6th St. Los Angeles, CA 90014

In addition, crimes that should be reported to the Title IX Coordinator or other Campus Security Authority (CSA) by students, faculty and staff include:

- Murder and non-negligent manslaughter, negligent manslaughter, rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, liquor law violations, drug law violations, and illegal weapons possession using the definitions of those crimes from the “Summary Reporting System (SRS) User Manual” from the FBI's UCR Program.
- Fondling, incest, and statutory rape using the definitions of those crimes from the “National Incident-Based Reporting System (NIBRS) User Manual” from the FBI's UCR Program.
- Hate crimes of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property using the definitions provided in the “Hate Crime Data Collection Guidelines and Training Manual” from the FBI's UCR Program.
- Dating violence, domestic violence, and stalking using the definitions provided in 34 CFR 668.46(a).

Where there is any question about whether an incident is a crime, a report should be made to the Title IX Coordinator, or another CSA for assistance in determining the nature of the incident. Witnesses or victims of crimes may report crimes on a confidential basis for inclusion in FIDM’s annual crime statistics reporting.

Upon observing or involvement in any type of crime on campus or on public property, including thoroughfares, streets, sidewalks, and parking facilities, within the campus or immediately adjacent to or accessible from the campus:

- ***A student should immediately notify the Title IX Coordinator, another CSA, or the nearest available FIDM employee. All FIDM employees are trained to notify the Title IX Coordinator, his/her on-site designee, or other CSA immediately of all crimes reported to them by students.***
- ***Faculty and staff should immediately notify the Title IX Coordinator or his/her on-site designee, or other CSA.***

Campus Security Authorities

Staff Name/Email	Title	Phone Number & Extension
		213.624.1200
Lisa Davis ldavis@fidm.edu	<i>Title IX Coordinator, Executive Assistant to the VP, Education</i>	Ext 3017
Kim Wetzel kwetzel@fidm.edu	<i>Executive Director, Human Resources</i>	Ext 3530
Rene Calvillo rcalvillo@fidm.edu	<i>Hope St. Coordinator Education Content Manager</i>	Ext 4019

Keep the emergency numbers in the Annual Security Report handy.

Timely reporting of criminal activity enables FIDM to respond in a timely manner and potentially reduce the recurrence of that crime. Timely manner shall be defined to mean immediately or as immediately as possible under the circumstances. FIDM strongly encourages individuals to report all crimes in an accurate and timely manner to local law enforcement agencies. Upon written request, FIDM will 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 FIDM 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 paragraph.

FIDM works cooperatively with local law enforcement agencies when necessary; however, there are no written memoranda of understanding agreements between FIDM and local law enforcement agencies to investigate alleged crimes. FIDM does, in a good faith effort, contact local law enforcement agencies to obtain data on Clery Act crimes that occurred on or near the campus. Not all agencies respond to our requests for data.

Response to Reports of Crime or Emergency

Upon receipt of a report of a crime or emergency, the Title IX Coordinator, or other CSA will:

- Immediately assess, based on their own judgment or after consultation with other FIDM employees, whether the situation warrants contacting 911 and/or following the emergency response and evacuation procedures contained below.
- Immediately assess, based on their own judgment and/or after consultation with other FIDM employees or the local police, whether a “timely warning” to the campus community should be issued pursuant to the Timely Warning policy below.
- With regard to a reported incident that is or may be a Title IX violation, immediately contact FIDM’s Title IX Coordinator who has the authority to evaluate and respond in accordance with the FIDM’s “Title IX” policy contained in this Report.
- For all reported crimes, the Title IX Coordinator, or other CSA will contact the Campus Security Survey Administrator within 24 hours of the incident to provide all available and relevant information including the date, time, location, and description of the incident.
- The Title IX Coordinator, or other CSA will cooperate with the Campus Security Survey Administrator and/or Title IX Coordinator to investigate and gather any additional information necessary to determine whether the incident must be reported in the crime statistics contained in this Report.

TIMELY WARNING POLICY

In accordance with 34 CFR 668.46(e), timely warnings are issued to the campus community on crimes that are:

- (i) Reported to Campus Security Authorities and Mandatory Reporters.
- (ii) Included in and defined by Clery Act reporting, and
- (iii) Considered by the college to represent a threat to students and employees.

In the event that a situation arises, either on or off campus, that, in the judgment of the Title IX Coordinator, or other CSA constitutes an ongoing or continuing threat to students and employees, including with regard to any crime reportable pursuant to the Clery Act, a campus-wide “timely warning” will be issued. Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the students and employees, FIDM will post a warning via one or more of the following means of communication: cell phone, email, text message or other appropriate verbal or written notice.

The intent of a timely warning is to provide adequate information necessary to enable the campus community to protect themselves when a significant emergency or dangerous situation occurs. The content of the timely warning will not disclose information that may compromise law enforcement efforts. Anyone with information that warrants a timely warning should report the circumstances immediately to the Title IX Coordinator, or other CSA in person or by phone (contact information listed above).

Timely warnings are required for all Clery Act crimes that occur on Clery Geography that are reported to the Title IX Coordinator, other CSA or local police agencies and are considered by FIDM to represent a serious or continuing threat to students and employees.

EMERGENCY ALERT NOTIFICATION PROCEDURE

Emergencies are unexpected events that must be dealt with urgently to protect the health and safety of others. Upon determination of an emergency, without delay and taking into account the safety of the students, faculty, and staff, FIDM will determine the content of the notification and initiate the emergency alert, unless issuing a notification will, in the professional judgment of the Title IX Coordinator, or other CSA or other responsible authority, compromise efforts to assist victims or to contain, respond to or otherwise mitigate the emergency. Executive administration will determine whom to notify, determine the content of the notification, and initiate the emergency alert. FIDM will communicate without delay via cell phone, email, text messaging, or other appropriate means to immediately inform individuals on campus of procedures to follow.

Depending on the situation, additional alerts will be disseminated as information becomes available. If deemed necessary, the front desk personnel, the Title IX Coordinator, or other CSA will notify the local police, fire, public health agency, or other appropriate first responder to assist with the emergency. FIDM's administrative staff will contact parents, guardians, spouses, and those listed as emergency contacts by the student via phone if the situation warrants. Other staff and faculty members may be designated as backups and to assist with assigned tasks. Local authorities will determine when and if it is necessary to notify the surrounding community. As soon as the condition that may compromise efforts is no longer present, an emergency notification will be issued to the FIDM community.

It is the student's responsibility to provide current contact information quarterly through the FIDM Portal to be sure they receive timely communications. To ensure the optimal level of performance in an emergency, FIDM will regularly conduct a test of the emergency alert notification system. Phone calls and text messages are subject to the conditions and rates of the student's particular calling plan. FIDM will not be held responsible for any charges billed by cell phone providers in efforts to relay information.

EVACUATION PROCEDURE

Evacuations to safe locations will be implemented when necessary and proceed in an organized manner per policy and procedure. Evacuation procedure can be obtained in the Student Handbook. All students are required to comply with the plan and the directions given to them by campus safety staff, faculty, public emergency response teams, or law enforcement agencies during actual emergencies and drills for their safety. At no time during an actual campus emergency or drill shall students be permitted to leave the campus unless directed to do so.

FIDM tests its emergency response and evacuation procedures (including fire and earthquake drills) at least once annually on an announced or unannounced basis. When tests are conducted, FIDM publicizes its emergency response and evaluation procedures to students, faculty, and staff, including making available a copy of this policy. FIDM maintains documentation of each test exercise including the date and time performed and whether it was announced or unannounced. The plan, including any updates, is reviewed with new students and employees during orientation, in classes at the start of each term, and at several faculty meetings during the year.

Additionally, the college has an Emergency Response Team (ERT) which, in all emergencies, is responsible for providing guidance and directions. The ERT manual is available on the FIDM Portal for staff and faculty to review. Instructors should familiarize themselves with this information. Emergency evacuation procedures are located on the back of the classroom and office doors. Students must familiarize themselves with fire evacuation procedures. If the fire alarm rings, students must evacuate the building by following the arrows marked on the maps to the nearest exit. In an earthquake, falling objects pose the greatest danger. Students should get under a sturdy desk or table if possible. Kneel and cover their head with their arms. Duck, cover, and hold. If evacuation is necessary, students should follow arrows marked on maps to the nearest exit.

Students and employees are encouraged to be responsible for their own security and the security of others. Employees and students are expected to follow safe practices while on campus property. Following safe practices will reduce the possibility of accidental emergencies, and increase the effectiveness of the campus response to

unforeseen emergencies. Students are required to wear their photo identification card at all times when on campus or participating in school-related functions.

The campus community is obligated to report all unsafe activities, potential and real emergencies, and/or criminal activities to the Title IX Coordinator, or other CSA as soon as possible.

NON-EMERGENCY SCHOOL CLOSURES OR DELAYS

Upon decision by the Title IX Coordinator, or other CSA, after consultation with other FIDM officials as appropriate, to close a campus or delay opening for any reason, including for weather-related reasons; FIDM will notify students and staff using text message, email and/or social media. Notification for closure or delays will be sent separately for morning and evening schedules.

POLICY STATEMENT ADDRESSING COUNSELORS AND COUNSELING SERVICES

A Personal Counselor is available for students to seek confidential assistance. A Personal Counselor, when acting as such, is not considered to be a Campus Security Authority and is not required to report crimes for inclusion in the annual disclosure of crime statistics. As a matter of policy, they are encouraged, if and when they deem it appropriate, to inform persons being counseled of the procedures for reporting crimes for inclusion in the annual crime statistics. A Personal Counselor is not available to FIDM employees.

For the purposes of this report, a Personal Counselor is defined as: An employee of an institution whose official responsibilities include providing mental health counseling to members of the institution’s community and who is functioning within the scope of his or her license or certification.

ON-CAMPUS - PERSONAL COUNSELOR CONTACT INFORMATION

Staff Name	Phone Number & Extension
Katherine Besignano	213.624.1200 ext. 4556

In addition to a counselor, the following off-campus support services are available:

OFF-CAMPUS SERVICES

Name	Phone #
National Hotline	
RAINN (Rape, Abuse and Incest National Network)	800.656.HOPE (4673)
Los Angeles	
Santa Monica Rape Treatment Center – UCLA Medical Center	424.259.7208
East Los Angeles Women’s Center & Hotline	800.585.6231 Bilingual available 24 hour
Center for the Asian Pacific Family Shelter	323.653.4042 800.339.3940 Multilingual Hotline
Peace Over Violence – 24-hour Rape and Battering Hotline	213.955.9090 213.626.3393 Hotline Bilingual and TDD available

ACCESS POLICY, SECURITY OF CAMPUS FACILITIES AND SECURITY CONSIDERATIONS USED IN THE MAINTENANCE OF CAMPUS FACILITIES

Access to all campuses requires staff, faculty, and students to visibly wear a photo identification card at all times.

FIDM encourages all students, faculty, staff, and visitors to observe and practice common safety precautions:

Walking around campus

- Familiarize the layout of the campus.
- Plan the safest route to the destination; choose well-lighted, busy pathways and streets.
- At night, stick to well-lighted areas whenever possible and avoid alleyways or “shortcuts” through isolated areas.
- Travel in groups when walking at night.
- If followed, change direction and go to the nearest business or safe place and call the Police. Note the description of the person.
- Walk near the curb and avoid shrubbery or other places of potential concealment.
- Stay alert to surroundings and the people around.
- Carry your purse close to your body and keep a firm grip on it.
- Carry your wallet in an inside coat pocket or front pant pocket.
- Keep keys separate from purses or backpacks.
- Don’t overload yourself with bags or packages.
- Avoid wearing shoes that restrict movement.
- Always carry and display campus identification cards.
- Be aware, stay alert, and report suspicious activity to Campus Security Authority.

In the campus buildings

- Don’t allow others to enter if unsure they are a current employee or student.
- Do not let unknown individuals “tailgate;” ask who they are visiting and offer to call the front desk.
- Do not prop any security or exterior doors open to allow unescorted visitors into the building.
- Report lost or stolen keys immediately to the front desk.
- Report any malfunctioning security system, locks, doors or windows to CSA or the front desk.
- Do not leave keys lying around in the room when not in the room.
- Report any suspicious persons or activities to CSA or the front desk.
- Secure valuables and engrave expensive items with identifying information.
- Do not leave identification, keys, wallets, or other valuables in open view, unattended, or not secured.

Motor vehicle safety

- Park in well-lighted areas, where the vehicle is visible.
- Keep all valuables out of sight. Remove or place CD players/cases, etc. in the trunk.
- Keep the vehicle locked and close windows at all times when parked.
- Unlock the vehicle only when you are within reach of your door.

Safety Tips

- Stay alert of surroundings.
- If uncomfortable, leave right away.
- Keep eyes and ears open, hands-free.
- Choose busy streets and avoid going through deserted areas.
- At night, walk in well-lit areas whenever possible.
- Try not to walk alone. Take a friend or walk in group.
- Avoid carrying large sums of cash.
- When in public spaces, keep valuable items including jewelry, mobile phones and wallets out of sight.
- Carry a pepper or mace spray as a precautionary measure.
- Avoid returning to campus after dark or walking in groups to and from buildings.

Suggestions to Reduce the Risk of Sexual Violence

- There is strength in numbers or group dates. Go to parties or clubs with a friend and be responsible for each other. Don't split up. Have a preplanned signal to let your friend know that you want to leave or need help.
- Control alcohol. Drink responsibly or not at all, especially on first dates.
- No substance abuse.
- Know limits. It's never too late to say "no." Don't be embarrassed or ashamed to say "no" or ask someone to stop.
- Verbalize expectations. Be upfront. Talk about sexual boundaries. A potentially embarrassing conversation could save you from a traumatic situation.
- Trust gut instinct. Guard personal space. If someone makes you uncomfortable, leave the situation.

In addition to the activities completed as discussed in the Emergency Alert Notification Procedure and Evacuation Procedure sections above, instructors are required at the start of every term to discuss emergency evacuation procedures, lockdown procedures and safety policy on the first day of class. Emergency evacuation procedures are located on the back of the classroom and office doors.

ORDERS OF PROTECTION

FIDM abides by Orders of Protection (Restraining Orders). Orders of protection are issued by a Domestic Relations or a Municipal Court to protect a person or entity, and the general public, in a situation involving alleged assault, domestic violence, harassment, stalking, or sexual assault. In the State of California, forms can be obtained online at www.courts.ca.gov. An individual must complete the DV-100 Domestic Violence Description form and the DV101 form. Both completed forms must be submitted to the court clerk. FIDM's objective is to provide a safe and secure environment for students, faculty, staff, and visitors.

Procedures:

- Students, staff, and faculty must notify the Title IX Coordinator, or other CSA if they have an Order of Protection.
- The front desk person must be provided a copy of the Order of Protection with a picture of the suspect.
- The Department Chairperson, faculty, staff, and students who are involved with the Order of Protection and campus security guards will be informed of expected actions and security measures.
- If anyone sees the suspect, call 911 immediately.

In the event of imminent danger or immediate emergency, information is released through the emergency notification system.

POLICY ON POSSESSION, USE, AND SALE OF ALCOHOLIC BEVERAGES AND ILLEGAL DRUGS

FIDM is committed to maintaining a drug-free school and workplace. All campus property is drug and alcohol-free. FIDM is committed to full compliance with the Drug-Free Workplace Act and the Drug-Free Schools and Communities Act regulations as contained in 34 C.F.R. Part 86. New students, faculty, and staff are provided with this information during orientation. Annually, students and employees are provided this information by means of FIDM's publication of this Report and material posted on campus. FIDM also provides seminars on substance abuse prevention.

In accordance with federal regulations, FIDM conducts reviews at least biennially to determine the effectiveness of this policy to ensure consistent enforcement of applicable drug and alcohol-related statutes, ordinances, and institutional policies against students and employees found to be in violation. Annual Review reports and supporting documents will be maintained by FIDM and made available upon request. Students or employees with any questions concerning this policy should contact the Title IX Coordinator or another CSA. FIDM is committed to monitoring and assessing the effectiveness of the policy and program to determine any necessary changes. TPCA ensures the uniform application of sanctions to employees and students. To perform this review, FIDM uses both formal and informal assessments.

All students and employees are prohibited from the unlawful cultivation, manufacture, distribution, sale, purchase, possession, transportation, or use of illicit drugs and alcohol on FIDM's property or as part of any FIDM officially sponsored off-campus activities. Students are also prohibited from being under the influence of alcohol, illegal drugs, or any other substance that could adversely affect the health, safety, or welfare of students and staff on FIDM property or at any of its officially sponsored activities. This includes all forms of marijuana, regardless of the state legality of the substance.

To provide information about the potential effects of dependence on drugs and alcohol, FIDM strives to:

- Educate students and employees about alcohol and drug abuse in an effort to encourage responsible decisions about their use;
- Provide referrals to students and employees who have experienced negative consequences with alcohol and drugs so as to reduce the harm and manage the risks associated with their use;
- Support students and employees who are in recovery from substance abuse and addiction;
- Promote constructive lifestyles and norms that discourage alcohol and drug abuse; and
- Develop social and physical environments that facilitate alcohol and drug abuse-free lifestyles.

Reporting of Violations to Local and/or State Law Enforcement

FIDM may report to local and/or state law enforcement, as may be required by federal and state drug laws, any student who is found in possession of, using, or selling illegal drugs on campus as well as anyone who is found to have broken the state laws regarding underage drinking.

Disciplinary Sanctions

Illegal possession or use of drugs or alcohol can have penalties, including loss of Title IV eligibility, community service, suspension or loss of driver's license, jail time, and fines. FIDM will impose disciplinary sanctions on students and employees consistent with federal, state, and local laws and ordinances. Students and employees who violate FIDM's prohibitions against drugs and alcohol are subject to disciplinary action up to and including termination of their employment or enrollment at FIDM. Federal, state, and local violations will be properly adjudicated by the appropriate government agency.

Treatment Programs

Students and employees are encouraged to seek substance abuse treatment. There are no on-campus treatment, rehabilitation or re-entry programs available. The following is a list of outside services and support groups available to students and employees:

Alcohol and Drug Abuse Hotline: (800)662-HELP(4357)

Alcohol and Drug Recovery Center: (888)978-3685

LA County Information line (Community Referral Hotline) (800) 339-6993 or 211

Los Angeles County Department of Mental Health dmh.lacounty.gov (800)854-7771

National Suicide Prevention Lifeline <http://www.suicidepreventionlifeline.org> (800)273-8255 or 988

Alcoholics Anonymous www.aa.org (323)936-4343

Cocaine Anonymous www.ca.org (310)559-5833

Narcotics Anonymous www.na.org (818)773-9999 x771

Health Risks

There are known health risks associated with the abuse of alcohol and drugs. Alcohol or any other drug used in excess over time can produce illness, disability, and death. The health consequences of substance abuse may be immediate and unpredictable, such as cardiac arrest with cocaine use, or more subtle and long-term, such as liver deterioration associated with the prolonged use of alcohol. In addition to health-related problems, other concerns relating to substance abuse include the following:

People who abuse alcohol and other drugs often have erratic lifestyles that interfere with sleep, nutrition, and exercise.

Alcohol and substance use and abuse may lead to financial difficulties, domestic violence, deterioration of the family structure, motor vehicle accident injuries, and reduced job performance. Repeated abuse of alcohol can lead to dependence.

Descriptions of Dangerous Drugs

Alcohol is a potentially addictive drug with significant physical and psychological consequences. Alcohol is a central nervous system depressant that affects all neurological functions. At relatively low levels it affects one's judgment and decision-making, and at higher levels, it impairs the functioning of one's vital organs and can result in a coma or death. Alcohol is an irritant to the gastrointestinal tract and moderate over-indulgence ordinarily results in nausea, vomiting, and diarrhea. In addition to these significant physical consequences, there are a number of less obvious consequences of alcohol use. For example, the effects of alcohol on sleep have been well documented. Consuming several drinks before bedtime has been found to decrease the amount of REM (rapid eye movement) or dreaming sleep. The consequences of being deprived of REM sleep are impaired concentration and memory, as well as anxiety, tiredness, and irritability. Additionally, research has demonstrated that alcohol tends to decrease fear and increase the likelihood that an individual will accept risks. This lack of inhibition and judgment is a major contributor to the extraordinarily high percentage of serious accidents and accidental deaths related to alcohol use. Prolonged and excessive use of alcohol usually causes progressively more serious erosion of the gastrointestinal tract lining ranging from gastritis to ulcers and hemorrhage. Damage to the pancreas is frequent among those who have used alcohol.

Marijuana (cannabis) (nicotina glauca) is a drug that is illegal at the federal level and impairs memory, perception, judgment, and hand-eye coordination skills. The tar content in cannabis smoke is at least 50% higher than that of tobacco and thus smokers run the added risk of lung cancer, chronic bronchitis, and other lung diseases. Recently, the medical community has diagnosed the existence of an AA motivational syndrome that affects moderate to chronic users and includes symptoms of loss of energy, motivation, effectiveness, concentration, ability to carry out long-term plans, and performance in school and work.

LSD (Lysergic Acid Diethylamide) is a semi-synthetic drug regarded as a hallucinogenic. Short-term effects of this drug are generally felt within an hour of consumption and may last from two to 12 hours.

Physiologically the user experiences increased blood pressure, rise in body temperature, dilated pupils, rapid heartbeat, muscular weakness, trembling, nausea, chills, numbness, loss of interest in food, and hyperventilation. Fine motor skills and coordination are usually impaired, as are perception, thought, mood, and psychological processes. Long-term effects may include flashbacks, weeks and even months after taking the drug, mental illness, prolonged depression, anxiety, psychological dependence, and suicidal thoughts.

PCP (Phencyclidine Hydrochloride) is a white crystalline powder that was originally used as a local anesthetic, but due to extreme side effects, was discontinued in 1967. In humans, PCP is a difficult drug to classify in that reactions may vary from stupor to euphoria and resemble the effects of a stimulant, depressant, anesthetic, or hallucinogen. Short-term effects include hyperventilation, increase in blood pressure and pulse rate, flushing and profuse sweating, general numbness of the extremities, and loss of muscular coordination. At higher doses, it causes nausea, vomiting, blurred vision, loss of balance, and disorientation. It produces profound alteration of sensation, mood, and consciousness, and can cause psychotic states in many ways indistinguishable from schizophrenia. Large doses have been known to cause convulsions, permanent brain damage, and coma.

Cocaine is a naturally occurring stimulant drug that is extracted from the leaves of the cocoa plant. Cocaine is sold as a white translucent crystalline powder frequently cut to about half its strength by a variety of other ingredients including sugars and cleaning powders. It is one of the most powerfully addictive drugs in use today. Short-term effects of cocaine include constricted peripheral blood vessels, dilated pupils, and increased heart rate and blood pressure. It also causes appetite suppression, pain indifference, possible vomiting, visual, auditory, and tactile hallucinations, and occasionally paranoia. Long-term effects include nasal congestion, collapse of nasal septum, restlessness, irritability, anxiety, and depression. Overdoses or chronic use may result in toxicity which includes symptoms of seizures followed by respiratory arrest, coma, cardiac arrest, and/or death.

Amphetamines are central nervous system stimulants that were once used medically to treat a variety of symptoms including depression and obesity. They may be taken orally, sniffed, or injected into the veins. Short-term effects disappear within a few hours and include reduction of appetite, increased breathing, and heart rate, raised blood pressure, dilation of pupils, dry mouth, fever, sweating, headache, blurred vision, and dizziness. Higher doses may cause flushing, rapid and irregular heartbeat, tremors, loss of coordination, and collapse. Death has occurred from ruptured

blood vessels in the brain, heart failure, and very high fever. Psychological effects include increased alertness, postponement of fatigue, a false feeling of well-being, restlessness, excitability, and a feeling of power. Long-term effects include drug dependence and the risk of drug-induced psychosis. Withdrawal includes extreme fatigue, irritability, strong hunger, and deep depression that may lead to suicide.

Federal Financial Aid Penalties for Drug Violations/Convictions

Federal guidelines focus strongly on illicit drug use and distribution. The Higher Education Act, as amended by the *FAFSA Simplification Act (Act)* as part of the *Consolidated Appropriations Act, 2021*, removed the suspension of eligibility for Title IV aid for drug-related convictions that occurred while receiving Title IV aid. The Free Application for Federal Student Aid (FAFSA) asks students if they have been convicted of a drug-related offense: "Have you ever been convicted of possessing or selling illegal drugs while on federal financial aid?" If you answer "yes," FIDM will send a worksheet in the mail. Failure to answer the question automatically disqualifies students from receiving federal financial aid. Answering this question falsely could result in fines up to \$20,000, imprisonment or both.¹

Under FIDM policy, any student involved in any way with drugs and their abuse shall be terminated or required to participate satisfactorily (at the student's expense) in an abuse assistance or rehabilitation program approved for such purposes by Federal, state, local health law, or other appropriate agency.

Convictions During Enrollment

Federal regulations require enrolled students convicted of a drug offense after receiving federal financial aid to notify FIDM immediately. The student will then become ineligible for further federal financial aid and must repay federal financial aid received after the conviction.

Drug and Alcohol Laws

Federal and California law considers the illegal use of drugs and alcohol to be a serious crime. The sanctions for violations of these laws range from fines to lengthy terms of incarceration, or both. The following provisions of the Federal, state, and municipal law serve as the foundation for FIDM's policy. (Note: This list is not a complete summary of relevant laws and ordinances regarding alcohol and drugs.)

Alcohol Laws

Federal Laws

Federal law has set 21 as the minimum age to purchase or possess any alcoholic beverage. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal.

California Laws

It is illegal for persons under the age of 21 to possess an alcoholic beverage in any public place or any place open to the public (California Business & Professions Code §25662).

Any person who furnishes, gives or sells any alcoholic beverage to someone under the age of 21 is guilty of a misdemeanor (California Business & Professions Code §25658(a)).

Any person under the age of 21 who attempts to purchase an alcoholic beverage is guilty of an infraction (California Business & Professions Code §25658.5).

Any person under the influence of alcohol in a public place and unable to exercise care for one's own safety or that of others is guilty of a misdemeanor (California Penal Code §647(f)).

¹ 86 FR 32252. The U.S. Department of Education published a notice, as required by the FAFSA Simplification Act (Act), which was enacted into law as part of the Consolidated Appropriations Act, 2021, of early implementation of the Act's removal of requirements for Title IV eligibility related to Selective Service registration and drug-related convictions.

<https://www.federalregister.gov/documents/2021/06/17/2021-12762/early-implementation-of-the-fafsa-simplification-acts-removal-of-requirements-for-title-iv>. This section has been modified to reflect those changes.

It is illegal for persons to operate a motor vehicle while under the influence of alcohol or other intoxicants or with a blood alcohol level of .08% or higher (California Vehicle Code §23152). NOTE: A golf cart is a motor vehicle.

It is unlawful for a person under the age of 21 years who has 0.05 percent or more, by weight, of alcohol in his or her blood to drive a vehicle (California Vehicle Code §23140(a)).

It is illegal for a person under the age of 21 to drive a vehicle when he or she has a blood alcohol concentration (BAC) of .01% or higher (California Vehicle Code § 23136).

It is a misdemeanor to ride a bicycle under the influence of alcohol, drugs or both (California Vehicle Code § 21200.5).

It is an infraction to possess an open container of an alcoholic beverage while in a motor vehicle (California Vehicle Code §23223).

It is an infraction for an owner or driver of a motor vehicle to allow an open container of alcohol in a motor vehicle unless the container is in the trunk of the vehicle (California Vehicle Code § 23225).

Drug Laws

Federal Laws

The Controlled Substances Act places all substances that are regulated under existing federal law into one of five schedules:

Schedule I Controlled Substances

Substances in this schedule have a high potential for abuse. Some examples of substances listed in schedule I are: heroin, lysergic acid diethylamide (LSD), marijuana (cannabis), peyote, methaqualone, and 3, 4-methylenedioxymethamphetamine (“ecstasy”).

Schedule II Controlled Substances

Substances in this schedule have a high potential for abuse that may lead to severe psychological or physical dependence. Examples of single entity schedule II narcotics include morphine and opium. Other schedule II narcotic substances and their common name brand products include: hydromorphone (Dilaudid®), methadone (Dolophine®), meperidine (Demerol®), oxycodone (OxyContin®), and fentanyl (Sublimaze® or Duragesic®). Examples of schedule II stimulants include: amphetamine (Dexedrine®), Adderall®, methamphetamine (Desoxyn®), and methylphenidate (Ritalin®). Other schedule II substances include cocaine, amobarbital, glutethimide, and pentobarbital.

Schedule III Controlled Substances

Substances in this schedule have a potential for abuse less than substances in schedules I or II and abuse may lead to moderate or low physical dependence or high psychological dependence. Examples of schedule III narcotics include combination products containing less than 15 milligrams of hydrocodone per dosage unit (Vicodin®) and products containing not more than 90 milligrams of codeine per dosage unit (Tylenol with Codeine®). Also included are buprenorphine products (Suboxone®) and (Subutex®) used to treat opioid addiction. Examples of schedule III non-narcotics include benzphetamine (Didrex®), phendimetrazine, ketamine, and anabolic steroids such as oxandrolone (Oxandrin®).

Schedule IV Controlled Substances

Substances in this schedule have a low potential for abuse relative to substances in schedule III. An example of a schedule IV narcotic is propoxyphene (Darvon® and Darvocet-N 100®). Other schedule IV substances include: alprazolam (Xanax®), clonazepam (Klonopin®), clorazepate (Tranxene®), diazepam (Valium®), lorazepam (Ativan®), midazolam (Versed®), temazepam (Restoril®), and triazolam (Halcion®).

Schedule V Controlled Substances

Substances in this schedule have a low potential for abuse relative to substances listed in schedule IV and consist primarily of preparations containing limited quantities of certain narcotics. These are generally used for antitussive, antidiarrheal, and analgesic purposes. Examples include cough preparations containing not more than 200 milligrams of codeine per 100 milliliters or per 100 grams (Robitussin AC® and Phenergan with Codeine®).

Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance

21 U.S.C. 844(a)

1st conviction: Up to one-year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.

After one prior drug conviction: At least 15 days in prison, not to exceed two years and fined at least \$2,500 but not more than \$250,000, or both.

After two or more prior drug convictions: At least 90 days in prison, not to exceed three years and fined at least \$5,000 but not more than \$250,000, or both, if:

(a) - 1st conviction and the amount of crack possessed exceeds five grams.

(b) - 2nd crack conviction and the amount of crack possessed exceeds three grams.

(c) - 3rd or subsequent crack conviction and the amount of crack possessed exceeds one gram.

21 U.S.C. 853(a)(2) and 881(a)(7)

Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than one-year imprisonment.

21 U.S.C. 881(a)(4)

Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.

21 U.S.C. 844a

Civil fine of up to \$10,000.

21 U.S.C. 853a

Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for a first offense, and up to five years for second and subsequent offenses.

18 U.S.C. 922(g)

Ineligible to receive or purchase firearms.

Miscellaneous

Revocation of certain Federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies.

California Laws

Possession of more than 28.5 grams of cannabis, or more than eight grams of concentrated cannabis (defendant 18 and over) constitutes a misdemeanor punishable under California Health & Safety Code § 11357. A misdemeanor may be up to six months in jail and/or up to \$500.00 fine.

Every person who sells, dispenses, distributes, furnishes, administers, or gives, or offers to sell, dispense, distribute, furnish, administer, or give, or possesses for sale any synthetic cannabinoid compound, or any synthetic cannabinoid derivative, to any person, is guilty of a misdemeanor, punishable by imprisonment in a county jail not to exceed six months, or by a fine not to exceed one thousand dollars (\$1,000), or by both that fine and imprisonment. (California Health & Safety Code § 11357.5)

Every person who possesses for sale any cannabis, except as otherwise provided by law is punishable under California Health & Safety Code § 11359.

It is unlawful to sell controlled substances: Imprisonment in State prison for two to four years for possession or sale of specified controlled substances including opium derivatives and cocaine. (California Health & Safety Code §11351)

It is unlawful to distribute prescription drugs: it is unlawful for any person who is not a pharmacist to manufacture, compound, furnish, sell, or dispense any dangerous drug or dangerous device, or to dispense or compound any prescription. (California Business & Professions Code § 4051 (a))

It is unlawful to be under the influence of a controlled substance: No person shall use or be under the influence of any controlled substance. Any person convicted of violating this is guilty of a misdemeanor and shall be sentenced to serve a term of more than one year in a county jail. (California Health & Safety Code §11550 (a))

DAILY CRIME LOG

FIDM maintains a daily crime log that records any crime within our Clery geography that is reported to the security department. It is organized by the date the crime was reported and includes the date, nature, and general location of each crime. It also includes the disposition of the complainant, if known. The Daily Crime Log is available at the Security Desk. The crime log for the most recent 60-day period is open for public inspection, upon request, during normal business hours. Any portion of the log that is older than 60 days will be made available within two business days of a request for public inspection. Crime logs are kept for three years following the publication of the last Annual Security Report to which they apply (in effect, seven years).

PERSONAL SAFETY TIPS

Ultimately each individual is responsible for their own safety. Being aware of potentially dangerous situations is the first and most important component of self-protection. A complete brochure titled *Safety Tips for FIDM Students* is provided on Myportal.fidm.edu and hard copies are available from the Personal Counselor.

VIOLENCE AGAINST WOMEN ACT (VAWA)

FIDM prohibits the crimes of dating violence, domestic violence, sexual assault and stalking. The Violence Against Women Reauthorization Act of 2022 (VAWA) requires publication of the state law definitions for “dating violence,” “domestic violence,” “sexual assault,” “stalking,” and “consent.”

Please see the Title IX policy below for additional information including student and employee rights and disciplinary proceedings.

California State Law Definitions

- **Dating Violence** – included in the domestic violence definition in California Penal Code § 13700
- **Domestic Violence** – California Penal Code §13700
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.
- **Sexual Assault** – California does not explicitly define “Sexual Assault.”
- **Stalking** – California Penal Code § 646.9
Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking, punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment or by imprisonment in the state prison.

- **Consent** – California Penal Code § 261.6

Consent shall be defined to mean 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 shall not be sufficient to constitute consent where consent is at issue in a prosecution under Section 261, 262, 286, 288a, or 289. Nothing in this section shall affect the admissibility of evidence or the burden of proof on the issue of consent.

TITLE IX POLICY

This policy is only applicable to alleged incidents of sex discrimination (including sex-based harassment and retaliation) that occur on or after August 1, 2024. For alleged incidents of sex discrimination or sexual harassment occurring prior to August 1, 2024, please see [FIDM Federal 2022 Title IX Policy](#) found on the following webpage: <https://fidm.edu/en/about/policies+disclosures/title+ix/>.

This Policy applies to the College’s education program and activities, circumstances where the College has disciplinary authority, and to misconduct occurring within any building owned or controlled by a College-recognized student organization. This Policy may also apply to the effects of off-campus misconduct that limit or deny a person’s access to the College’s education program or activities.

The College reserves the right to make changes to this policy as necessary, and once those changes are posted online, they are in effect. If government laws or regulations change or court decisions alter the requirements in a way that impacts this policy, this policy will be construed to comply with the most recent government laws, regulations, or court holdings.

Statement of Non-Discrimination

FIDM/Fashion Institute of Design & Merchandising (the “College”) is committed to providing a work and educational environment free of unlawful discrimination, harassment and retaliation. The College does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX and its regulations, including in admission and employment. Discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity. Sex-based harassment is a form of sex discrimination.

Inquiries about Title IX may be referred to the College’s Title IX Coordinator, the U.S. Department of Education’s Office for Civil Rights, or both. The College’s Title IX Coordinator is Lisa Davis, Executive Assistant to the VP, Education, 800 S. Hope Street, Los Angeles, CA 90017, (213) 624-1200 x3017, ldavis@fidm.edu.

The College’s non-discrimination policy and grievance procedures can be found at <https://fidm.edu/en/about/policies+disclosures/student+policies/> Student Conduct Responsibilities tab, Harassment & Non-Discrimination

To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please refer to the College’s Title IX Policy.

Title IX Coordinator

Title IX compliance requires the College to respond promptly and effectively when the College has knowledge of conduct that reasonably may constitute sex discrimination. The Title IX Coordinator coordinates the College’s efforts to comply with its Title IX responsibilities.

Title IX Coordinator: Lisa Davis, Executive Assistant to the VP, Education
800 S. Hope St.
Los Angeles, CA 90017

(213)-624-1200 x3017
ldavis@fidm.edu

Deputy Title IX Coordinator: Kim Wetzel, Executive Director, Human Resources
919 S. Grand Ave. Los Angeles, CA 90015
(213) 624-1200 x3035 / kwetzel@fidm.edu

Any person can report sex discrimination in person, by mail, telephone, or email, using the contact information listed above for the Title IX Coordinator. A report can be made at any time, including during non-business hours. However, responses to reports made outside of business hours, including during weekends and holidays, may be delayed in response.

Key Definitions

Clery Act means the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (20 U.S.C. Section 1092(f); 34 C.F.R. Part 668.46). In accordance with the Clery Act, the College publishes required crime statistics and policy statements on or before October 1 of each year.

Complainant means:

- A student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or
- A person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations and who was participating or attempting to participate in the College's education program or activity at the time of the alleged sex discrimination.

Complaint means an oral or written request to the College that objectively can be understood as a request for the College to investigate and make a determination about alleged conduct under Title IX. The following people have the right to make a complaint:

- A Complainant
- A parent, guardian or other authorized legal representative with the legal right to act on behalf of a Complainant; or
- The College's Title IX Coordinator.

Note that a person is entitled to make a Complaint of sex-based harassment only if they are alleged to have been subjected to the sex-based harassment if they have a legal right to act on behalf of such a person, or if the Title IX Coordinator initiates a complaint.

With respect to complaints of sex discrimination other than sex-based harassment, in addition to the people listed above, the following persons have a right to make a complaint:

- Any College student or employee; or
- Any person other than a student or employee who was participating or attempting to participate in the College's education program or activity at the time of the alleged sex discrimination.

Confidential employee means an employee in one of the following categories: (1) confidentiality bestowed by law or professional ethics, such as lawyers, medical professionals, clergy, and mental health counselors; (2) designated as a

confidential resource by the College for purposes of providing support and resources to the complainant; and (3) conducting human subjects research (as approved). For the employees in category (1), they must be in a confidential relationship with the person reporting, such that they are within the scope of their licensure, professional ethics, or confidential role at the time of receiving the notice.

Consent means per California Education Code Section 67386, includes an 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 the person has the affirmative consent of 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.

Disciplinary Sanction means consequences imposed on a respondent following a determination under Title IX that the respondent violated the College's prohibition on sex discrimination.

Education program or activity includes locations, events, or circumstances in which the College exercises substantial control over both the respondent and the context in which the conduct occurred, and also includes any building owned or controlled by a student organization that is officially recognized by the College.

Party means a complainant or respondent.

Relevant means related to the allegations of sex discrimination under investigation as part of these grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged sex discrimination occurred.

Respondent means a person who is alleged to have violated the College's Title IX policy. The requirements related to a respondent apply only to sex discrimination complaints alleging that a person violated the College's prohibition on sex discrimination. When a sex discrimination complaint alleges that a College policy or practice discriminates on the basis of sex, the College is not considered a respondent.

Retaliation means adverse action including intimidation, threats, coercion, or discrimination against any person by the College, a student, or an employee or other person authorized by the College to provide aid, benefit, or service under an educational program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations.

Sex-Based Harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:

- *Quid Pro Quo Harassment*: An employee, agent, or other person authorized by the College to provide aid, benefit, or service under the College's education program or activity explicitly or implicitly conditioning the provision of such aid, benefit or service on a person's participation in unwelcome sexual conduct.
- *Hostile Environment Harassment*: Unwelcome sex-based conduct that, based on the totality of circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the College's education program or activity. Whether a Hostile Environment has been created is a fact-specific inquiry that includes consideration of the following:

- The degree to which the conduct affected the complainant’s ability to access the education program or activity;
- The type, frequency, and duration of the conduct;
- The parties’ ages, roles within the education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
- The location of the conduct and the context in which the conduct occurred; and
- Other sex-based harassment in the education program or activity.

¹ California Education Code Section 66262.5 states that “Sexual Harassment” has the same meaning as defined in Section 212.5 and includes sexual battery, sexual violence and sexual exploitation. California Education Code Section 212.5 defines sexual harassment as 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: (a) submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress; (b) submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual; (c) 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; and (d) 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 institution. ¹ The FBI’s Uniform Crime Reporting Program (FBI UCR) includes forcible and nonforcible sex offenses such as rape, fondling, and statutory rape, which contain elements of “without the consent of the victim.

- *Specific Sexual Violence Offenses*

- *Sexual Assault* meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation.
- *Dating Violence* meaning 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: (1) the length of the relationship; (2) the type of relationship; and (3) the frequency of interaction between the persons involved in the relationship.
- *Domestic Violence* meaning felony or misdemeanor crimes committed by a person who: (A) is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the College, or a person similarly situated to a spouse of the victim; (B) is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner; (C) shares a child in common with the victim; or (D) commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction.
- *Stalking* meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (A) fear for the person’s safety or the safety of others; or (B) suffer substantial emotional distress.

* Please note: In accordance with the Violence Against Women Reauthorization Act (“VAWA”), state definitions for Sexual Assault, Dating Violence, Domestic Violence, Stalking and Consent are contained in the College’s Annual Security Report. Reported VAWA crime statistics are based on the definitions above.

Supportive measures mean individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:

- Restore or preserve that party’s access to the education program or activity, including measures that are designed to protect the safety of the parties or the educational environment; or

- Provide support during the College’s grievance procedures or during an informal resolution process.

Procedure for Reporting If you believe that you have experienced or witnessed sex discrimination (including sex-based harassment or retaliation), the College encourages you to notify the Title IX Coordinator, or another responsible employee as soon as possible after the incident. A report may be made to either or both the police and the Title IX Coordinator.

The criminal process is separate from the College’s Title IX Grievance Procedure. Contact information for the local police department is below:

Police District	Phone #	Website	Address
CENTRAL COMMUNITY	213.486.6606	<i>lapdonline.org</i>	251 E. 6th St. Los Angeles, CA 90014

A report provides notice to the College of an allegation or concern about sex discrimination and provides an opportunity for the Title IX Coordinator to provide information, resources, and supportive measures. A complaint provides notice to the College that the complainant would like to initiate an investigation. A complainant or individual may initially make a report and may decide at a later time to make a complaint.

A College employee who either has authority to institute corrective measures on behalf of the College or has responsibility for administrative leadership, teaching, or advising are considered mandatory reporters and are expected to promptly report all known details of actual or suspected sex discrimination to the Title IX Coordinator. All other employees are expected to provide the Title IX Coordinator’s contact information to the individual making the report.

Mandatory reporting may be suspended during a public awareness event. A Title IX Coordinator is not obligated to act in response to information provided by a person during a public event to raise awareness about sex discrimination or sex-based harassment that is on campus or through an online platform sponsored by the College, unless the information indicates an imminent and serious threat to the health or safety of a complainant, any students, employees, or other persons.

If students wish to speak to someone confidentially, students may contact the FIDM Personal Counselor. A Personal Counselor permits discussion of an incident without beginning the investigation process. State or professional-specific mandatory reporting laws related to certain types of concerns (i.e., child sexual abuse) may still trigger requirements for a confidential resource to report an incident to identified enforcement agencies.

FIDM Personal Counselor

Name	Address	Phone Number/Email
Katherine Besignano, MS, NCC	800 S. Hope St.. Los Angeles, CA 90017	(213) 624-1200 x4556 kbesignano@fidm.edu

Off-campus confidential resources are available through local rape crisis counselors, victim advocacy centers, domestic violence resources, local or state agencies, and emergency care facilities. Information about these resources and other resources may be obtained from the Personal Counseling department and at on the “Title IX and Equity” tab of FIDM’s website (fidm.edu).

An individual who seeks completely confidential assistance may do so by speaking with professionals who have legally protected confidentiality. FIDM does not have confidential reporting resources, such as pastoral or professional counselors on campus available to employees. Crisis, mental health and victim resource hotline information is available on the “Title IX and Equity” tab of FIDM’s website (fidm.edu). Information shared with confidential resources will not be shared with FIDM (including the Title IX Coordinator) or anyone else without express, written permission of the individual seeking services unless required by law or court order.

¹ In accordance with the California Education Code, FIDM grants victims and witnesses amnesty, when appropriate, for potential FIDM policy violations unless FIDM determines 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 plagiarism, cheating or academic dishonesty.

Supportive Measures

The College will offer and coordinate supportive measures as appropriate for the complainant and/or respondent to restore or preserve that person's access to the education program or activity or provide support during the College's Title IX Grievance Procedures or during the informal resolution process.

Supportive measures may include, but are not limited to: counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures, in collaboration with other campus resources as deemed necessary. The parties are provided with a timely opportunity (within two business days) to seek modification or reversal of the College's decision to provide, deny, modify, or terminate supportive measures applicable to them. A request should be made in writing to the Title IX Coordinator. An impartial employee other than the employee who implemented the supportive measures, who has the authority to modify or reverse the decision, will determine whether to provide, deny, modify, or terminate the supportive measures if they are inconsistent with the Title IX regulatory definition of supportive measures.

Victims of sexual violence offenses will also be provided with written notification about existing counseling, health and/or mental health services, victim advocacy, legal assistance, visa and immigration assistance, safety planning, timely warnings, student financial aid and other services available to victims within the College and in the community.

The College will maintain the confidentiality of the supportive measures, provided that confidentiality does not impair the College's ability to provide those supportive measures.

Online Misconduct

Although the College may not control websites, social media or other online platforms through which communication that violates the College's policy is made, the College will address reported communications. Online manifestations of the behavior prohibited in this policy are also potential violations of College policy if the communications have an effect on the education program and activity or when they involve the use of College networks, technology or equipment.

GRIEVANCE PROCEDURES

The College has adopted grievance procedures that provide for the prompt and equitable resolution of complaints of sex discrimination (including sex-based harassment and retaliation) made by students, employees, or other individuals who are participating or attempting to participate in the education program or activity, or by the Title IX Coordinator.

These grievance procedures apply to all complaints of sex discrimination. As indicated within this policy, additional grievance procedures apply to sex-based harassment complaints involving student complainants or student respondents.

When a party is both a student and an employee, the College will make a fact-specific inquiry, including whether the party's primary relationship with the College is to receive an education and whether the alleged sex-based harassment occurred while the party was performing employment-related work.

The College will treat complainants and respondents equitably. The College requires that any Title IX Coordinator, investigator, or decisionmaker not have a conflict of interest or bias for or against complainants or respondents

generally or an individual complainant or respondent. A decisionmaker may be the same person as the Title IX Coordinator or investigator.

The College presumes that the respondent is not responsible for the alleged conduct until a determination is made at the conclusion of its Grievance Procedures.

Timeframe

The College will make a good faith effort to complete the Grievance Procedures within 60-90 business days, including any appeals, which the Title IX Coordinator can extend as necessary for appropriate cause. The parties will receive updates on the progress, as well as notification and a rationale for any extensions or delays, and an estimate of how much additional time will be needed to complete the process.

Investigations are normally completed within 60 business days, though some investigations may take longer, depending on issues such as the nature, extent, and complexity of the allegations, witness availability, law enforcement involvement, and other factors. The College may undertake a short delay in its investigation (several days to a few weeks) if circumstances require. Such circumstances include but are not limited to a request from law enforcement or the absence of parties and/or witnesses.

The College may consolidate complaints where allegations arise out of the same facts or circumstances.

Title IX Coordinator Initiated Complaint

The Title IX Coordinator has ultimate discretion as to whether a complaint is initiated. If a complainant does not wish to file a complaint (or withdraws any or all of the allegations), the Title IX Coordinator will offer supportive measures and determine whether to initiate a complaint. The Title IX Coordinator will determine if there is a serious and imminent threat to someone's safety or if the College cannot ensure equal access without initiating a complaint. The Title IX Coordinator considers the following factors:

- The complainant's request not to proceed with initiation of a complaint;
- The complainant's reasonable safety concerns regarding initiation of a complaint;
- The risk that additional acts of sex discrimination would occur if a complaint is not initiated;
- The severity of the alleged sex discrimination, including whether the discrimination, if established, would require the removal of a respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;
- The age and relationship of the parties, including whether the respondent is an employee;
- The scope of the alleged sex discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals;
- The availability of evidence to assist a decisionmaker in determining whether sex discrimination occurred;
- Whether the College can end the alleged sex discrimination and prevent its recurrence without initiating its grievance procedures; and
- Any other factors deemed relevant by the Title IX Coordinator.

The Title IX Coordinator will notify the complainant prior to initiating the complaint and appropriately address reasonable concerns about the complainant's safety or the safety of others, including by providing supportive measures

Notice of Investigation and Allegations

Upon initiation of the College's Title IX grievance procedures, the College will notify the parties in writing of the following:

- The College's Title IX grievance procedures and any informal resolution process;

- A meaningful summary of the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s);
- Retaliation is prohibited;
- A statement that the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence;
- The name(s) of the investigator(s), along with the process an individual can follow to assert a conflict of interest concern against the assigned investigator(s);
- A statement informing the parties that knowingly making false statements, including knowingly submitting false information is prohibited; and
- Detail on how a party may request disability accommodations or other support assistance during the Grievance Procedure.

If, in the course of an investigation, the College decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the notice provided or that are included in a complaint that is consolidated, the College will notify the parties of the additional allegations.

If the complaint is a student sex-based harassment complaint, the College will notify the parties in writing of the following with sufficient time for the parties to prepare before any initial interview:

- The respondent is presumed not responsible for the alleged sex-based harassment until a determination is made at the conclusion of the Grievance Procedures. Prior to such a determination, the parties will have an opportunity to present relevant and not otherwise impermissible evidence to a trained, impartial decisionmaker;
- The parties may have an advisor of their choice who may be, but is not required to be, an attorney;
- The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence or an investigative report that accurately summarizes this evidence. If the College provides access to an investigative report: The parties are entitled to an equal opportunity to access the relevant and not impermissible evidence upon the request of any party; and
- The College's Student Code of Conduct prohibits knowingly making false statements or knowingly submitting false information during the grievance procedures.

Dismissal of a Complaint

The College may dismiss a complaint at any point within the grievance process if one or more of the following grounds are met:

- The College is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in the College's education program or activity and is not employed by the College;
- The complainant voluntarily withdraws any or all of the allegations in the complaint (withdrawal must be in writing if a sex-based harassment complaint), the Title IX Coordinator declines to initiate a complaint, and the College determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or
- The College determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint, the College will make reasonable efforts to clarify the allegations with the complainant.

Upon dismissal, the College will promptly notify the complainant in writing of the dismissal and the rationale for dismissal. If the dismissal occurs after the respondent has been notified of the allegations, the College will notify the parties simultaneously in writing of the dismissal.

The dismissal decision is appealable by any party. If the dismissal is appealed, the College will follow the procedures outlined in the *Appeals* section.

Advisor

An advisor is an individual who serves to assist a party in a complaint of sex-based harassment and is allowed to attend any meeting related to the grievance procedures. A student can choose an advisor of their choice, who may be but is not required to be an attorney. The College cannot guarantee equal advisory rights, meaning that if one party selects an advisor who is an attorney but the other party does not or cannot afford an attorney, the College is not obligated to provide an attorney to advise that party. If one party is a student, and the other party is not they will have the same right to an advisor.

The College may establish restrictions regarding the extent to which the advisor may participate in these Grievance Procedures, as long as the restrictions apply equally to the parties. Advisors may not provide testimony or speak on behalf of their advisee unless given specific permission to do so. The parties are expected to ask and respond to questions on their own behalf.

The College may permit the parties to have more than one advisor, or an advisor and a support person, upon special request to the Title IX Coordinator. The decision to grant this request is at the Title IX Coordinator's sole discretion and will be granted equitably to all parties.

Informal Resolution

In lieu of resolving a complaint through the College's Title IX grievance procedures, the parties may instead elect to participate in an informal resolution process. The College will not offer informal resolution to resolve a complaint when such a process would conflict with Federal, state or local law. The College will obtain voluntary, written confirmation that all parties wish to resolve the matter through informal resolution. Before the initiation of an informal resolution process, the College will explain in writing to the parties:

- The allegations;
- The requirements of the informal resolution process;
- That any party has the right to withdraw from the informal resolution process and initiate or resume formal grievance procedures at any time before agreeing to a resolution;
- That if the parties agree to a resolution at the end of the informal resolution process, they cannot initiate or resume formal grievance procedures arising from the same allegations;
- The potential terms that may be requested or offered in an informal resolution agreement, including notice that an informal resolution agreement is binding only on the parties; and
- What information the College will maintain and whether and how the College could disclose such information for use in Title IX formal grievance procedures if such procedures are initiated or resumed.

Investigation

The College will provide for adequate, reliable, and impartial investigation of complaints. The burden is on College—not on the parties—to conduct an investigation that gathers sufficient evidence to determine whether a violation occurred.

For sex-based harassment complaints, the College will provide to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of all meetings or proceedings with sufficient time for the party to prepare to participate. The College will also provide the parties with the same opportunities, if any, to have other people than the advisor of the parties' choice present during any meeting or proceeding.

The College will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible. The College will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.

The College will provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible, in the following manner:

- The College will provide an equal opportunity to access either the relevant and not otherwise impermissible evidence, or an accurate description of this evidence. If the College provides a description of the evidence, the College will provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party;
- The College will provide a reasonable opportunity (7 business days) to respond to the evidence or the accurate description of the evidence; and
- The College will take reasonable steps to prevent and address the parties' unauthorized disclosure of information and evidence obtained solely through the formal grievance procedures. Disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.

For sex-based harassment complaints, the College will provide each party and their advisor, if any, an equal opportunity to access either the relevant and not otherwise impermissible evidence, or the same written investigative report that accurately summarizes this evidence. If the College provides access to an investigative report, it will further provide the parties with an equal opportunity to access the relevant and not otherwise impermissible evidence upon the request of any party. The College will provide a reasonable opportunity (7 business days) to review and respond to the evidence or the investigative report. The College will take reasonable steps to prevent and address the parties' and their advisors' unauthorized disclosure of information.

Interview Recording

Investigators will create a record of all interviews pertaining to the Grievance Procedure. The parties may review copies of their own interviews upon request. No unauthorized audio or video recording of any kind is permitted during investigation meetings.

Questioning the Parties and Witnesses

The College will provide a process that enables the decisionmaker to question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations. To the extent credibility is in dispute and relevant to one or more of the allegations, the decisionmaker may meet individually with the parties and witnesses to question them in order to assess their credibility. These meetings will be recorded, and the recording or transcript will be shared with the Parties.

For sex-based harassment complaints, the decisionmaker will question parties and witnesses to adequately address a party's or witnesses' credibility to the extent that credibility is both in dispute and relevant to evaluating one or more allegations of sex-based harassment. The College's process for proposing and asking relevant and not otherwise impermissible questions and follow-up questions of parties and witnesses, including questions challenging credibility will:

- Allow the investigator or decisionmaker to ask such questions during individual meetings with a party or witness;
- Allow each party to propose such questions that the party wants to be asked of any party or witness and have those questions asked by the investigator or decisionmaker during one or more individual meetings, including follow-up meetings, with a party or witness, subject to the procedures for evaluating and limiting questions discussed below; and

- Provide each party with an audio or audiovisual recording or transcript with enough time for the party to have a reasonable opportunity to propose follow-up questions.

Procedures for the decisionmaker to evaluate the questions and limitations on questions

For sex-based harassment complaints, the decisionmaker will determine whether a proposed question is relevant and not otherwise impermissible before the question is posed and will explain any decision to exclude a question as not relevant or otherwise impermissible. Questions that are unclear or harassing will not be permitted. The decisionmaker will give a party an opportunity to clarify or revise a question that the decisionmaker determines is unclear or harassing. If the party sufficiently clarifies or revises the question, the question will be asked.

Refusal to respond to questions and inferences based on refusal to respond to questions

The decisionmaker may choose to place less or no weight upon statements by a party or witness who refuses to respond to questions deemed relevant and not impermissible. The decisionmaker will not draw an inference about whether sex-based harassment occurred based solely on a party's or witness's refusal to respond to such questions.

Evidence

The College will objectively evaluate all evidence that is relevant and not otherwise impermissible—including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.

The following types of evidence, and questions seeking that evidence, are impermissible (*i.e.*, will not be accessed or considered, except by the College to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:

- Evidence that is protected under a privilege recognized by Federal or State law or evidence provided to a confidential employee, unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the College obtains that party's or witness's voluntary, written consent for use in its grievance procedures; and
- Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

Determination

If the decisionmaker is not the investigator, the decisionmaker will review the investigative report and all relevant evidence to make a finding and determine sanctions, if applicable. In accordance with the procedure above, the decisionmaker can ask the parties or any witnesses additional relevant questions through individual meetings. To the extent credibility is in dispute and relevant to one or more of the allegations, the questions asked by the decisionmaker may explore credibility. Typically, within three (3) business days of the last individual meetings, the recordings or transcript will be provided to the parties for review. The parties will then have three (3) business days to review these recordings or transcripts and pose any follow-up questions. The decisionmaker will review the proposed questions to determine relevance and permissibility. If deemed necessary, the decisionmaker will meet with the parties or witnesses for whom there are relevant, non-duplicative follow-up questions. These follow-up meetings will also be recorded and the parties will receive the recordings or transcripts. This is the final round of questioning, unless the decisionmaker determines that an additional round is necessary.

Any new, relevant evidence and information obtained will be added to the investigative report. The College will provide a reasonable opportunity (7 business days) to review and respond to the evidence or the final investigative report.

The decisionmaker's determination process typically takes fifteen (15) business days. However, the timeframe may vary based on a number of factors. The parties will be notified of any delays. Following the investigation, the decisionmaker will evaluate the investigative report and all relevant and not otherwise impermissible evidence. The College will then:

- Use the preponderance of the evidence standard of proof to determine whether sex discrimination/sex-based harassment occurred. The standard of proof requires the decisionmaker to evaluate relevant and not otherwise impermissible for its persuasiveness. If the decisionmaker is not persuaded under the applicable standard by the evidence that sex discrimination/sex-based harassment occurred, whatever the quantity of the evidence is, the decisionmaker will not determine that sex discrimination/sex-based harassment occurred.
- Notify the parties in writing of the determination including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal, if applicable.
- For sex-based harassment determinations, the College will notify the parties in writing of the determination whether sex discrimination occurred under Title IX including:
 - A description of the alleged sex-based harassment;
 - Information about the policies and procedures that the College used to evaluate the allegations;
 - The decisionmaker's evaluation of the relevant and not otherwise impermissible evidence and determination whether sex-based harassment occurred;
 - When the decisionmaker finds that sex-based harassment occurred, any disciplinary sanctions the College will impose on the respondent, whether remedies other than the imposition of disciplinary sanctions will be provided by the College to the complainant, and, to the extent appropriate, other students identified by the College to be experiencing the effects of the sex-based harassment; and
 - The College's procedures and permissible bases for the complainant and respondent to appeal.
- Not impose discipline on a respondent unless there is a determination at the conclusion of the Title IX grievance procedures that the respondent engaged in prohibited conduct.
- If there is a determination that a violation occurred, the Title IX Coordinator will, as appropriate:
 - Coordinate the provision and implementation of remedies to a complainant and other people the College identifies as having had equal access to the education program or activity limited or denied;
 - Coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and
 - Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the College's education program or activity.
- Comply with the Title IX grievance procedures before the imposition of any disciplinary sanctions against a respondent; and
- Not discipline a party, witness, or others participating in the Title IX formal grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex discrimination occurred.

The determination regarding responsibility becomes final either on the date that the College provides the parties with the written determination of the result of any appeal or, if no party appeals, the date on which an appeal would no longer be considered timely.

Disciplinary Sanctions and Remedies:

Disciplinary sanctions against the Respondent will not be imposed before completion of the College's Grievance Procedure. Following a determination of responsibility, appropriate corrective action will be taken, and the College will take steps to prevent recurrence. Disciplinary sanctions taken will be determined on a case-by-case basis. For disciplinary action to be issued under this policy, the respondent must be a College employee or student at the time of the alleged incident.

Factors considered when determining disciplinary sanctions may include but are not limited to:

- Nature, severity of, and circumstances surrounding the violations(s);
- Respondent's disciplinary history;
- Previous allegations or allegations involving similar conduct;
- Need for disciplinary action to bring an end/prevent future reoccurrence of the violation;
- Need for disciplinary action to remedy the effects on the Complainant and the College community;
- Impact on the parties;
- Any other information deemed relevant by the decisionmaker.

Disciplinary sanctions for student-related claims may include, but are not limited to: additional training; restriction on contact; warning; suspension; or termination. Disciplinary sanctions will be placed in a student's permanent academic file.

Any employee determined by the College to be responsible for a violation of the College's policy will be subject to appropriate disciplinary sanctions, up to and including termination. Disciplinary sanctions will be placed in an employee's permanent personnel file. Employees are also subject to processes and discipline determined by the Human Resources Department. The HR process is separate from the Title IX process and not constrained by the outcome of the Title IX process.

Failure to abide by imposed Disciplinary Actions (whether by refusal, neglect or any other reason), may result in additional Disciplinary Action, including suspension or termination.

Remedies are provided to a Complainant whenever a Respondent is found responsible. Remedies are implemented by the Title IX Coordinator and may be disciplinary and punitive. Student Remedies are designed to maintain the Complainant's equal access to education. Remedies will be determined on a case-by-case basis and may include supportive measures.

Appeals

The College will offer an appeal from a dismissal of a complaint or determination whether sex-based harassment occurred on the following bases:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the determination or dismissal was made; and
- The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

When a complaint is dismissed, the College will, at a minimum:

- Offer supportive measures to the complainant as appropriate;
- If the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and

- Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within the education program or activity.

If a party appeals a dismissal or determination whether sex-based harassment occurred, the College will:

- Notify the parties in writing of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
- Implement appeal procedures equally for the parties;
- Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
- Ensure that the decisionmaker for the appeal has been trained consistent with the Title IX regulations;
- Communicate to the parties in writing that the College will provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- Notify the parties in writing of the result of the appeal and the rationale for the result.

Any additional procedures or bases for appeal the College offers will be equally available to all parties. An appeal must be submitted in writing within seven (7) business days. Any additional procedures or bases for appeal the College offers will be equally available to all parties.

Retaliation Prohibited

The College prohibits retaliation, including peer retaliation. If the College has information about conduct that reasonably may constitute retaliation under Title IX, the Title IX Coordinator will contact the reporting party or party experiencing the retaliation. Upon receiving a complaint alleging retaliation, the College will initiate its grievance procedures utilized for other forms of sex discrimination.

Training

The following individuals must receive training related to their duties under Title IX promptly upon hiring or change of position that alters their duties under Title IX and annually thereafter. This training is in addition to other state-required sexual harassment prevention and education. These individuals include:

(1) *All employees.* All employees must be trained on the College’s obligation to address sex discrimination in its education program or activity; the scope of conduct that constitutes sex discrimination under Title IX, including the definition of sex-based harassment; and; all applicable notification and information requirements for the formal Grievance Procedure.

(2) *Investigators, decisionmakers, and other persons who are responsible for implementing the grievance procedures or have the authority to modify or terminate supportive measures.* In addition to the training requirements as an employee, all aforementioned individuals must be trained on the College’s obligations in the Grievance Procedure; how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias and; the meaning and application of the term “relevant” in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance under the aforementioned formal grievance procedures.

(3) *Facilitators of informal resolution process.* In addition to the training requirements as an employee, all facilitators of an informal resolution process must be trained on the rules and practices associated with the informal resolution process and on how to serve impartially, including by avoiding conflicts of interest and bias.

(4) *Title IX Coordinator and designees.* In addition to the training requirements as an employee, and Grievance Procedure participant, and informal resolution officer, the Title IX Coordinator and any designees section must be

trained on their specific responsibilities; the recordkeeping system; and any other training necessary to coordinate the College's compliance with Title IX.

Emergency Removal

The College can remove a respondent entirely or partially from the education program or activities on an emergency basis when an individualized safety and risk analysis has determined that an immediate threat to the physical health or safety of any student or other individual arising from the allegations justifies removal. The College will provide the respondent with notice and an opportunity to challenge the decision immediately following the removal.

When an emergency removal is imposed, the affected student will be notified of the action, which will include a written rationale, and the option to appeal the emergency removal within two (2) business days of the notification. Upon receipt of an appeal, the Title IX Coordinator will meet with the student (and their advisor, if desired) as soon as reasonably possible thereafter to allow them to demonstrate why the removal/action should not be implemented or should be modified. When this meeting is not requested within two (2) business days, objections to the emergency removal will be deemed waived. A student can later request a meeting to show why they are no longer an imminent and serious threat because conditions related to imminence or seriousness have changed.

An emergency removal may be affirmed, modified, or lifted as a result of a requested review or as new information becomes available. The Title IX Coordinator will communicate the final decision in writing, typically within three (3) business days of the review meeting.

When the respondent is an employee (or student employee) accused in the course of their employment, Human Resources provisions for interim action, including leave, are typically applicable instead of the above emergency removal process.

Federal Timely Warning Obligations

The College must issue timely warnings for reported incidents that pose a serious or continuing threat of bodily harm or danger to members of the College community. The College will ensure that a complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the potential danger.

Impartiality and Conflicts of Interest

Any Title IX personnel materially involved in the Grievance Procedure may neither have or demonstrate a conflict of interest or bias for a party generally, or for a specific complainant or respondent.

At any time, the parties may raise a concern regarding bias or conflict of interest, and the Title IX Coordinator will determine whether the concern is reasonable and supportable. If so, another individual will be assigned, and the impact of the bias or conflict, if any, will be remedied. If the source of the conflict of interest or bias is the Title IX Coordinator, concerns should be raised with Barbara Bundy, Vice President of Education, 919 S. Grand Ave. Los Angeles, CA 90015, (213) 624-1200 x3000, bbundy@fidm.edu.

Confidentiality/Privacy

The College makes every effort to preserve the parties' privacy. The College will keep confidential the identity of the complainant, respondent, and witnesses, except as may be permitted by FERPA, as required by law, or as necessary to carry out the Title IX Grievance Procedure.

The College will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consulting with their family members, confidential resources, or advisors; or otherwise preparing for or participating in the formal grievance procedures. The parties cannot engage in retaliation, including against witnesses.

The College will not disclose personally identifiable information obtained in the course of compliance with this policy, except in the following circumstances: (1) If there is prior written consent from a person with the legal right to consent to the disclosure; (2) When the information is disclosed to a parent, guardian, or other authorized legal representative with the legal right to receive disclosures on behalf of the person whose personally identifiable information is at issue; (3) To carry out the purpose of the policy including action taken to address conduct that reasonably may constitute sex discrimination under Title IX; (4) As required by Federal law, Federal regulations, or the terms and conditions of a Federal award, including a grant award or other funding agreement; or (5) To the extent such disclosures are not otherwise in conflict with Title IX or this part, when required by State or local law or when permitted under FERPA, [20 U.S.C. 1232g](#), or its implementing regulations, [34 CFR part 99](#).

The parties and their advisors are prohibited from disclosing information obtained by the College through the Grievance Process, to the extent that information is the work product of the College (meaning it has been produced, compiled, or written by the College for purposes of its investigation and resolution of a complaint), without authorization. It is also a violation to publicly disclose college work product that contains a party or witness's personally identifiable information without authorization or consent. Violation of this Policy is subject to significant sanctions.

Recordkeeping

For at least seven (7) years following the conclusion of the Grievance Procedure, the College will maintain records of:

- 1) Each investigation and resolution, including any determination regarding responsibility or appeal, and any audio or audiovisual recording or transcript required under federal regulation.
- 2) Any disciplinary sanctions imposed on the respondent.
- 3) Any supportive measures provided to the parties and any remedies provided to the complainant or the community designed to restore or preserve equal access to the education program or activity.
- 4) Any appeal and the result therefrom.
- 5) Any informal resolution and the result therefrom.
- 6) All materials used to provide training to the Title IX Coordinator and designees, investigators, decisionmakers, appeal decisionmakers, informal resolution facilitators, and any person who is responsible for implementing the College Grievance Procedures or who has the authority to modify or terminate supportive measures. The College will make these training materials available for review upon request.
- 7) All materials used to train all employees consistent with the requirements in the Title IX Regulations.

Disability Accommodations

Qualified students, employees or others with a disability needing reasonable accommodations should contact the Title IX Coordinator, who will work with the College's ADA/Section 504 Coordinator as appropriate to review the request and, in consultation with the person requesting the accommodation, determine which accommodations are appropriate and necessary for full process participation.

ADA/504 Compliance Coordinator: Kim Wetzel, Executive Director of Human Resources
919 S. Grand Ave. Los Angeles, CA 90015
(213) 624-1200 x3530 / kwetzel@fidm.edu

Parenting and Pregnant Students

The College does not discriminate in its education program or activity against any student based on the student's current, potential, or past pregnancy or related conditions. The College does not engage in prohibited discrimination when it allows a student, based on pregnancy or related conditions, to voluntarily participate in a separate portion of its education program or activity. The College ensures that the separate portion is comparable to that offered to students who are not pregnant and do not have related conditions.

When a student, or a person who has a legal right to act on behalf of the student, informs any employee of the College of the student's pregnancy or related conditions, unless the employee reasonably believes that the Title IX Coordinator has been notified, the employee promptly provides that person with the Title IX Coordinator's contact information and informs that person that the Title IX Coordinator can coordinate specific actions to prevent sex discrimination and ensure the student's equal access to education programs or activities.

The College does not require supporting documentation unless the documentation is necessary and reasonable for the College to determine the reasonable modifications for the qualifying student.

Reasonable Modifications

The College ensures that reasonable modifications to the policies, practices, or procedures will be provided as necessary to prevent sex discrimination and ensure equal access to education programs or activities. Each reasonable modification is based on the student's individualized needs. In determining what modifications are required under this paragraph, the College will consult with the student. If a modification would fundamentally alter the nature of its education program or activity, the Title IX Coordinator must demonstrate it is not a reasonable modification.

A student has the discretion to accept or decline each reasonable modification offered. Reasonable modifications may include, but are not limited to:

- Breaks during class to express breast milk, breastfeed, or attend to health needs associated with pregnancy or related conditions, including eating, drinking, or using the restroom;
- Intermittent absences to attend medical appointments;
- Access to online or homebound education;
- Changes in schedule or course sequence;
- Extensions of time for coursework and rescheduling of tests and examinations;
- Allowing a student to sit or stand, or carry or keep water nearby;
- Counseling;
- Changes in physical space or supplies (for example, access to a larger desk or a footrest);
- Elevator access; or other changes to policies, practices, or procedures.

Voluntary Leave

Pregnant students are allowed to voluntarily access any separate and comparable portion of the education program or activity. Students may also voluntarily take a leave of absence from the College educational program or activity to cover, at minimum, the period of time deemed medically necessary by student's licensed healthcare provider. To the extent that a student qualifies for leave under the College's leave of absence policy, that allows a greater period of time than the medically necessary period, a student is permitted to take voluntary leave under that policy instead of the parenting and pregnant policy if the student so chooses. When the student returns to the College, the student will be reinstated to the academic status and, as practicable, to the extracurricular status that the student held when the leave began.

Lactation Space

The College ensures parenting students can access a lactation space that is clean, shielded from view, free from intrusion from others, and may be used by a student for expressing breast milk or breastfeeding as needed. To request

information on the lactation space available, contact Lisa Davis, Executive Assistant to the VP, Education, 800 S. Hope Street, Los Angeles, CA 90017, (213) 624-1200 x3017, ldavis@fidm.edu.

Additional Information

Students and employees may contact the Title IX Coordinator with any questions related to this policy. Concerns about the College's application of this policy and compliance with Title IX may also be addressed to U.S. Department of Education Office for Civil Rights ("OCR") at 400 Maryland Ave, SW Washington, D.C. 20202-1100, (800) 421-3481, <http://www.ed.gov/ocr>. For complaints involving employee-on-employee conduct, the Equal Employment Opportunity Commission or other appropriate state or federal enforcement agency can be contacted.

Sexual Violence – Immediate Care and Preservation of Evidence

If a student experiences Sexual Violence, some or all of these safety suggestions may guide them after an incident has occurred:

1. Go to a safe place. If there is any immediate danger, call 911.
2. Consider securing immediate professional support (e.g., counseling, victim advocacy, medical services, etc.)

Students can contact the Personal Counselor for support who can also refer victims to other resources available outside of FIDM. FIDM does not have a Personal Counselor available to employees, however, community resources are available on the "Title IX and Equity" tab of FIDM's website (fidm.edu).

3. For safety and well-being, immediate medical attention is encouraged. Further, being examined (through a forensic examination) as soon as possible, ideally within 120 hours, is important in the case of rape or Sexual Violence. Completing a forensic examination does not require someone to file a police report. To find a location near you that performs free forensic examinations, call the National Sexual Assault Hotline at (800) 656-4673. Resources are also available through the Rape Abuse & Incest National Network (RAINN); www.RAINN.org.

To preserve evidence, it is recommended not to bathe, shower, douche, eat, drink, smoke, brush teeth, urinate, defecate, or change clothes before receiving medical attention. Even if any of these actions were taken, students are still encouraged to have prompt medical care, and evidence may still be recoverable.

Typically, if police are involved or will be involved, they will obtain evidence from the scene, and it is best to leave things undisturbed until their arrival. They will gather bedding, linens or unlaundered clothing, and any other pertinent items that may be used for evidence. It is best to allow police to secure items in evidence containers, but if involved in the transmission of items of evidence, such as to the hospital, secure them in a clean paper bag or clean bedsheet to avoid contamination.

If physical injuries, photograph or have them photographed, with a date stamp on the photo.

Record the names of any witnesses and their contact information. This information may be helpful as proof of a crime, to obtain an order of protection, or to offer proof of a FIDM policy violation.

Try to memorize details (e.g., physical description, names, license plate number, car description, etc.), or even better, write notes to remind you of details of time and the ability to do so.

Prevention and Education

In accordance with the Clery Act and VAWA, FIDM offers a range of campaigns, strategies, and initiatives to promote awareness, education, risk reduction, and prevention in an effort to reduce the frequency of sex or gender-based discrimination, harassment, and violence amongst members of the campus community.

FIDM offers programming to identify and prevent Sexual Assault, Dating Violence, Domestic Violence (including stranger and known offender assaults), and Stalking each year. Educational programs are offered to raise awareness for all incoming students and employees and are often conducted prior to new students and during new employee orientation.

Programs and other campaigns offered throughout the year to students and employees include information regarding awareness and primary prevention (including normative messaging, environmental management, and bystander intervention), and discuss FIDM’s policies. Programs also offer information on risk reduction that strives to empower individuals who experience these incidents, how to recognize warning signs, and how to avoid potential attacks, and do so without biased approaches.

Bystander engagement is encouraged through safe and positive intervention techniques and by empowering third-party intervention and prevention such as calling for help, using intervention-based apps, identifying allies, and/or creating distractions. Bystander empowerment training highlights the need for those who intervene to ensure their own safety in the intervention techniques they choose and motivates them to intervene as stakeholders in the safety of the FIDM community when others might choose to be bystanders.

POLICY STATEMENT ADDRESSING SEX OFFENDER REGISTRATION INFORMATION

The Campus Sex Crimes Prevention Act provides for the tracking of convicted sex offenders enrolled at or employed at institutions of higher education. As of October 28, 2002, the State of California (Penal Code section 290) requires sex offenders to register within the state and also register within five (5) working days with a Campus Security Authority at the location where the person is employed, carries on a vocation, or is a student. In addition, such institutions of higher education are required to provide information to their campus community regarding where to obtain law enforcement information concerning such registered sex offenders (Megan’s Law sex offenders). A Registered Sex Offender Locator map is available at the following link: www.meganslaw.ca.gov. In addition, the Los Angeles County Sheriff’s Department website (<http://www.lasd.org>) has a link entitled “Sexual Offenders (Megan’s Law)” that contains more information that can assist a student in obtaining information regarding sex offenders. Please note, however, that it is illegal under California law to use any disclosed public information to commit a crime against any registrant or to engage in illegal discrimination or harassment against any registrant.

FIDM ON-CAMPUS AND NON-CAMPUS LOCATIONS

FIDM On-Campus and Non-Campus Locations				
Campus	Authority	Clery	FIDM Classification	Street Address
Los Angeles	Joseph Allen	On Campus	Main Campus	919 S. Grand Ave. Los Angeles, CA 90015
Los Angeles	Lisa Davis Rene Calvillo	Non-Campus	Classrooms	Hope Street Annex 800 S. Hope St., 1 st and 5 th floor Los Angeles, CA 90017
Los Angeles	Alex Veliz	Non-Campus	Housing	The Level Apartments 888 S. Olive Street Los Angeles, CA 90014

CLERY ACT CRIME REPORT STATISTICS

Appendix A: Los Angeles Campus Crime Statistics (2021-2023)

Appendix A

LOS ANGELES					
Offense	Year	On-Campus	Non-Campus		Public Property
			Industry Classrooms	Housing	
MURDER/NON NEGLIGENT MANSLAUGHTER	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
MANSLAUGHTER BY NEGLIGENCE	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
RAPE	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
FONDLING	2020	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
INCEST	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
STATUTORY RAPE	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
ROBBERY	2021	0	0	0	2
	2022	0	0	0	0
	2023	0	0	0	0
AGGRAVATED ASSAULT	2021	0	0	0	1
	2022	0	0	0	1
	2023	0	0	0	1
BURGLARY	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
MOTOR VEHICLE THEFT	2021	0	0	0	0
	2022	0	0	0	1
	2023	0	0	0	0
ARSON	2021	0	0	0	0
	2022	0	0	0	1
	2023	0	0	0	0
VAWA OFFENSES: SEXUAL ASSAULT	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	1
VAWA OFFENSES: DOMESTIC VIOLENCE	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
VAWA OFFENSES: DATING VIOLENCE	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
VAWA OFFENSES: STALKING	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
HATE CRIMES: RELATED TO ANY OF THE ABOVE LISTED CRIMES, AND HATE CRIMES INVOLVING SIMPLE ASSAULT, LARCENY-THEFT, INTIMIDATION OR DESTRUCTION/DAMAGE, VANDALISM OF PROPERTY	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
ARRESTS: WEAPONS: CARRYING, POSSESSING, ETC.	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
DISCIPLINARY REFERRALS: WEAPONS: CARRYING, POSSESSING, ETC.	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
ARRESTS: DRUG ABUSE VIOLATIONS	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	1
DISCIPLINARY REFERRALS: DRUG ABUSE VIOLATIONS	2021	0	0	3	0
	2022	0	0	0	0
	2023	0	0	0	0
ARRESTS: LIQUOR LAW VIOLATIONS	2021	0	0	0	0
	2022	0	0	0	0
	2023	0	0	0	0
DISCIPLINARY REFERRALS: LIQUOR LAW VIOLATIONS	2021	0	0	2	0
	2022	0	0	0	0
	2023	0	0	0	0
UNFOUNDED CRIMES	2021	0	0	0	0

	2022	0	0	0	0
	2023	0	0	0	0

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