



THE WRIGHT INSTITUTE

ANNUAL CAMPUS SAFETY and SECURITY REPORT

2023 -2024

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INTRODUCTION

The Congress and Department of Education have established requirements for campus crime policies and reporting. The Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act), codified at 20 U.S.C. 1092(f) as part of the Higher Education Act of 1965 (HEA), and the Higher Education Opportunity Act (HEOA) of 2008 require that the Wright Institute disclose policy information and crime statistics as part of a campus security report published annually.

This report serves as the campus security report for the Wright Institute for the academic year for our campus locations and our community training clinic:

- 2728 Durant Avenue, Berkeley, CA 94704
- 1000 Dwight Way, Berkeley, CA 94710
- 1918 University Avenue, Berkeley, CA

WHAT TO DO IN CASE OF AN EMERGENCY

For all emergencies dial 9-1-1

And as soon as possible, the Wright Institute **reception** at (510) 841-9230

Non-emergency reporting:

(510) 981-5900 Berkeley Police & Fire Department
(510) 841-9230 ex.118 Wright Institute Onsite Safety Officer

- *If reporting a crime or suspicious activity, be prepared to give the following information:* •
- *Your name* •
- *Location of the incident* •
- *Nature of the incident / Is it still in progress?* •
- *Description of the people involved (sex, physical characteristics, clothing / Are they still at the location?)*
- *Description of any vehicles involved (type, license number, color / Last known location?)*

Before an emergency: take the time to learn evacuation routes and locations of fire extinguishers and first aid kits. Be prepared to assist those who may be injured or disabled. In the case of all emergencies, do not use the elevator. Listed below are the specific actions that should be taken in the case of each emergency.

Earthquake: Take cover under sturdy furniture, protect your head, and avoid windows, bookcases or heavy objects that might fall. Stay under cover until the shaking stops, then evacuate the building until damage can be assessed. Watch for falling plaster, bricks, and other debris. Once outside, stay away from trees, power lines, buildings or other objects that might fall. Aftershocks should be expected after a major earthquake and can be as powerful as the initial shock.

Fire: Take all fire alarms seriously. Evacuate the building calmly, helping those who need assistance. Test closed doors before opening them. If they are hot, do not open them - use an alternate route. Do not use the elevator.

Flood: Determine whether to shelter-in-place or evacuate the building. If evacuation is called for move outside to a designated shelter, and if possible, report to the emergency assembly area. Avoid all moving water and any fallen electrical wires.

Hostile Intruder: Remain calm and do not engage the intruder. If safely possible, try to escape the area quickly and quietly. If attempting to escape, do not carry phones or other objects in your hands. As you move through open areas keep your hands elevated with open palms visible, especially if encountering responding law enforcement officers. Follow all instruction officers may give you. If you cannot safely exit, seek shelter in a room where the doors can be locked or barricaded securely. Close and lock windows, lower blinds, remain out of sight. Once secured

inside, take cover behind concrete walls, thick desks, filing cabinets, etc. Remain quiet and turn off cell phone ringers. Only one person from the room should call police at 911 and tell them where you are, where the intruder is and the condition of others. Follow their instructions. If you cannot speak, leave the line open so the dispatcher can hear what is going on. Assist others if they are injured. Do not respond to any unfamiliar voice commands or open the door until you can be sure that it is coming from a police officer.

Bomb Threat: If you receive a bomb threat by telephone, try to get as much information as possible. Ask for the exact location of the bomb, the expected time of explosion, and the type of bomb. Listen carefully to the caller's voice and any background noises. Immediately report the threat to campus officials and the Berkeley Police Department. If an evacuation is ordered, take personal belongings as you leave. If time permits, check surroundings for, but do not touch, suspicious or unfamiliar items. Note their locations and report them to campus officials. **DO NOT TURN ON OR OFF** any light switches, computers, or other electrical equipment. Leave doors and windows as they are.

CAMPUS SAFETY

The Wright Institute does not have campus law enforcement or trained security staff. The Wright Institute has front desk staff in the reception areas generally through the day and evening hours while classes are in process. No employee of the Wright Institute has, within the scope of his or her employment, police powers or the authority to arrest individuals. The Wright Institute urges persons affiliated with the school to make use of the extensive safety resources at the City of Berkeley Police and Fire Departments and the University of California at Berkeley. The Institute encourages students and employees to be responsible for their own safety and the security of others. You can do this by informing yourself about safety procedures and crime avoidance tips available in this report and from the City of Berkeley and the University of California and by signing up for Nixle messages available through local law enforcement agencies. You may access this information at the following websites: City of Berkeley Police Department: <https://www.ci.berkeley.ca.us/police/>

REPORT EMERGENCIES AND CRIMES

Members of the Wright Institute community, or any other person authorized to be present on the campus, should report any suspected criminal activity or other emergency that poses a threat to life or property.

- If immediate danger to life or property exists, **dial 911** from a land line or **510/981-5911** from a cell phone for the Berkeley Police Department.

- If immediate danger is not present, call the Berkeley Police Department at 510/981-5900 to report criminal activity. In all cases, report the incident to the Dean of Students and, Safety Officer, Virginia Morgan, or any other senior administrator. You may contact the front desk to fill out a Crime Incident Report. If you wish to make an anonymous report, you may anonymously call the Safety Office (Virginia Morgan) or the Vice President for Finance and Administrative Affairs (Tricia O'Reilly) at (510) 841-9230.

Senior Administrators and Safety Officers will make sure every report received under this policy is investigated and take appropriate action to remedy the problem. The Wright Institute urges that all crimes be reported. Since the Institute does not have a campus law enforcement staff, a report should be made to the City of Berkeley Police Department. After such a report is made, the crime should be reported to the Safety Officer or VPFAA. Incidents that may or may not be crimes may also be reported to "campus security authorities", in addition to the Safety Officer or VPFAA.

Campus Security Authorities

Campus Security Authorities (CSAs) are those with responsibility for controlling access to buildings or facilities and officials having significant responsibility for student and campus activities. Licensed counselors providing client related confidential counsel are exempt from reporting requirements when they are acting as such. The Institute encourages counselors if and when they deem it appropriate, to inform those they counsel of procedures for reporting crimes on a voluntary, confidential basis for inclusion in the Campus Security Report. The Institute maintains records of all crime and other security information for the Wright community. The VPFAA, with the support of the Safety Officers, is responsible for gathering, recording and disseminating this information and for decisions regarding the content, time and manner of distribution. This includes collecting and preparing the Annual Security Report in compliance with the Jeanne Clery Disclosure of Campus Security Policy and the Campus Crime

Federal Law – Clery Act (20 U.S.C. Section 1092(f))

Any CSA who becomes aware of a Clery-reportable crime, as noted below, that occurred on Institute facilities or property owned or controlled by the Institute (including off-site facilities and short-term "control" such as the rental of a room during an Institute sponsored event) must report the incident to the VPFAA who serves as the Clery Compliance Coordinator for the purpose of statistical reporting.

CSA Responsibilities

Campus Security Authorities have reporting responsibilities under both federal and state laws. The Institute expects CSA's to be familiar with their obligations and to comply with these federal and state laws. The following pages provide greater detail about these legal obligations. CSA's are encouraged to review the actual laws for additional information and guidance.

The Clery reportable crimes are:

- Murder/manslaughter
- Rape
- Statutory rape
- Incest
- Fondling
- Robbery
- Aggravated Assault
- Domestic violence
- Dating violence
- Burglary
- Vehicle theft
- Arson
- Stalking
- Hate crimes
- Alcohol laws violations
- Drug laws violations
- Weapons laws violations

The crimes that the California Education code requires to be reported to the Clery Compliance Coordinator are:

- • Crimes that involve violence
- • Hate violence
- • Theft
- • Destruction of property
- • Illegal drugs
- • Alcohol intoxication (It is not illegal to be intoxicated inside a private residence; it is illegal to be intoxicated in a public space.

The state also requires that noncriminal acts of hate violence are reported in the same manner.

There is no specified time frame for notifying the VPFAA/Clery Compliance Coordinator; however, the Institute encourages individuals to notify the Clery Compliance Coordinator in a timely manner and as soon as practicably possible so that a determination can be made as to whether it will be necessary or advisable to send a Timely Warning about the crime.

CSA's are not expected to investigate what has been told to them. For purposes of Clery compliance, a CSA does not need to provide the names of the involved persons to the Clery Compliance Coordinator.

Include the following information when notifying the Coordinator about a Clery-reportable crime. •

- Type of crime (preferably with sufficient information to properly classify the incident)
- The location of the incident (as specific as possible)
- The date and time of the incident
- The date and time the incident was reported to the CSA

EMERGENCY NOTIFICATIONS

The Wright Institute maintains a cell-phone texting and email alerting and warning service designed to contact faculty, students, staff and other interested parties to warn of situations on or near campus that may pose an immediate threat or represents a situation necessitating an emergency alert. The alert system provides emergency, urgent and important information and instructions in other emergencies as determined necessary.

Members of the campus community must keep their current text capable phone number up to date in the WI Portal. Wright Institute email addresses are also used to email blast emergency information. The Wright will activate this system in the event of an imminent threat to safety, in a serious emergency or on the occasion of an urgent situation. All personal information remains private and is not accessed by the Wright or others for any reason other than alerting you.

The Wright tests this system bi-annually to ensure that it is functioning properly. The Building Emergency Coordinator (BEC) tests the alert system. In the event of an emergency communication, the Office of the President will direct the onsite Building Emergency Coordinator of the approval to disseminate an emergency notice. The BEC will determine the content of the emergency communication using the prepared statements and initiate the notification system. If the Wright initiates the emergency notification system, those current members who have a working text phone number in their WI Portal account and a WI email address will be notified. Emergency messages can also be sent via the portal in the **Announcement** section.

The 2728 Durant campus Primary Building Emergency Coordinator is Jason Strauss. Documents of system tests and emergency response training events are maintained in this office.

At the 1000 Dwight campus, May Zahm is the Primary Building Emergency Coordinator

The Director of Clinical services has oversight for emergency response at the University clinics.

TIMELY WARNING

As required by federal law (20 U.S.C. § 1092(f)), the Institute will issue a Timely Warning to the entire school community when a Clery-reportable crime occurs on campus or in an area surrounding the campus, and the President (or designee), other designated officials, determines that the situation represents a serious or continuing threat to the campus community. The decision to issue a Timely Warning will be made on a case-by-case basis. Persons authorized to initiate and send Timely Warnings will do so in a timely manner. The level of detail included in a Timely Warning will vary depending on the type of crime. The message will include information to aid in the prevention of similar occurrences. The name(s) of a victim(s) will not be published in the Timely Warning. Where possible, information that might identify the victim will also be excluded. Other details may be excluded from a Timely Warning if, in the professional judgment of responsible authorities, the information would compromise law enforcement's efforts to assist a victim or contain, respond to, or otherwise mitigate the emergency. Timely Warnings will most often be distributed via email; however, additional messaging methods may be employed. Timely warnings may also be distributed via the Emergency Notifications listed previously.

The decision to issue a Timely Warning for sex offenses involving persons who are acquaintances will be made on a case-by-case basis. Factors which will be considered when making this decision include: the level of force and violence used to commit the crime, the potential use of a drug to commit the crime, and the existence of multiple crimes of a similar nature occurring in close proximity, either in time or location. The President or the Vice President of Academic Affairs are responsible for determining if a Timely Warning will be issued for non-stranger sexual assaults; either official or their designees may make this determination. Consultation with Institute staff persons may occur on a need-to know basis.

Anyone with information warranting a timely warning should report the circumstances to the Durant or Dwight receptionist for immediate delivery to the Office of the President either by phone at (510) 841-9230 or in person at the Institute.

EVACUATION PROCEDURES

General Evacuation Procedures

Upon activation of the fire alarm system or upon receiving an emergency notification advising to evacuate, all persons shall immediately evacuate the building and meet at the predetermined Emergency Assembly Point (EAP), unless directed to another location or unless it is apparent that the EAP is not a safe place to gather. While evacuating, remain vigilant for dangerous or criminal activity, and report such observations to the police, as soon as possible. **Familiarize yourself**

with the evacuation procedures for any building; also locate the nearest exit and fire extinguishers

Staff trained in emergency response roles will do their best to guide students and faculty from the facility safely. When evacuating the facility or classroom, try to be aware of who your classmates are or your students. This will help emergency responders to account for all community members when arriving at the Emergency Assembly Area. Wright Institute administrative and program staff participate in semi-annual emergency response and evacuation procedures such as fire, earthquake or an event that requires sheltering in place. The last training exercise occurred in August 2019. The next training will be in the fall of 2019 and summer of 2020. A report of training exercises can be obtained by contacting the primary BEC at the Durant campus.

FACILITY SECURITY AND ACCESS

The Durant and Dwight facilities are monitored with video surveillance. Access to Wright Institute premises is open to students, employees, guests, and visitors. Private office spaces are limited to the official occupant of that space and designated employees, students, guests, clients and/or invitees. All areas of the Wright Institute's 2728 campus are closed between the hours of 9:00 p.m. and 8:00 a.m. weekdays unless special arrangements are made with the facilities coordinator. 1000 Dwight Way hours are open according to schedule of classes. Clinic access is dependent upon clinic session hours and training hours. Keys and access cards allowing entry to buildings and offices are issued by the onsite office manager to full-time personnel only. The site office managers maintain a list of persons holding keys and access cards. Unauthorized copying or lending to unauthorized persons, of keys is forbidden and if violated will result in loss of privileges.

CRIME PREVENTION

See Something, Say Something!

Report crimes, suspicious activity or behavior to the police immediately, including ANY activity or behavior that poses an imminent threat to persons or property.

Lock It or Lose It

- Lock your doors and windows anytime you leave your office or residences, especially on the first floor.
- Never prop open a locked door.
- Don't allow "piggybacking" (when someone unknown to you tries to enter a secured building behind you).
- Immediately report broken or malfunctioning locks to the front desk, office manager or clinic director

- Lock your vehicle and remove valuables. Laptops, testing materials, books are commonly stolen from automobiles
- Avoid becoming a target of thieves by securing items commonly stolen. Secure laptops and cell phones. Never leave laptops or other mobile devices unattended.
- Secure bicycles by the frame to the bicycle racks with a U-lock.

Prevent Identity Theft

- Protect your Social Security number and card.
- Inspect your credit report and financial statements regularly, and shred anything with your personal information on it before disposal.
- Never click on links in unsolicited emails.
- Utilize Federal Trade Commission and IRS resources at ftc.gov/bcp/edu/microsites/idtheft.
- If you have been the victim of identity theft, report it to your local law enforcement agency and seek assistance at identitytheftcouncil.org.

Online Security

Notify the IT staff or Training Director if a computer containing any sensitive or confidential information has been lost, stolen, or compromised. Incidents involving theft of property or information should also be reported to the police

VIOLENCE PREVENTION

The Institute will not tolerate violence or threats of violence anywhere on our campuses or in connection with Institute sponsored events. Persons who become aware of situations which pose an imminent threat to the safety of the community or one of its members, including self-harm, should call 9-1-1 or 8-9-1-1 from a Institute phone immediately. Persons who become aware of situations which might pose a threat to the safety of the community or one of its members are encouraged to consult with the VP of Academic Affairs, the Dean of Students/Safety Officer, Director of Clinical Services or Counseling Program Director.

Behavioral Expectations

Behaviors do not have to violate the law or school policies to be worrisome. Violence may be preceded by behaviors that indicate an increasingly negative emotional state. The behaviors listed on the have been associated with a heightened risk for violence and should prompt a community member to notify a supervisor, a member of senior administration, or law enforcement by calling 9-1-1 or 8-9-1-1 from an Institute phone. These lists are not intended to be comprehensive.

Imminently Dangerous ► Call 9-1-1 or 8-9-1-1

- Statements, written or verbalized, about harming oneself or others, especially if specific plans are mentioned
- Acquisition of weapons in the context of concerning or alarming behaviors listed below

Alarming Behavior ► Notify a supervisor

- Verbally abusive of peers; disruptive or bizarre behavior
- Defiant of authority
- Belief that rules do not or should not apply to them
- Sense of victimization or paranoia
- Change in appearance, declining hygiene
- Sending disturbing messages (e.g., texts, emails, or letters)
- Coursework content that is disturbing
- Statements supporting the use of violence to resolve issues
- General obsession with violence or guns
- Distancing oneself from family, friends, or peers (suddenly or gradually)
- Vandalism of property out of revenge
- Stalking

Concerning Behavior ► Notify a supervisor

- Consistent interpersonal conflict
- Irritability or moodiness
- An inability or unwillingness to abide by policies or rules
- Increase in alcohol or drug use
- Social isolation and unexplained absenteeism
- Anger, intimidation, and bullying, especially without personal accountability or remorse
- Inappropriate reasoning, impaired judgment

REACTING TO THE THREAT OF VIOLENCE

A modest amount of planning and preparation can go a long way in the unlikely event that you are faced with an active threat, whether the person or persons are unarmed or armed with a gun, knife, or any weapon. Maintaining awareness of your surroundings will give you optimal time to put those preparations into action. The following information is provided for your consideration and encompasses some general best practices. Since varying circumstances could require different responses, it will be up to you to familiarize yourself with some of your options in advance, including alternate escape routes, and to determine the best course of action for your safety.

If an active threat is nearby ► Flee the area, if it is safe to do so

- Don't take time to gather your belongings.

- Quickly put distance and buildings between you and the threat. Leave the area.
- If you have information that will assist the police, such as the suspect description or location, call 9-1-1 or 8-9-1-1- from an Institute phone.

If escape is not an option ► Shelter in place and take steps to increase your safety, and if possible, others around you

- Lock and barricade doors. Seek cover (with others, if possible) by placing as much material as possible between you and the threat. Even if you can't prevent the door from being opened, block entry as best as you can.
- Turn off lights (to make the area appear unoccupied).
- Close blinds and/or block windows.
- Keep other occupants calm, quiet, and out of sight.
- Silence cell phones (turn off vibration as well) but do not turn them completely off.
- As soon as it is safe to do so, notify law enforcement by calling 9-1-1 or 8-9-1-1 from a campus phone.
- Remain concealed until the threat has passed or you have been advised by law enforcement that you can exit.
- Do not sound the fire alarms unless there is a fire. Evacuation during an active threat event could place people in harm's way.

If confronted by an attacker ► Do everything in your power to overcome the threat.

- Fight back and do whatever it takes to survive.
- Attack aggressively and in coordination with others, when possible.
- Throw objects or improvise other weapons (backpacks or bags, fire extinguisher, office equipment, hot liquids keys, pens, etc.).
- Do not approach emergency responders; let them come to you.
- Raise both your hands over your head and follow the directions of law enforcement. Emergency responders may not be able to distinguish between victims and the person posing the threat.

INFORMATION ON REGISTERED SEX OFFENDERS

In accordance with the "Campus Sex Crimes Prevention Act" of 2000, which amends the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, the Jeanne Clery Act, and the Family Educational Rights and Privacy Act of 1974, the Wright Institute is providing a link to the California Department of Justice's Internet website, which lists designated registered sex offenders in California. The Campus Sex Crimes Prevention Act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a

State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. The general public can view all sex offender registration information at the Megan's law website at www.meganslaw.ca.gov. Unlawful use of the information for purposes of intimidating or harassing another is prohibited, and willful violation shall be punishable by law.

ALCOHOL AND CONTROLLED SUBSTANCES

The Wright Institute prohibits the unlawful possession, use, manufacture, or distribution of alcohol or controlled substances by students and employees in buildings, facilities, grounds, or property controlled by the Wright Institute, or as a part of Wright Institute activities. Controlled substances include, but are not limited to, marijuana, cocaine, cocaine derivatives, heroin, amphetamines, barbiturates, LSD and other hallucinogens, PCP, tranquilizers, and inhalants.

The Wright Institute is committed to a program to prevent the illegal or abusive use of controlled substances and/or alcohol by its students and employees. Any student or employee of the Wright Institute found on Wright Institute property or at a Wright Institute-sponsored event to be abusing alcohol or using, possessing, manufacturing, or distributing controlled substances or alcohol in violation of the law shall be subject to disciplinary action in accordance with applicable policies of the state and the Wright Institute. Such disciplinary action includes, but is not necessarily limited to, expulsion, termination of employment, referral for prosecution, and/or completion of an appropriate substance abuse assistance or rehabilitation program.

The educational, counseling and referral services of the Wright Institute Clinics are available for those who are troubled by their own or others' use of drugs, legal or illicit. Seeking confidential help from or being referred to these services will not, by itself, result in disciplinary action; individual privacy will be respected in the counseling process. For more information regarding substance abuse, health effects, and laws governing alcohol and controlled substances see Appendices of the Clinical Psychology Program Student Handbook or the Counseling Psychology Program Student Handbook.

The Wright Institute receives federal funding for student financial aid. As such, the Institute must comply with federal law, including all current federal drug laws. Therefore, even though California has legalized marijuana for recreational use for individuals over the age of 21, the possession, use, storage and cultivation of marijuana is prohibited on Wright Institute property for all faculty, staff and students.

PROHIBITED SEXUAL CONDUCT

The Wright Institute is committed to providing an academic and work environment free of unlawful sexual harassment under Title IX. This policy **covers students and employees**, in connection with all the academic, educational, extracurricular, and other Institute programs, whether those programs take place in the Institute's facilities, or at a class or training program sponsored by the Institute at another location.

The Wright Institute also encourages members of the Institute community to report sexual harassment. This procedure only applies to conduct defined as sexual harassment under Title IX and applicable federal regulations and that meets Title IX jurisdictional requirements. The Institute will respond to student sexual harassment reports that fall outside that definition and outside the jurisdiction of the Title IX federal regulations using the Harassment, Discrimination and Retaliation Prevention Policy set forth in Section D2, below, if such conduct is in violation of that separate policy.

In implementing these procedures discussed below, the Institute will also provide supportive measures, training and resources in compliance with California law, unless they are preempted by the Title IX regulations.

Title IX Coordinator

Questions concerning Title IX may be referred to the Institute Title IX Coordinator whose contact information is below.

Tricia O'Reilly
2728 Durant Ave.
Berkeley, California 94704
841-9230, ext. 120
toreilly@wi.edu

The Title IX Coordinator is required to respond to reports of sexual harassment or misconduct. The Title IX Coordinator will handle information received with the utmost discretion and will share information with others on a need-to-know basis. For example, the Title IX Coordinator may need to address public safety concerns on campus, comply with state and federal legal requirements, or share information to implement supportive measures.

A report of sexual harassment to the Title IX Coordinator does not necessarily lead to a full investigation, as discussed more fully below. However, the Title IX Coordinator will make an assessment to determine if there is a safety risk to the campus. If the Title IX Coordinator finds there is a continued risk, the Title IX Coordinator will file the formal complaint without the Complainant's consent or cooperation.

Title IX Harassment Complaints, Investigations and Hearings

These Title IX sexual harassment procedures and the related policy protect students, employees, applicants for employment, and applicants for admission.

A. Jurisdictional Requirements – Application of Procedures

These procedures apply if the conduct meets the following three jurisdictional requirements:

- The conduct took place in the United States;
- The conduct took place in an Institute “education program or activity.” This includes locations, events or circumstances over which the Institute exercised substantial control over both the Respondent and the context in which the harassment occurred, including on-campus and off-campus property and buildings the Institute owns or controls or property and buildings owned or controlled by student organizations officially recognized by the Institute.
- The conduct meets the definition of Title IX “sexual harassment.”

B. Definitions

Advisor: Throughout the grievance process, both the Complainant and Respondent have a right to an Advisor of their choice. If a Party does not have an Advisor at the time of the hearing, the Institute must provide the Party an Advisor of its choice, free of charge. The Institute may establish restrictions regarding the extent to which the Advisor may participate in the proceedings as long as the restrictions apply equally to both Parties.

Complainant: A Complainant is an individual who alleges they are the victim of conduct that could constitute sexual harassment.

Consent: Consent means affirmative, conscious and voluntary agreement to engage in sexual activity. Both Parties must give affirmative consent to sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that they have the affirmative consent of the other or others to engage in the sexual activity. Lack of protest, lack of resistance or silence does not indicate consent. Affirmative consent must be ongoing throughout a sexual activity and one can revoke their consent at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, is not an indicator of consent.

The Respondent’s belief that the Complainant consented will not provide a valid defense unless the belief was actual and reasonable, based on the facts and circumstances the Respondent knew, or reasonably should have known, at the time of the incident. A Respondent’s belief is not a valid defense where:

- The Respondent’s belief arose from the Respondent’s own intoxication or recklessness;
- The Respondent did not take reasonable steps to ascertain whether the Complainant affirmatively consented; or
- The Respondent knew, or a reasonable person should have known, that the

Complainant was unable to consent because the Complainant was incapacitated, in that the Complainant was:

- asleep or unconscious;
- unable to understand the fact, nature or extent of the sexual activity due to the influence of drugs, alcohol or medication; or
- unable to communicate due to a mental or physical condition.

Decision-Maker: The person or committee who will oversee the live hearing and make a determination of responsibility. The Decision-Maker will not be the Title IX Coordinator or the investigator.

Formal Complaint: A written complaint signed by the Complainant or Title IX Coordinator, alleging sexual harassment and requesting an investigation. If the Title IX Coordinator signs the formal complaint, they will not become a Party to the complaint.

Parties: As used in this procedure, this means the Complainant and Respondent.

Respondent: A Respondent is an individual reported to be the perpetrator of conduct that could constitute sexual harassment.

Sexual Harassment under Title IX: Conduct that satisfies one or more of the following:

- An Institute employee conditions the provision of an aid, benefit or service of the Institute on an individual's participation in unwelcome sexual conduct (quid pro quo harassment);
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to the Institute's education program or activity;
- Sexual assault, including the following:
 - **Sex Offenses.** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
 - **Rape** (except Statutory Rape). The carnal knowledge of a person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity. There is carnal knowledge if there is the slightest penetration of the genital or anal opening of the body of another person.
 - **Sodomy.** Oral or anal sexual intercourse with another person, without the consent of the victim, including instances where the victim is incapable of

giving consent because of their age or because of their temporary or permanent mental or physical incapacity.

- **Sexual Assault with an Object.** To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity. An "object" or "instrument" is anything the offender uses other than the offender's genitalia, e.g., a finger, bottle, handgun, stick.
- **Fondling.** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
- **Sex Offenses, Non-Forcible Unlawful, Non-Forcible Sexual Intercourse.**
 - **Incest.** Non-Forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
 - **Statutory Rape – Non-Forcible.** Sexual intercourse with a person who is under the statutory age of consent. There is no force or coercion used in Statutory Rape; the act is not an attack.
- **Dating violence.** Violence against a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of a relationship will be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- **Domestic Violence.** Violence committed:
 - By a current or former spouse or intimate partner of the victim;
 - By a person with whom the victim shares a child in common;
 - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
 - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of California; or
 - By any other person against an adult or youth victim protected from that person's acts under the domestic or family violence laws of California.

- **Stalking.** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

C. Reporting Options

Any individual may report sexual harassment to the Institute's Title IX Coordinator.

The Institute strongly encourages prompt reporting of sexual harassment. Prompt reporting allows for the collection and preservation of evidence, including physical evidence, digital media and witness statements. A delay may limit the Institute's ability to effectively investigate and respond.

Because individuals may be deterred from reporting incidents of sexual harassment if alcohol, drugs, or other violations of Institute rules were involved, the Institute will inform individuals that the primary concern is for student and employee safety and that use of alcohol or drugs never makes a Complainant at fault for sexual harassment.

Individuals have the opportunity to decide whether they want to pursue a formal Title IX complaint. Reporting sexual harassment to the Title IX Coordinator does not automatically initiate an investigation under these procedures. A report allows the Institute to provide a wide variety of support and resources to impacted individuals and to prevent the reoccurrence of the conduct. A Complainant or the Title IX Coordinator filing a formal complaint will initiate an investigation.

If there are parallel criminal and Title IX investigations, the Institute will cooperate with the external law enforcement agency and will coordinate to ensure that the Title IX process does not hinder legal process or proceedings.

The Institute will document reports of sexual harassment in compliance with the Clery Act, a federal law requiring data collection of crime within the campus geography. Under the Clery Act, the Institute does not document personal information; the Institute reports the type of conduct, and the time, date and location.

D. Institute Employees and Officials with Authority

Institute Officials with Authority are not confidential resources and are required to report allegations of sexual harassment to the Title IX Coordinator promptly. All other employees are encouraged to report allegations to the Title IX Coordinator but are not required to do so.

The Institute has designated the following employees as Officials with Authority:

- The Wright Institute President, Peter Dybwad
- The Counseling Psychology (MA) Program Director, Milena Esherick
- The Counseling Psychology (MA) Assistant Program Director, Rebecca

Stevenson

- The Clinical Psychology (PsyD) Program Director, Gilbert Newman

Officials with Authority are required to report all relevant information they know about sexual harassment including the name of the Respondent, the Complainant, any other witnesses, and the date, time and location of the alleged incident.

E. Intake and Processing of Report

Receipt of Report

After receiving a report of sexual harassment, the Title IX Officer will contact the Complainant and reporting party to explain rights under this policy and procedure and invite the Complainant to an in-person meeting. The Title IX Officer will discuss supportive measures with the Parties.

Timeframe for Reporting

To promote timely and effective review, the Institute strongly encourages individuals to report sexual harassment as soon possible because a delay in reporting may affect the ability to collect relevant evidence and may affect remedies the Institute can offer.

Supportive Measures

Supportive measures are non-disciplinary, non-punitive individualized services offered free of charge to the Complainant or the Respondent regardless of whether a formal complaint has been filed. The Institute will provide the Complainant and Respondent with supportive measures as appropriate and as reasonably available to restore or preserve equal access to the Institute's education program or activities. These measures are designed to protect the safety of all Parties, protect the Institute's educational environment, or deter sexual harassment. The Institute will provide supportive measures on a confidential basis and will only make disclosures to those with a need to know to enable the Institute to provide the service. Supportive measures may include counseling, extensions of deadlines, 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.

Removal of Respondent Pending Final Determination

Upon receiving a report regarding sexual harassment, the Title IX Coordinator will make an immediate assessment concerning the health and safety of the Complainant and campus community as a whole. The Institute has the right to order emergency removal of a Respondent, or if the Respondent is an employee, place the employee on administrative leave.

Emergency Removal

The Institute may remove a non-employee Respondent from the Institute's education program or activity on an emergency basis after it conducts an individualized safety and risk analysis and determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal.

The Institute may not use emergency removal to address a Respondent's threat of obstructing the sexual harassment investigation or destroying relevant evidence. Emergency removal is only available to address health or safety risks against individuals arising out of sexual harassment allegations, not to address other forms of misconduct that a Respondent might commit pending the processing of a complaint.

The Institute's Title IX Coordinator or designee will conduct the individualized safety and risk analysis.

If the Institute's Title IX Coordinator determines emergency removal is appropriate, they or designee will provide the person the Institute is removing from campus on an emergency basis with a notice and opportunity to attend a meeting and challenge the basis of their removal. The Title IX Coordinator or designee will determine whether the emergency removal from campus order is warranted after considering information provided by the Respondent challenging the emergency removal.

Administrative Leave

The Institute may place a non-student employee Respondent on administrative leave during the pendency of a grievance process described in the formal complaint process below. The Institute will follow any relevant policies, procedures or state law in placing an employee on administrative leave.

F. Formal Complaint Grievance Process

Notice to Parties

Upon receipt of a formal complaint, the Title IX Coordinator will provide the following notice in writing, to the Parties:

- Notice of the Institute's Title IX grievance process;
- Notice of the allegations of alleged sexual harassment with sufficient details known at the time and with sufficient time to prepare a response before any initial interview;
- Statement that the Respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process;
- Notice that the Parties may have an Advisor of their choice, who may be, but is not required to be, an attorney;

- Notice that the Parties may inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the Institute does not intend to rely in reaching a determination regarding responsibility, and inculpatory or exculpatory evidence whether obtained from a Party or other source; and
- Inform the Parties of any provision in the Institute's code of conduct that prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If, in the course of an investigation, the Institute decides to investigate allegations about the Complainant or Respondent that are not included in the notice provided above, the Title IX Coordinator will provide notice in writing of the additional allegations to the Parties.

Dismissal of Formal Complaint

The Institute must investigate the allegations in a formal complaint. However, the Institute must dismiss the formal complaint and will not process the complaint under these procedures if any of the following three circumstances exist:

- If the conduct alleged in the formal complaint would not constitute Title IX sexual harassment as defined in this procedure;
- If the conduct alleged did not occur in the Institute's education program or activity;
- If the conduct alleged did not occur against a person in the United States.

The Institute has discretion to dismiss a formal complaint or any allegation under the following circumstances:

- If at any time during the investigation or hearing: a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the formal complaint or any allegations;
- If the Respondent is no longer enrolled or employed by the Institute; or
- If there are specific circumstances that prevent the Institute from gathering evidence sufficient to reach a determination regarding responsibility as to the formal complaint or allegations.

If the Institute dismissed the formal complaint or any allegations, the Title IX Coordinator shall simultaneously provide the Parties with written notice of the dismissal and reason. The Institute will also notify the Parties of their right to appeal.

The Institute may commence proceedings under other policies and procedures after dismissing a formal complaint.

Consolidation of Formal Complaints

The Institute may, but is not required to consolidate formal complaints as to allegations of sexual harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one Party against the other Party, where the allegations of sexual harassment arise out of the same facts or circumstances.

Equitable Treatment of the Parties

The Institute's determination of responsibility is a neutral, fact-finding process. The Institute will treat Complainants and Respondents equitably. The procedures will apply equally to both Parties. The Institute will not discipline a Respondent unless it determines the Respondent was responsible for sexual harassment at the conclusion of the grievance process.

Statement of Presumption of Non-Responsibility

The investigation is a neutral, fact-finding process. The Institute presumes all reports are in good faith. Further, the Institute presumes the Respondent is not responsible for the alleged conduct. The Institute makes its determination regarding responsibility at the conclusion of the grievance process.

Bias or Conflict of Interest

The Institute's Title IX Coordinator, investigator, Decision-Maker, or any person designated by the Institute to facilitate an informal resolution process, will not have potential actual bias or conflict of interest in the investigatory, hearing, sanctioning, or appeal process or bias for or against Complainants or Respondents generally. Actual bias is an articulated prejudice in favor of or against one Party or position; it is not a generalized concern about the personal or professional backgrounds, positions, beliefs, or interests of the Decision-Maker in the process. The Institute will ensure that the Title IX Coordinator, investigator, Decision-Maker, and facilitator receive training on:

- The definition of sexual harassment in this procedure;
- The scope of the Institute's education program or activity;
- How to conduct an investigation;
- The grievance process including conducting hearings, appeals and informal resolution processes; and
- How to serve impartially, including avoiding: prejudgment of the facts at issue; conflicts of interest; and bias.

Timeline for Completion

The Institute will undertake its grievance process promptly and as swiftly as possible.

The Institute will complete the investigation and its determination regarding responsibility or the informal resolution process within 240 calendar days.

When appropriate, the Title IX Coordinator may determine that good cause exists to extend the 240 calendar day period to conduct a fair and complete investigation, to accommodate an investigation by law enforcement, to accommodate the unavailability of witnesses or delays by the Parties, to account for Institute breaks or vacations, or due to the complexity of the investigation. The Institute will provide notice of this extension to the Complainant and Respondent in writing and include the reason for the delay and anticipated timing of completion.

A Party may request an extension from the Title IX Coordinator in writing by explaining the reason for the delay and the length of the continuance requested. The Title IX Coordinator will notify the Parties and document the grant or denial of a request for extension or delay as part of the case recordkeeping.

Role of Advisor

The role of the Advisor is to provide support and assistance in understanding and navigating the investigation process.

The Advisor may not testify in or obstruct an interview or disrupt the process. The Title IX Coordinator has the right to determine what constitutes appropriate behavior of an Advisor and take reasonable steps to ensure compliance with this procedure.

A Party does not have a right to self-representation at the hearing; an Advisor must conduct any cross-examination. The Institute must provide an Advisor of its choice, free of charge to any Party without an Advisor in order to conduct cross-examination. If an Advisor fails to appear at the hearing, the Institute will provide an Advisor to appear on behalf of the non-appearing Advisor. To limit the number of individuals with confidential information about the issues, each Party may identify one Advisor.

Confidentiality Agreements

To protect the privacy of those involved, the Parties and Advisors are required to sign a confidentiality agreement prior to attending an interview or otherwise participating in the Institute's grievance process. The confidentiality agreement restricts dissemination of any of the evidence subject to inspection and review or use of this evidence for any purpose unrelated to the Title IX grievance process. The confidentiality agreement will not restrict the ability of either Party to discuss the allegations under investigation.

Use of Privileged Information

The Institute's formal complaint procedure does not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally-recognized privilege (e.g., attorney-client privilege, doctor-patient privilege, spousal privilege, etc.), unless the person holding the privilege provides voluntary, written consent to waive the privilege.

G. Investigations

The Title IX Coordinator is responsible to oversee investigations to ensure timely resolution and compliance with Title IX and this procedure.

Both Parties have the right to have an Advisor present at every meeting described in this section.

Trained Investigators

The Institute will investigate Title IX formal complaints fairly and objectively. Individuals serving as investigators under this procedure will have adequate training on what constitutes sexual harassment and how the Institute's grievance procedures operate. The Institute will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence and complies with this procedure.

Burden of Gathering Evidence

The Institute, not the Parties, has the responsibility to gather information and interview witnesses. As part of the Institute's burden of gathering evidence, the Institute's investigator will create an investigative report that fairly summarizes relevant evidence, whether it is inculpatory or exculpatory. The investigator shall not make findings or determinations of law or fact.

Notice of Investigative Interview

The Institute will provide written notice of the date, time, location, participants, and purpose of all investigative interviews to a Party whose participation is invited or expected, with sufficient time for the Party to prepare to participate.

Evidence Review

Both Parties have an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint, including the evidence upon which the Institute does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a Party or other source.

Prior to the investigator preparing an investigative report, the Institute will make available to each Party and the Party's Advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy. The Parties will have at least ten days to submit a written response. The investigator must consider this written response prior to completing the investigative report.

Investigative Report

The results of the investigation of a formal complaint will be set forth in a written report that will include at least all of the following information:

- A description of the circumstances giving rise to the formal complaint;
- A description of the procedural steps taken during the investigation, including all individuals contacted and interviewed;
- A summary of the testimony of each witness the investigator interviewed;
- An analysis of relevant evidence collected during the investigation, including a list of relevant documents;
- A specific finding as to whether the allegations occurred using a preponderance of the evidence standard;
- A table of contents if the report exceeds ten pages; and
- Any other information deemed appropriate by the Institute.

The investigator will not make a determination regarding responsibility.

The investigator may redact information not directly related to the allegations or privileged information. However, the investigator will keep a log of information they do not produce to the Parties. The investigator will provide this log only to the Title IX Coordinator. The Title IX Coordinator will not disclose the log to the Parties but will maintain the log in the Title IX Coordinator's file, in the event it later becomes relevant.

At least ten days prior to a hearing, the Institute will send the investigative report to each Party and their Advisors, if any, the investigative report in an electronic format or a hard copy, for review and written response. The Parties will have at least ten days to submit a written response.

H. Hearing

After completing an investigation and prior to completing a determination regarding responsibility, the Institute will hold a live hearing to provide the Complainant and Respondent an opportunity to respond to the evidence gathered before a Decision-Maker. Neither Party may choose to waive the right to a live hearing, but the Parties can choose whether to participate in the hearing or answer some or all cross-examination questions.

Notice

If the Institute proceeds to a hearing, the Institute will provide all Parties written notice of the date, time, location, participants, and purpose of the hearing with sufficient time for the Party to prepare to participate.

Hearing Format

The Institute may provide a live hearing with all Parties physically present in the same geographic location or, at the Institute's discretion if either Party requests, the Institute may provide any or all Parties, witnesses, and other participants the ability to

appear at the live hearing virtually, with technology enabling participants simultaneously to see and hear each other in real time.

The Institute will make the information reviewed during the Evidence Review available at the hearing for reference and consultation. The Institute will not restrict the ability of either Party to discuss the allegations under investigation or to gather and present relevant evidence.

The Institute will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the Parties for inspection and review.

Decision-Maker

The Decision-Maker will be free from conflict of interest or bias, including bias for or against Complainants or Respondents. In cases where the Complainant or Respondent objects to the Decision-Maker based on a conflict of interest, the Complainant or Respondent may request the Title IX Coordinator select a different Decision-Maker. The Complainant or Respondent must make this request to the Title IX Coordinator in writing at least five business days prior to the hearing.

The Decision-Maker may ask the Parties and the witnesses questions during the hearing. The Decision-Maker must objectively evaluate all relevant evidence both inculpatory and exculpatory and must independently reach a determination regarding responsibility without giving deference to the investigative report. The Decision-Maker must receive training on issues of relevance, how to apply the rape-shield protections for Complainants, and any technology to be used at the hearing.

Presenting Witnesses

The Institute will provide the Complainant and Respondent an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence. Witnesses, like Parties, are not required to participate in the live hearing process.

Only relevant evidence will be admissible during the hearing. Relevant evidence means evidence, including evidence relevant to the credibility of a Party or witness, having any tendency in reason to prove or disprove any disputed fact material to the allegations under investigation.

Cross-Examination

The Institute will permit each party's advisor to ask the other party and any witness relevant questions, including questions challenging credibility. Cross-examination must be conducted directly, orally, and in real time by the party's advisor and never by a party.

Before a complainant, respondent, or witness answers a question, the Decision-Maker will determine whether the question is relevant and explain any decision to exclude a question as not relevant. The Decision-Maker need not provide a lengthy or

complicated explanation in support of a relevance determination.

If a party or witness disagrees with a relevance determination, that individual has the choice of either (1) abiding by the Decision-Maker's determination and answering the question or (2) refusing to answer the question.

If a Party or witness does not submit to cross-examination at the live hearing, the Decision-Maker may admit any statement of that Party or witness in reaching a determination regarding responsibility. The Decision-Maker will give the statements whatever weight the Decision-Maker determines appropriate, bearing in mind that the statements have not been tested by cross-examination. In doing so, the Decision-Maker should consider, and if possible, determine, whether the witness or Party made the statement and what the statement proves.

A Decision-Maker cannot draw an inference about the determination of responsibility based solely on a Party's or witness's absence from the live hearing or refusal to submit to cross-examination or to answer any question.

The Decision-Maker may also ask any Party or witness questions. If a Party or witness refuses to respond to a Decision-Maker's questions, the Decision-Maker is not precluded from relying on that Party or witness's statements.

Determinations of Responsibility

When the Decision-Maker makes a determination of responsibility or non-responsibility, the Decision-Maker will issue a written determination regarding responsibility, no later than 45 days after the date that the hearing ends.

When making a determination regarding responsibility, a Decision-Maker will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence. A Decision-Maker may not make credibility determinations based on an individual's status as a Complainant, Respondent, or witness. In evaluating the evidence, the Decision-Maker will use the preponderance of the evidence standard. Thus, after considering all the evidence it has gathered, the Institute will decide whether it is more likely than not that sexual harassment occurred.

The written determination will include:

- Identification of the allegations potentially constituting Title IX sexual harassment as defined in these procedures;
- A description of the procedural steps taken from the receipt of the formal complaint through the determination, including who conducted the investigation and gave notifications to the Parties. The determination will also state when, where, and the date the investigator interviewed the Parties and witnesses, conducted site visits, the methods used to gather other evidence. The procedural section should also discuss the dates and how the Parties were provided the opportunity to review and inspect evidence and the date of any hearings held and who attended the hearing;

- Findings of fact supporting the determination. In making these findings, the Decision-Maker will focus on analyzing the findings of fact that support the determination of responsibility or non-responsibility;
- Conclusions regarding the application of the Institute's code of conduct to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;
- A statement of, and rationale for, any disciplinary sanctions the Institute imposes on the Respondent;
- A statement of whether the Institute will provide the Complainant with remedies designed to restore or preserve equal access to the Institute's education program or activity;
- The Institute need not disclose to the Respondent remedies that do not affect him/her/them as part of the written determination. The Institute can inform the Respondent that it will provide remedies to the Complainant. However, the Institute will inform the Complainant of the sanctions against the Respondent;
- The Institute's procedures and permissible bases for the Complainant and Respondent to appeal.

The Institute will provide the written determination to the Parties simultaneously. The determination regarding responsibility becomes final either on the date that the Institute provides the Parties with the written determination of the result of the appeal, if the Parties file an appeal, or if the Parties do not file an appeal, the date on which an appeal would no longer be timely.

I. Disciplinary Sanctions and Remedies

The Institute must have completed the grievance procedures (investigation, hearing, and any appeal, if applicable) before imposing disciplinary sanctions or any other actions that are not supportive measures against a Respondent. If the Decision-Maker determines the Respondent was responsible for conduct that constitutes sexual harassment, the Institute will take disciplinary action against the Respondent and any other remedial action it determines to be appropriate. The action will be prompt, effective, and commensurate with the severity of the offense.

Remedies for the Complainant might include, but are not limited to:

- Providing an escort to ensure that the Complainant can move safely between classes and activities;
- Ensuring that the Complainant and Respondent do not attend the same classes or work in the same work area;
- Providing counseling services or a referral to counseling services;

- Providing medical services or a referral to medical services;
- Providing academic support services, such as tutoring;
- Arranging for a Complainant, if a student, to retake a course or withdraw from a class without penalty, including ensuring that any changes do not adversely affect the Complainant's academic record; and
- Reviewing any disciplinary actions taken against the Complainant to see if there is a causal connection between the harassment and the misconduct that may have resulted in the Complainant's discipline.

Possible disciplinary sanctions for student Respondents include written or verbal reprimand, required training or counseling, non-academic probation, suspension, and expulsion. Possible disciplinary sanctions for employee Respondents include written or verbal reprimand, required training or counseling, reduction in pay, demotion, suspension, or discharge.

J. Appeal of Dismissal of a Formal Complaint or of the Determination of Responsibility

A Complainant or Respondent may appeal the Institute's determination regarding responsibility or the dismissal of a formal complaint or any allegations. A Complainant or Respondent must submit a written appeal within 10 business days from the date of the notice of determination regarding responsibility or from the date of the Institute's notice of dismissal of a formal complaint or any allegations.

Grounds for Appeal

The President will serve as the Decision-Maker on Appeal. In filing an appeal of the Institute's determination regarding responsibility or the Institute's dismissal of a formal complaint, the Party must state the grounds for appeal and a statement of facts supporting those grounds. The grounds for appeal are as follows:

- A procedural irregularity affected the outcome;
- New evidence was not reasonably available at the time the Institute's determination regarding responsibility or dismissal was made, and this new evidence could affect the outcome; or
- The Institute's Title IX Coordinator, investigator, or Decision-Maker had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome.

Appeal Procedure

If the Complainant or Respondent submit an appeal to the Institute, the Institute will:

- Notify the other Party in writing within five (5) business days of receiving a

Party's appeal;

- Allow the non-appealing Parties at least ten (10) business days from the date of receipt of the appeal to submit a written statement in support of, or challenging, the outcome;

The appeal Decision-Maker will issue a written decision on whether to grant or deny the appeal, and the rationale for the decision, within 45 days after the Decision-Maker on appeal receives the response to the appeal or the last day to provide a response. The Institute will provide the written decision simultaneously to both Parties.

The Decision-Maker on appeal may extend or otherwise modify the deadlines provided above. Either Party may seek an extension by submitting a written request to the appeal Decision-Maker explaining the need for the extension and the proposed length of the extension. The Decision-Maker will respond to the request within 48 hours in writing and will inform the Parties simultaneously whether the extension is granted.

K. Informal Resolution

If the Institute determines that a formal complaint is appropriate for informal resolution, it may provide the Parties with the opportunity to participate in an informal resolution process, including mediation, at any time prior to reaching a determination regarding responsibility.

The Institute will provide the Complainant and Respondent written disclosure of the allegations, the requirements of the informal resolution process including the circumstances under which it precludes the Parties from resuming a formal complaint arising from the same allegations, and any consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

The Institute must obtain the Parties' voluntary, written consent to the informal resolution process. If the Parties reach an agreement, the Institute does not have to complete a full investigation and adjudication of a report of sexual harassment. At any time prior to agreeing to a resolution, any Party has the right to withdraw from the informal resolution process and resume the grievance process with respect to the formal complaint.

The informal resolution process is not available to resolve allegations that an employee sexually harassed a student.

L. Retaliation Prohibited

The Institute prohibits any intimidation, threats, coercion, or discrimination against any individual who made a report or complaint of sexual harassment, testified, assisted, or participated or refused to participate in any manner in a Title IX investigation, proceeding, or hearing. Individuals who experience retaliation may file a complaint using the formal complaint process described above.

M. Dissemination of Policy and Procedures

The Institute will provide its policy and procedures related to Title IX on its website and in each handbook or catalog provided to applicants for admission and employment, students, and employees, at the Institute.

When hired, employees are required to sign acknowledging that they have received the policy and procedures. The Institute will place the signed acknowledgment of receipt in each employee's personnel file.

N. Training

The Institute will provide training to Title IX Coordinators, investigators, Decision-Makers, and any individual who facilitates an informal resolution process, on the definition of sexual harassment, the scope of the Institute's education program or activities, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Any materials used to train the Institute's Title IX Coordinator, investigators, Decision-Makers, and any person who facilitates an informal resolution process, will not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

O. File Retention

The Institute will retain on file for a period of at least seven years after closing the case copies of:

- The original report or complaint;
- Any actions taken in response to the complaint, including supportive measures;
- The investigative report including all evidence gathered and any responses from the Parties;
- The Institute's determination regarding responsibility;
- Audio or audiovisual recording or transcript from a hearing;
- Records of any disciplinary sanctions imposed on the Respondent;
- Records of any remedies provided to the Complainant;
- Any appeal and the result;
- Any informal resolution and the result; and
- All materials used to train Title IX Coordinators, investigators, Decision-Makers, and any person who facilitates an informal resolution process. The Institute will make these training materials publicly available on its website.

The Institute will make these documents available to the U.S. Department of Education Office for Civil Rights upon request.

SEXUAL ASSAULT TRAINING AND EDUCATION

The Title IX Coordinators will provide for sexual assault education and prevention programs on campus, including information about dating violence and domestic violence in conjunction with mentoring program staff, and publicize the need to take precautions against sexual assault. The Coordinators will help determine when a specific case poses such an imminent danger to the community that warnings should be published. The Coordinators will work with the Berkeley Police to collect data for official summary crime reports and with other Institute departments to document the incidence of sexual assault.

FURTHER INFORMATION

Inquiries about the application of Title IX may be referred to our Title IX Coordinators or to the Department of Education's Office for Civil Rights. See the packet "Title IX: Addressing Sexual Harassment/Sexual Violence," which includes more information about what types of conduct constitute sexual harassment/sexual violence, prevention strategies including bystander intervention, and risk reduction.

The Title IX Coordinators at The Wright Institute are listed below.
Tricia O'Reilly (lead) toreilly@wi.edu Durant
Virginia Morgan vmorgan@wi.edu Durant

PREPARING THE ANNUAL DISCLOSURE OF CRIME REPORT STATISTICS:

At the Wright Institute, the Facilities Coordinator has the annual responsibility for gathering statistics and provides this information to the Vice President for Finance and Administrative Affairs. The Facilities Coordinator and the VPFA work with the Safety Officers as needed on identifying the reportable crimes and report the information to the Department of Education and the Wright Institute community, and are responsible for the preparation of this report. The Vice President for Finance and Administrative Affairs and the Dean of Students are Title IX Coordinators for the Wright Institute. Campus safety reports and records are maintained in the office of the VP for Finance and Administrative Affairs. These policies and procedures are reviewed on an annual basis. Last policy review was September 2023.

The information in this report comes from a variety of sources, including the City of Berkeley Police Department and incidents reported to the Wright Institute.

CRIME REPORT

The Students' Right to Know and Campus Security Act of 1990 provides that educational institutions disclose occurrences of crime on campus and at off-campus facilities. These statistics include: murder, forcible and non-forcible sex offenses, burglary, robbery, aggravated assault, motor vehicle theft, liquor law violations, drug and narcotic offenses, and weapons possession.

2728 DURANT AVENUE WRIGHT INSTITUTE CRIME STATISTICS/YEARS 2020 - 2022

	2020	2021	2022
Murder	0	0	0
Forcible Sex Offense	0	0	0
Non-forcible Sex Offense	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Liquor Law Violation	0	0	0
Drug & Narcotic Offense	0	0	0
Weapons Possession	0	0	0

HATE CRIMES/YEARS 2020 - 2022

The following are statistics for crimes that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity.

Hate Crime Related (Also in above table)

	2020	2021	2022
Murder	0	0	0
Forcible Rape	0	0	0
Aggravated Assault	0	0	0
Drug & Narcotic Offense	0	0	0
Liquor Law Violation	0	0	0
Weapons Possession	0	0	0

1000 Dwight Way
WRIGHT INSTITUTE CRIME STATISTICS/YEARS 2020 - 2022

	2020	2021	2022
Murder	0	0	0
Forcible Sex Offense	0	0	0
Non-forcible Sex Offense	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Liquor Law Violation	0	0	0
Drug & Narcotic Offense	0	0	0
Weapons Possession	0	0	0

HATE CRIMES/YEARS 2020 - 2022

The following are statistics for crimes that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity.

Hate Crime Related (Also in above table)

	2020	2021	2022
Murder	0	0	0
Forcible Rape	0	0	0
Aggravated Assault	0	0	0
Drug & Narcotic Offense	0	0	0
Liquor Law Violation	0	0	0
Weapons Possession	0	0	0

1918 University Avenue
WRIGHT INSTITUTE CRIME STATISTICS/YEARS 2020 - 2022

	2020	2021	2022
Murder	0	0	0
Forcible Sex Offense	0	0	0
Non-forcible Sex	0	0	0
Offense Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Liquor Law Violation	0	0	0
Drug & Narcotic Offense	0	0	0
Weapons Possession	0	0	0

HATE CRIMES/YEARS 2020 - 2022

The following are statistics for crimes that manifest evidence of prejudice based on race, religion, sexual orientation, or ethnicity.

Hate Crime Related (Also in above table)

	2020	2021	2022
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Forcible Rape	0	0	0
Aggravated Assault	0	0	0
Drug & Narcotic Offense	0	0	0
Liquor Law Violation	0	0	0
Weapons Possession	0	0	0

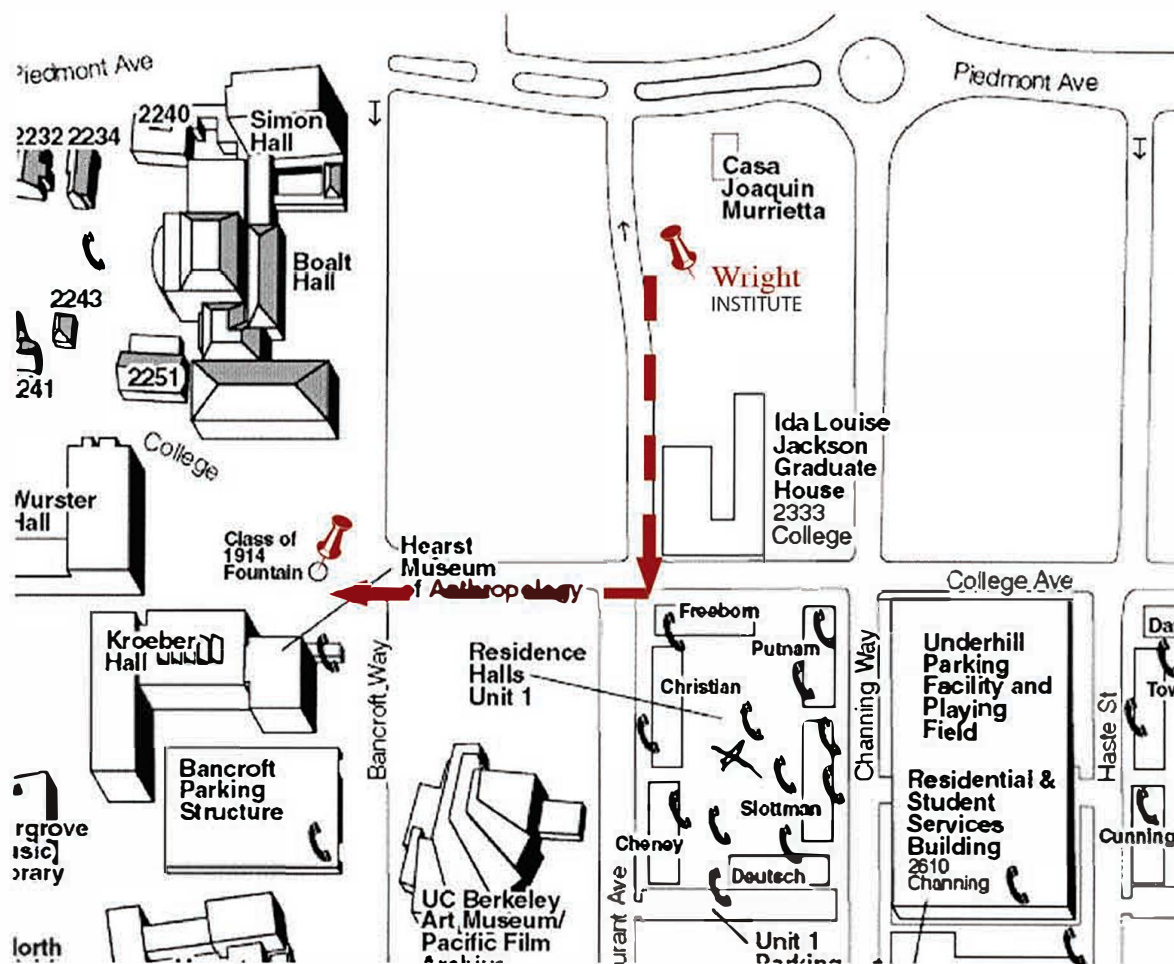
EVACUATION ROUTES AND EVACUATION ASSEMBLY AREAS

EMERGENCY EVACUATION ASSEMBLY AREA ROUTE MAP

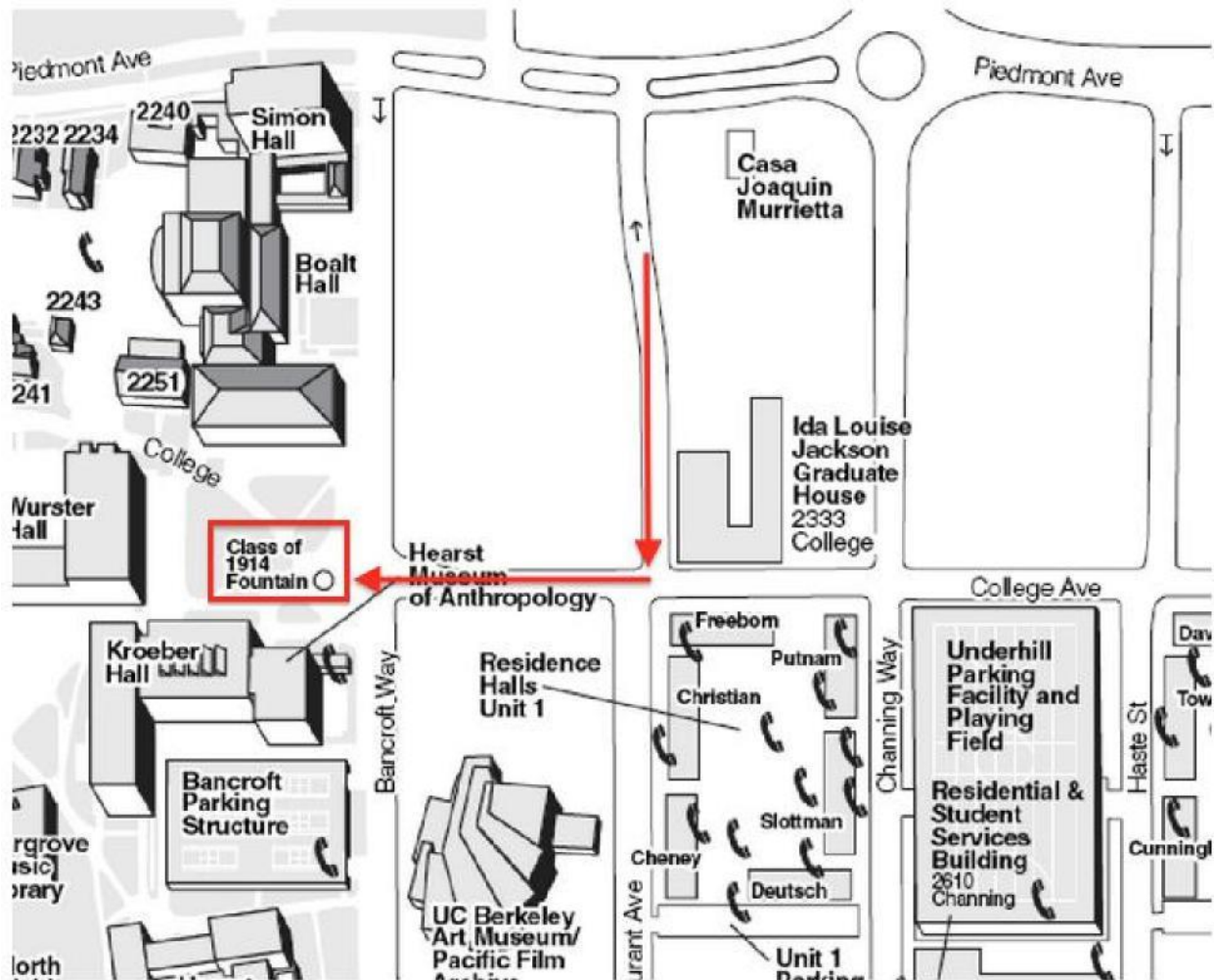
2728 Durant Avenue

Upon evacuation of the building all students, faculty, and staff must gather at the primary Emergency Assembly Area (EAA) located at:

The Class of 1914 Fountain at the intersection of Bancroft Way and College Ave.



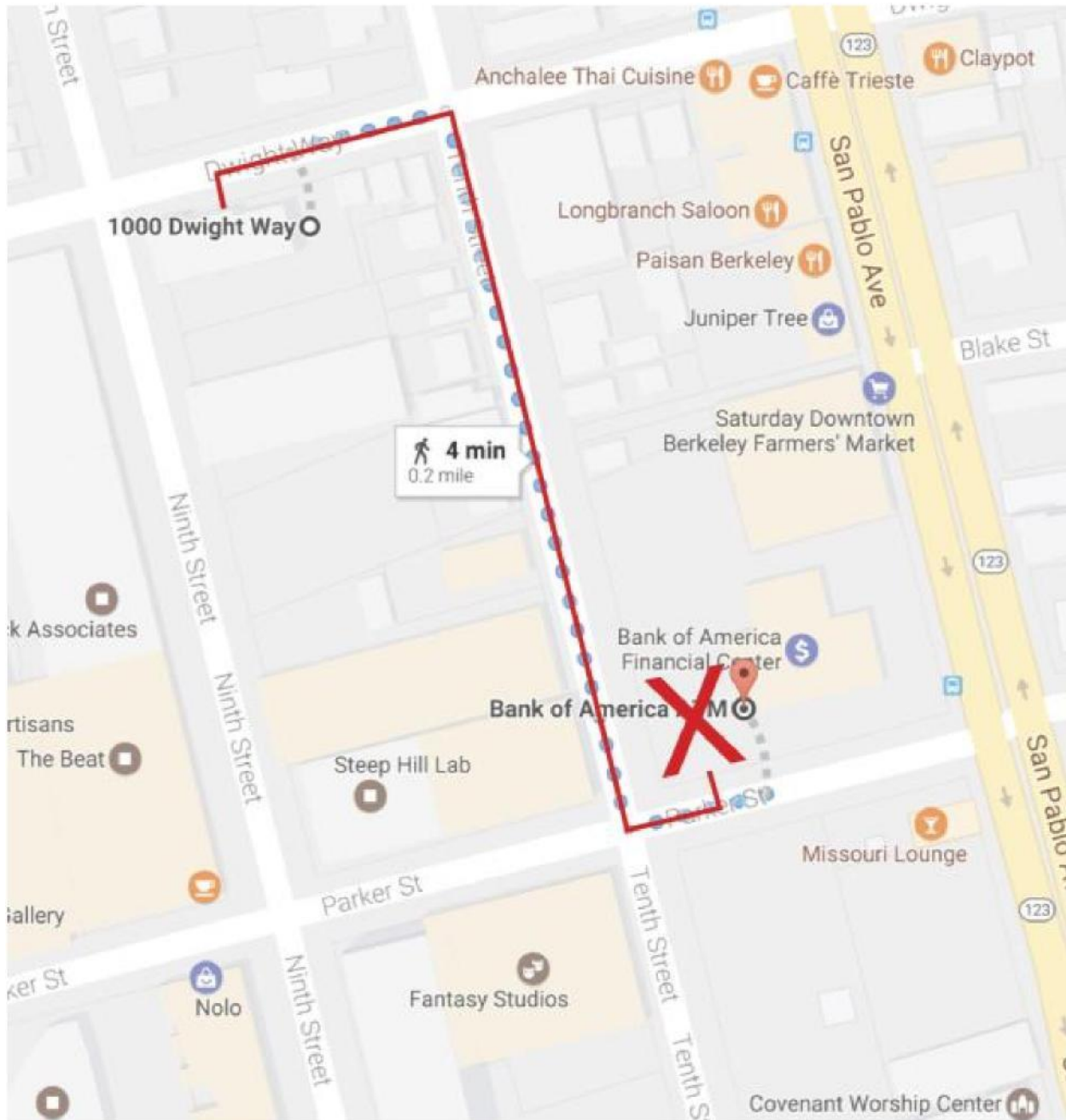
2728 Durant Evacuation Assembly Area Route Map



Primary Emergency Assembly Area (EAA) is located at Class of 1914 Fountain, Bancroft Ave and College Ave.

Evacuation Maps, Plan, and Information

1000 Dwight Way Evacuation Assembly Area Route Map



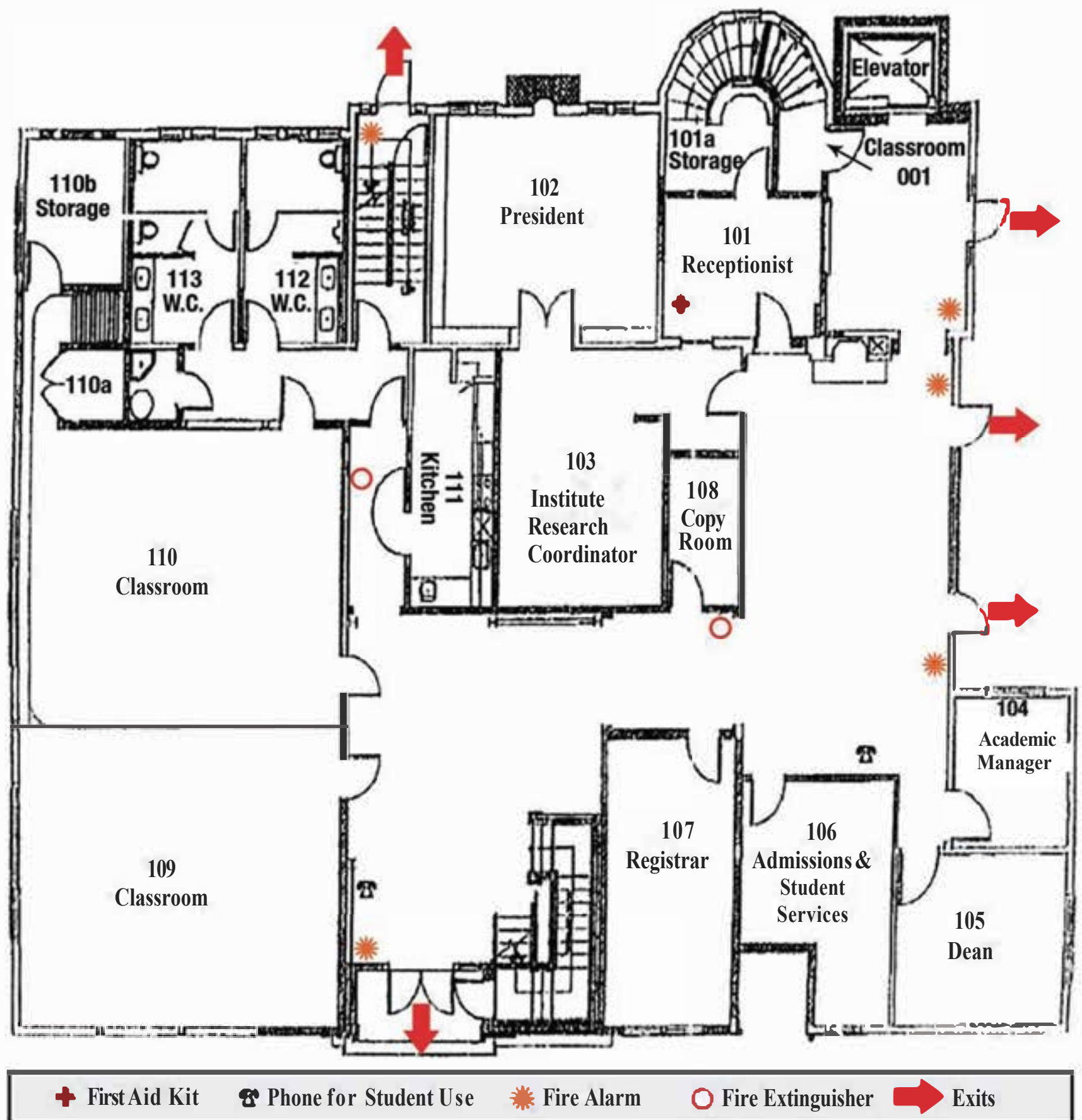
Primary Emergency Assembly Area (EAA) is located at Bank of America Parking Lot, Tenth St. and Parker St.

EMERGENCY EVACUATION BUILDING ROUTE MAP

2728 Durant Avenue

Below is a detailed map of exits in case of an emergency evacuation. Upon evacuation of the building all students, faculty, and staff must gather at the primary Emergency Assembly Area (EAA) located at **The Class of 1914 Fountain at the intersection of Bancroft Way and College Ave.**

Fire alarms and extinguishers are also marked on the map in case of a building fire. The first aid kit for immediate medical attention is located in the Receptionist's office. There are two telephones on the first floor of the building for student use. **In the case of an emergency, call 9-1-1 and report the incident.**



Emergency Exit Route Maps

EVACUATION PLAN

1ST

1000 DWIGHT WAY
BERKELEY, CA 94702

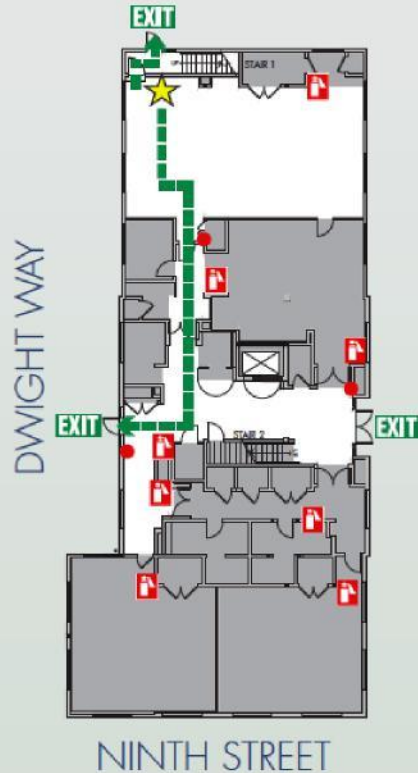
IN AN EMERGENCY
CALL **9-1-1**

EXIT BUILDING BY
NEAREST MARKED EXIT

DISABLED PERSONS SHOULD
PROCEED TO THE NEAREST EXIT
AND AWAIT ASSISTANCE

FIRE ALARM IS AN INTERMITTENT
HORN SOUND WITH
FLASHING STROBE

★	YOU ARE HERE
🔥	FIRE EXTINGUISHER
●	FIRE ALARM
🚪	STAIRS
🛗	ELEVATOR
— — —	EXIT PATH
EXIT	EXIT



IN AN EMERGENCY USE STAIRWAY.
DO NOT USE ELEVATOR



EVACUATION PLAN

1ST

1000 DWIGHT WAY
BERKELEY, CA 94702

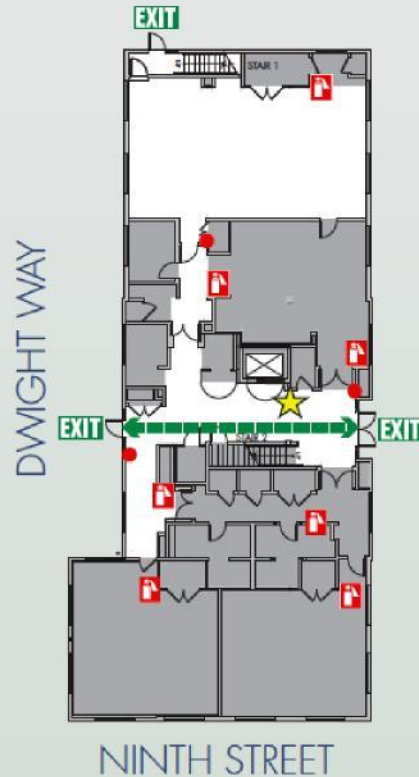
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EVACUATION PLAN

1ST

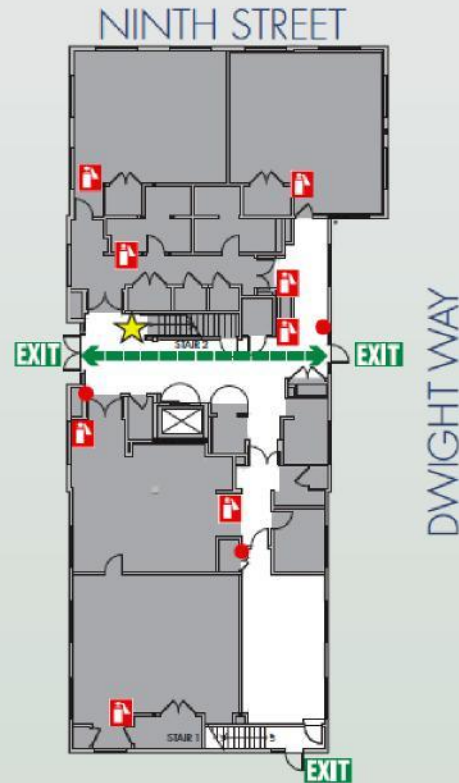
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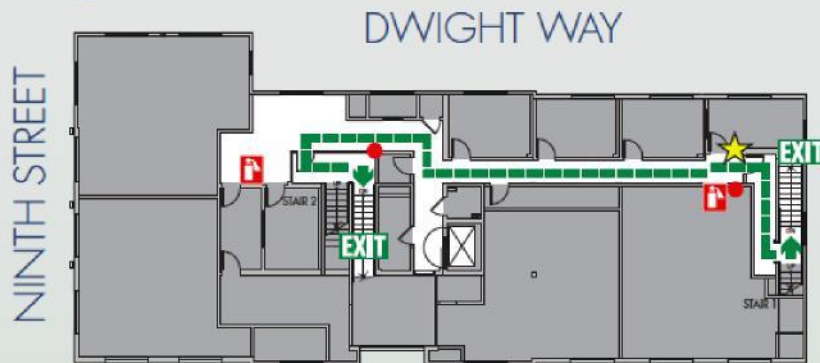


EVACUATION PLAN



1000 DWIGHT WAY
BERKELEY, CA 94702

IN AN EMERGENCY
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- FIRE ALARM
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- EXIT EXIT



IN AN EMERGENCY USE STAIRWAY.
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EVACUATION PLAN










1000 DWIGHT WAY
BERKELEY, CA 94702

IN AN EMERGENCY
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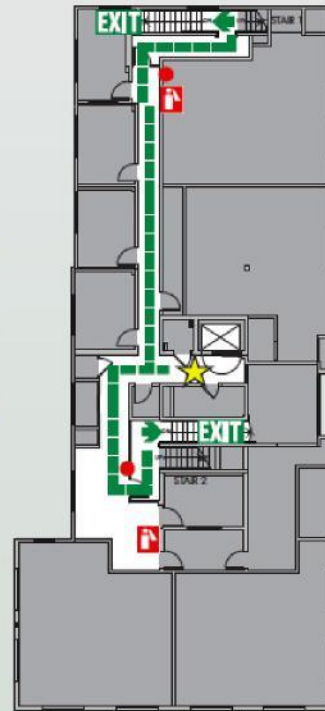
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	EXIT PATH
	EXIT

DWIGHT WAY



NINTH STREET



IN AN EMERGENCY USE STAIRWAY.

DO NOT USE ELEVATOR

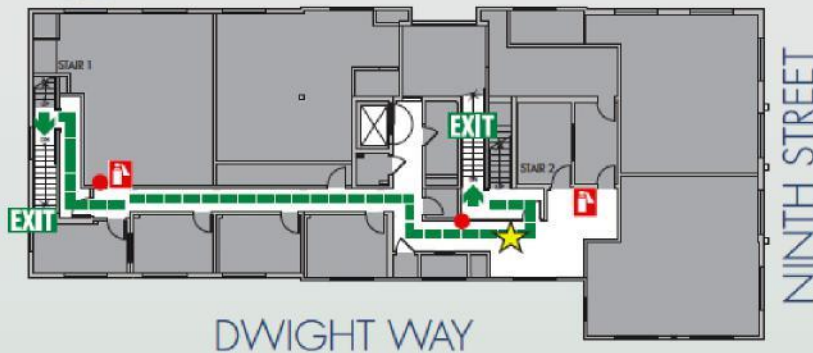


EVACUATION PLAN



1000 DWIGHT WAY
BERKELEY, CA 94702

IN AN EMERGENCY
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	ELEVATOR
	EXIT PATH
	EXIT



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EVACUATION PLAN

2ND

1000 DWIGHT WAY
BERKELEY, CA 94702

IN AN EMERGENCY
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●	FIRE ALARM
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🛗	ELEVATOR
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EXIT	EXIT

DWIGHT WAY



NINTH STREET



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EVACUATION PLAN

2ND

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BERKELEY, CA 94702

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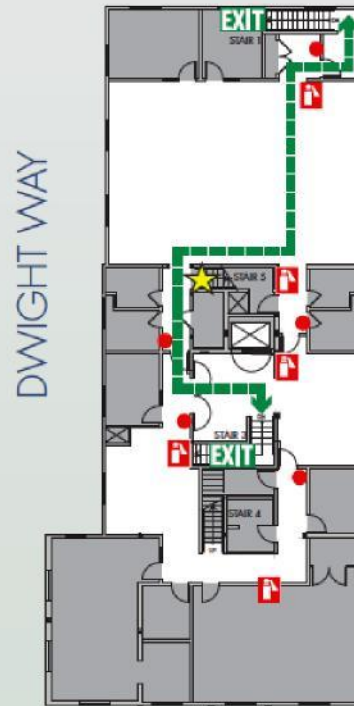
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NINTH STREET



DWIGHT WAY



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EVACUATION PLAN

3RD

1000 DWIGHT WAY
BERKELEY, CA 94702

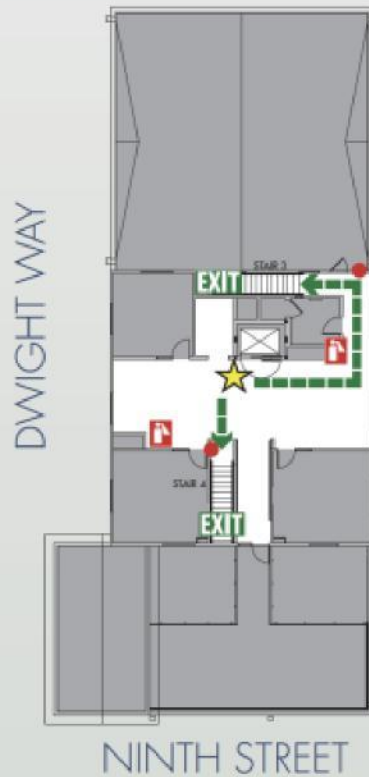
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EVACUATION PLAN

3RD

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DWIGHT WAY

NINTH STREET



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EVACUATION PLAN

3RD

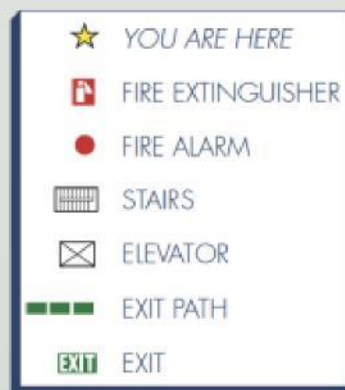
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