



**PRESIDIO**  
GRADUATE SCHOOL

# 2021 Annual Security Report

JEANNE CLERY DISCLOSURE OF CAMPUS SECURITY POLICIES & CAMPUS CRIME  
STATISTICS ACT (20 U.S.C. § 1092 (F))

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Presidio Graduate School (also referred to as PGS) is providing the following information to all of its employees and students as part of PGS's commitment to safety and security pursuant to the requirements of the federal Jeanne Cleary Disclosure of Campus Security Policy and Campus Crime Statistics Act. If you should have any questions about any of the information provided in this material, please contact the Vice President of Institutional and Student Effectiveness.

### **Policies for Preparing the Annual Safety Report**

All incidents are reported and documented on the Incident Report, which is sent to the Chief Operating Officer. Reports are kept in a secure location in the Chief Operating Officer. The statistics included in the annual crime report are prepared by compiling crime statistics and data from designated campus officials, local police departments, and other relevant information by the Registrar and Chief Operating Officer.

### **Annual Disclosure of Crime Statistics**

Jeanne Cleary Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) requires colleges and universities across the United States to disclose information about crime on and around their campuses. Presidio Graduate School collects crime statistics data for both their administrative site and their instructional site where residencies are held.

### ***Definitions of Reportable Crimes***

**Criminal Homicide** These offenses are separated into two categories: Murder and Non-Negligent Manslaughter, and Manslaughter by Negligence.

- **Manslaughter by Negligence** The killing of another person through gross negligence.
- **Murder and Non-Negligent Manslaughter** The willful (non-negligent) killing of one human being by another.

**Sex Offenses** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

- **Rape** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- **Incest** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** Sexual intercourse with a person who is under the statutory age of consent.

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

**Aggravated Assault** An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and

probably would result in serious personal injury if the crime were successfully completed.)

**Burglary** The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

**Motor Vehicle Theft** The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.)

**Arson** Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

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

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

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

**Referred for campus disciplinary action (Liquor Laws, Drugs and Weapons Violations)** The referral of any person to any campus official who initiates a disciplinary action of which a record is kept, and which may result in the imposition of a sanction.

### **Hate Crime**

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For Clery Act purposes, Hate Crimes include any of the categories listed above and includes the four additional categories below:

- **Larceny-Theft (Except Motor Vehicle Theft)** – The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.
- **Simple Assault** – An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.
- **Intimidation** – To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- **Destruction/Damage/Vandalism of Property** – To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the

owner or the person having custody or control of it.

### **Categories of Prejudice**

- **Race** – A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.
- **Gender** – A preformed negative opinion or attitude toward a group of persons because those persons are male or female.
- **Gender Identity** – A preformed negative opinion or attitude toward a person or group of persons based on their actual or perceived gender identity, e.g. bias against transgender or gender non-conforming individuals.
- **Religion** – A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.
- **Sexual Orientation** – A preformed negative opinion or attitude toward a group of persons based on their actual or perceived sexual orientation.
- **Ethnicity/National Origin** – A preformed negative opinion or attitude toward a group of people whose members identify with each other, through a common heritage, often consisting of a common language, common culture (often including a shared religion) and/or ideology that stresses common ancestry.
- **Disability** – A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

**Dating Violence** Defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**Domestic Violence** Defined as a felony or misdemeanor crime of 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 the jurisdiction in which the crime of violence occurred; or,
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Stalking** Defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (i) Fear for the person's safety or the safety of others; or (ii) Suffer substantial emotional distress.

## Crime Statistics

### Administrative Offices

Criminal Offense	Year	On-Campus	Off-Campus	Public Property*	TOTAL
Murder	2018	0	0	N/A	0
	2019	0	0	N/A	0
	2020	0	0	0	0
Sex Offenses – Forcible (Rape)	2018	0	3	N/A	3
	2019	0	1	N/A	1
	2020	0	1	0	1
Sex Offenses – Forcible (Fondling)	2018	0	0	N/A	0
	2019	0	0	N/A	0
	2020	0	0	0	0
Sex Offenses – Non-Forcible (Incest)	2018	0	0	N/A	0
	2019	0	0	N/A	0
	2020	0	0	0	0
Sex Offenses – Non-Forcible (Statutory Rape)	2018	0	0	N/A	0
	2019	0	0	N/A	0
	2020	0	0	0	0
Robbery	2018	0	5	N/A	5
	2019	0	6	N/A	6
	2020	0	3	0	3
Aggravated Assault	2018	0	3	N/A	3
	2019	0	2	N/A	2
	2020	0	2	0	2
Burglary	2018	0	0	N/A	0
	2019	0	0	N/A	0
	2020	0	0	0	0
Motor Vehicle Theft	2018	0	2	N/A	2
	2019	0	4	N/A	4
	2020	0	4	0	4
Arson	2018	0	2	N/A	2
	2019	0	1	N/A	1
	2020	0	1	0	1

Instructional Site

<b>Criminal Offense</b>	<b>Year</b>	<b>On-Campus</b>	<b>Off-Campus</b>	<b>Public Property*</b>	<b>TOTAL</b>
Murder	2018	0	0	N/A	0
	2019	0	0	N/A	0
	2020	0	0	0	0
Sex Offenses – Forcible (Rape)	2018	0	3	N/A	3
	2019	0	2	N/A	2
	2020	0	3	0	3
Sex Offenses – Forcible (Fondling)	2018	0	0	N/A	0
	2019	0	0	N/A	0
	2020	0	0	0	0
Sex Offenses – Non-Forcible (Incest)	2018	0	0	N/A	0
	2019	0	0	N/A	0
	2020	0	0	0	0
Sex Offenses – Non-Forcible (Statutory Rape)	2018	0	0	N/A	0
	2019	0	0	N/A	0
	2020	0	0	0	0
Robbery	2018	0	11	N/A	11
	2019	0	13	N/A	13
	2020	0	10	0	10
Aggravated Assault	2018	0	6	N/A	6
	2019	0	6	N/A	6
	2020	0	5	0	5
Burglary	2018	0	0	N/A	0
	2019	0	0	N/A	0
	2020	0	0	0	0
Motor Vehicle Theft	2018	0	5	N/A	5
	2019	0	11	N/A	11
	2020	0	7	0	7
Arson	2018	0	3	N/A	3
	2019	0	2	N/A	2
	2020	0	2	0	2



### ***Reporting Area***

Presidio Graduate School reports statistics from all property owned or controlled by the university. Information relative to areas adjacent or contiguous with the university facilities has been provided by the local police department.

For purposes of the Clery Act, PGS is defined as:

Administrative Offices: 649 West Mission Street, Suite 500  
San Francisco, CA 94105

Instructional Site: Oakstop  
1721 Broadway #201  
Oakland, CA 94612

### **Campus Security and Crime Prevention Policy**

PGS's Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Report is distributed to every student and employee on an annual basis and is available to prospective employees and students at their request. Employees and students receive a copy of this report at their PGS email address. The Report may also be found on the institution's public website at [www.presidio.edu](http://www.presidio.edu)

### ***Programs to Inform Students About Campus Security***

Information about campus security is provided via the crime statistics which are published online and sent via email on an annual basis.

### ***Programs to Inform Students and Employees About the Prevention of Crimes***

Members of the PGS community are encouraged to review the Student Catalog & Handbook which provides information on policies related to harassment, drug use, and the student code of conduct.

### **Campus Law Enforcement**

Presidio Graduate School does not employ campus security. Law enforcement is provided by local municipalities where administrative and instructional sites are located. Campus staff with security responsibilities are on the campus during regular business hours. They do not have the authority to arrest, but they do have the authority to evict unauthorized persons from the administrative offices or events hosted by PGS. Should anything illegal occur at the PGS administrative office or any other site controlled by PGS, they will promptly contact the local police department. Campus Security Authorities (CSAs) at PGS include officers of the institution who have significant responsibility for student and campus activities.

The president or a designee may identify other officials as it is deemed necessary. Presidio Graduate School campus security authorities are:

TITLE	PHONE NUMBER
President	415-655-8933
Chief Operating Officer	415-655-8922
Vice President, Institutional & Student Effectiveness	415-655-8976
Academic Dean	415-655-8916
Academic Affairs & Compliance Manager	415-655-9622

### **Reporting Criminal Acts or Other Emergencies**

A safe environment is everyone's responsibility. Students, faculty, and staff are encouraged to report all criminal acts, suspicious activities, or emergencies promptly and have the right to report these matters confidentially. Victims or witnesses to a crime are encouraged to file a report of the incident. Reports can be filed on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. Students should contact the Vice President of Institutional and Student Effectiveness and employees should contact the Chief Operating Officer. Reports are kept in a secure location in the office of the Chief Operating Officer. Names of victims or witnesses are not disclosed in the crime report. It is the policy of PGS that all criminal acts or other emergencies be properly documented and reported to local authorities as required by law.

Presidio Graduate School maintains a Daily Crime Log of all criminal incidents reported to the institution. The crime log includes the date and time the incident occurred, the nature of the offense, the location of the offense, the offense allegedly committed, and the disposition of the complaint if known. The crime log is available for inspection in the Chief Operating Officer during business hours.

Students and employees should promptly report all criminal actions and emergencies occurring on or around Presidio Graduate School facilities to the Chief Operating Officer either in person or by calling 415-655-8922. If the Chief Operating Officer is not available, you may contact the local police department by dialing 9-1-1.

In the event of fire or medical emergencies, staff and employees should contact the local police department by dialing 9-1-1 and then notify the Chief Operating Officer.

### ***Voluntary Confidential Reporting.***

Pursuant to California Education Code section 67380(a)(6)(A), Campus Security Authorities who receive reports from employees or students of certain violent crimes, sexual assaults, or hate crimes that occur in an on or non-campus location as defined by the Clery Act may not disclose to local law enforcement agencies the names of the victims or the alleged assailant, unless the victim consents to disclosing their name after being of their right to have their personally identifying information withheld. The name of the alleged assailant may be disclosed, however, if all of the following conditions are met:

1. The alleged assailant represents a serious or ongoing threat to the safety of students, employees, or the institution; and
2. The immediate assistance of local law enforcement is necessary to contact or detain the alleged assailant.

### ***Victim Notification***

Presidio Graduate School will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by PGS 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 these purposes.

### **Timely Warnings**

Timely warnings are provided to give students, faculty, and staff notification of crimes that have occurred in the institution's geographic area and have been reported to campus security authorities or local police agencies that are considered to represent a serious or continuing threat. Timely warnings are not limited to violent crimes or crimes against persons but may be threats to persons or property.

The decision to issue a timely warning is based on the nature of the crime, the continuing danger to the campus community, and the possible risk of compromising law enforcement efforts. Timely warnings should allow members of the campus community to protect themselves and their property. Timely warnings are not necessarily issued to all members of the campus community as students and faculty generally reside out of the local area and are not required to come to the administrative offices.

### **Security of and Access to Campus Facilities**

As a hybrid education institute providing instruction in format with online instruction and monthly residencies, PGS maintains administrative offices and utilizes a shared meeting space for in person residencies. It is the policy of PGS that access to the administrative offices be limited to employees, authorized personnel, visitors, and students. All individuals accessing the PGS administrative offices are subject to university policies and conduct codes. All students and visitors must check-in at the front desk. PGS reserves the right to restrict access to their administrative offices.

PGS contracts with a partner to provide instructional space for monthly in person residency meetings. Faculty and staff representatives are on site for the entire residency period. Students must check-in at the time of residency and wear a name tag during the residency periods.

### **Weapons Policy**

Possession or use of firearms, fireworks, ammunition, or other dangerous weapons or materials is prohibited on PGS owned or controlled property and at University-sponsored events.

### **Relationship with Local and State Law Enforcement**

Presidio Graduate School is located in San Francisco, CA with instructional facilities in Oakland, CA. PGS maintains close working relationships with local law enforcement with periodic contact initiated by PGS to ensure the institution is aware of criminal offenses and arrests occurring near the campus so that they can be properly reported and, if necessary, provided for timely warning reports on crimes that represent a continuing threat. The institution does not have any agreements or memoranda of understanding with law enforcement. The data received from

local law enforcement is maintained in the office of the Registrar.

### **Off-Campus Student Organizations**

Student organizations meeting at a location outside the administrative or instructional offices of Presidio Graduate School should contact local law enforcement to report a crime. These incidents should also be reported to the Chief Operating Officer.

### **Drug and Alcohol Policy**

Presidio Graduate School is a drug-free organization and is dedicated to maintaining a healthy community. Pursuant to federal law, including the Drug-Free Schools and Communities Act of 1989, each student and employee is hereby notified that the unlawful manufacture, distribution, dispersing, possession or use of a controlled substance is prohibited on PGS property or as part of any PGS sponsored activity. PGS also prohibits the abuse of prescription drugs as well as the illegal use, purchase, sale, or attempted sale of prescription drugs. The use of alcoholic beverages during scheduled class time, including meals and breaks is prohibited. Note that alcohol consumption may be permitted when authorized by the President or their designee.

Using or being under the influence of unauthorized drugs while attending Presidio Graduate School approved functions is also prohibited. Violation of this policy will constitute grounds for disciplinary actions. This includes marijuana, which is illegal under federal law.

PGS will impose appropriate sanctions on students and employees, consistent with local, state, and federal laws, up to or including dismissal from enrollment or termination of employment, as well as referral for prosecution for contravention of this policy. Each incident will be reviewed on a case-by-case basis and disciplinary actions will be applied as appropriate.

To understand more fully the health risks associated with drug and alcohol abuse, and to research treatment options in your area, please contact a local treatment facility or

### **Programs and Procedures Regarding Sexual Violence**

PGS does not discriminate on the basis of sex, gender, including gender identity or expression, or sexual orientation in its education programs or activities. Title IX of the Education Amendments of 1972 and certain other federal and state laws, prohibit discrimination on the basis of sex, gender, or sexual orientation in employment, as well as all education programs and activities operated by the University (both on and off campus), and protect all people regardless of their gender from Sex Discrimination, including Sexual Harassment, Sexual Misconduct, including Sexual Assault, Dating or Domestic Violence, and Stalking.

Sexual violence can be perpetrated by a stranger or acquaintance. Both men and women can be victims or perpetrators. PGS investigates complaints, dispenses corrective or disciplinary action where appropriate, provides referrals for medical care/counseling, considers academic accommodations or leaves of absence, and more. PGS also provides information to victims on pursuing criminal action and obtaining protective orders if necessary. Students may contact the Title IX Coordinator for assistance or to file a report.

### **Definitions**

As mandated by the Clery Act's Violence Against Women Act (VAWA)/Campus SaVE Act, these

policy definitions are derived from the local jurisdiction, and based on the California Penal Code, the California Family Code, and the California Evidence Code. In some instances, these definitions may differ slightly from the federal definitions set forth in the next section for mandatory crime statistic reporting. For reportable crime statistics, the Clery Act regulations mandate definitions from the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting (UCR) Handbook.

### **Sex Discrimination**

An adverse action taken against an individual because of gender or sex (including Sexual Harassment, Sexual Misconduct, Domestic Violence, Dating Violence, and Stalking) as prohibited by Title IX; Title IV; VAWA/Campus SaVE Act, California Education Code § 66250 et seq.; and/or California Government Code § 1135. See also Title VII of the Civil Rights Act of 1964, the California Fair Employment and Housing Act (Cal. Govt. Code § 12940 et seq.), and other applicable laws. Persons of all genders and gender identities can be victims of Sex Discrimination.

### **Sexual Harassment**

A form of Sex Discrimination, unwelcome verbal, nonverbal, or physical conduct of a sexual nature that includes, but is not limited to sexual advances, requests for sexual favors, offering benefits or giving preferential treatment in exchange for sexual favors and any other conduct of a sexual nature where:

1. Submission to, or rejection of, the conduct is explicitly or implicitly used as the basis for any decision affecting a person's employment terms or conditions, academic status or progress, or access to benefits and services, honors, programs, or activities available at or through the University; or
2. The conduct is sufficiently severe, persistent or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the complainant, and is in fact considered by the complainant, as limiting their ability to participate in or benefit from the services, activities or opportunities offered by the University; or
3. The conduct is sufficiently severe, persistent or pervasive that its effect, whether or not intended, could be considered by a reasonable person in the shoes of the complainant, and is in fact considered by the complainant, as creating an intimidating, hostile or offensive environment.

Sexual Harassment could include being forced to engage in unwanted sexual contact as a condition of membership in a student organization; being subjected to video exploitation or a campaign of sexually explicit graffiti; or frequently being exposed to unwanted images of a sexual nature in a classroom or work environment that are unrelated to the coursework or employment.

Sexual Harassment also includes acts of verbal, non-verbal or physical aggression, intimidation or hostility based on gender or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

The University's policy covers unwelcome conduct of a sexual nature. While romantic, sexual, intimate, personal or social relationships between members of the University community may begin as consensual, they may evolve into situations that lead to Sexual Harassment or Sexual Misconduct, including Dating or Domestic Violence, or Stalking, subject to this policy. PGS's policy on Amorous Relationships Affecting Employees and Students prohibits amorous relationships, consensual or otherwise, between a faculty member, teaching assistant, or employee of PGS and a student or employee for whom that faculty member, teaching assistant or employee has a professional responsibility.

## **Sexual Misconduct**

All sexual activity between members of the PGS community must be based on Affirmative Consent. Engaging in any sexual activity without first obtaining Affirmative Consent to the specific activity is Sexual Misconduct, whether or not the conduct violates any civil or criminal law.

Sexual activity includes, but is not limited to, kissing, touching intimate body parts, fondling, intercourse, penetration of any body part, and oral sex. It also includes any unwelcome physical sexual acts, such as unwelcome sexual touching, Sexual Assault, Sexual Battery, Rape, and Dating Violence. When based on gender, Domestic Violence or Stalking also constitute Sexual Misconduct. Sexual Misconduct may include using physical force, violence, threat, or intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation through the use of drugs or alcohol, or taking advantage of the other person's incapacitation (including voluntary intoxication) to engage in sexual activity. Persons of all genders can be victims of these forms of Sexual Misconduct. Sexual activity with a minor is never consensual when the complainant is under 18 years old, because the minor is considered incapable of giving legal consent due to age.

## **Affirmative Consent**

An informed, affirmative, conscious, voluntary, and mutually agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure Affirmative Consent has been obtained from the other participant(s) to engage in the sexual activity. Lack of protest or resistance does not mean Affirmative Consent, nor does silence mean consent. Affirmative Consent must be voluntary and given without coercion. Force, threats, or intimidation.

- The existence of a dating or social relationship between those involved, or the fact of past sexual activities between them, should never by itself be assumed to be an indicator of Affirmative Consent. A request for someone to use a condom or birth control does not, in and of itself, constitute Affirmative Consent.
- Affirmative Consent can be withdrawn or revoked. Consent to one form of sexual activity (or one sexual act) does not constitute consent to other forms of sexual activity. Consent given to sexual activity on one occasion does not constitute consent on another occasion. There must always be mutual and affirmative consent to engage in sexual activity. Consent must be ongoing throughout a sexual activity and can be revoked at any time, including after penetration. Once consent is withdrawn or revoked, the sexual activity must stop immediately.
- Affirmative Consent cannot be given by a person who is incapacitated. A person is unable to consent when asleep, unconscious or is incapacitated due to the influence of drugs, alcohol or medication so that the person could not understand the fact, nature or extent of the sexual activity. A person is incapacitated if they lack the physical and/or mental ability to make informed, rational decisions,
- Whether an intoxicated person (as a result of using alcohol or other drugs) is incapacitated depends on the extent to which the alcohol or other drugs impact the person's decision-making ability, awareness of consequences, and ability to make informed judgments. A person's own intoxication or incapacitation from drugs or alcohol does not diminish that person's responsibility to obtain Affirmative Consent before engaging in sexual activity.
- A person with a medical or mental disability may also lack the capacity to give consent.
- Sexual activity with a minor (a person under 18 years old) is not consensual, because a minor is considered incapable of giving consent due to age.
- It shall not be a valid excuse that a person affirmatively consented to the sexual activity if the respondent knew or reasonably should have known that the person was unable to consent to the sexual activity under any of the following circumstances:



- The person was asleep or unconscious;
- The person was incapacitated due to the influence of drugs, alcohol or medication, so that the person could not understand the fact, nature or extent of the sexual activity;
- The person was unable to communicate due to a mental or physical condition.
- It shall not be a valid excuse that the respondent believed that the person consented to the sexual activity under either of the following circumstances:
- The respondent's belief in Affirmative Consent arose from the intoxication or recklessness of the respondent;
- The respondent did not take reasonable steps, in the circumstances known to the respondent at the time, to ascertain whether the person affirmatively consented.

### **Domestic Violence**

Domestic Violence is defined as a felony or misdemeanor crime of violence committed—

1. By a current or former spouse or intimate partner of the victim; ‘
2. By a person with whom the victim shares a child in common;
3. By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
4. By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or
5. By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

### **Dating Violence**

Dating Violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

### **Sexual Assault**

Sexual Assault is an offense that meets the definition of rape, fondling, incest, or statutory rape. Any sexual act directed against another person, without the Affirmative Consent of the victim, including instances where the victim is incapable of giving consent.

1. Rape – Non-consensual sexual intercourse that may also involve the use of threat, force, violence, or immediate and unlawful bodily injury or threats of future retaliation and duress. Any sexual penetration, however slight, is sufficient to constitute Rape. Sexual acts are considered non-consensual when Affirmative Consent is not obtained. The respondent's relationship to the person is irrelevant.
2. Fondling—The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
3. Incest— Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

4. Statutory Rape—Sexual intercourse with a person who is under the statutory age of consent.

### **Stalking**

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress. For the purposes of this definition:

- Course of Conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Reasonable Person means a reasonable person under similar circumstances and with similar identities to the victim.
- Substantial Emotional Distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

### ***Procedures for Reporting a Crime of Sexual Violence/Sexual Misconduct***

#### **Call 9-1-1 in any kind of emergency, or when facing immediate harm or threat of harm.**

Persons who have experienced Sexual Misconduct, including Rape, Dating Violence, Domestic Violence, or Stalking, are encouraged to seek immediate assistance from police and healthcare providers for their physical safety, emotional support and medical care. University or local police can escort victims to a safe place and transport them to a hospital for medical treatment, if needed. University police can also provide access to a Sexual Assault Victim Advocate. Victims who prefer not to notify the police, are strongly encouraged to seek assistance from the campus Title IX Coordinator who can provide information on options, rights and remedies.

Victims have the right to decide who and when to tell about Sexual Misconduct, Dating and Domestic Violence, and Stalking. However, it is very important that they get medical attention after being assaulted. Following the incident, a victim may be physically injured, may have contracted a sexually transmitted disease, or may become pregnant.

PGS's primary concern is the safety and well-being of every member of the campus community. The use of alcohol or drugs never makes the victim at fault. If a campus community member has experienced Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking they should not be deterred from reporting the incident out of a concern that they might be disciplined for related violations of drug, alcohol, or other University policies. Except in extreme circumstances, University students or employees who are victims of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking will not be subject to discipline.

PGS encourages victims of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking to talk to someone about what happened – so they can get the support they need, and so the University can respond appropriately. University employees are required to relay information regarding any incidents of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking to the Title IX Coordinator.

Victims have several reporting options and may pursue one or all of these options at any time. Victims have a right to have a friend, family member, sexual assault victim advocate, or other representative present while reporting the incident. They also have the right to have a sexual assault victim advocate and support person of their choice present with them during a rape



examination. The campus Title IX Coordinator can assist in notifying the police. Victims may also take any of the actions below.

### **Reporting to the Police**

As soon after the incident as possible, victims of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking are strongly encouraged to report the incident to the police. Victims have the option to report anonymously to the police and the decision to seek criminal prosecution remains with the victim.

If a victim reports to a local police agency about Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking, the police are required to notify victims that their names will become a matter of public record unless confidentiality is requested. If a victim requests that their identity be kept confidential, their name will not become a matter of public record and the police will not report the victim's identity to anyone else at the University, including the Title IX Coordinator. However, the facts of the incident itself, including the identity of the perpetrator if known, may be reported to the Title IX Coordinator being sure not to reveal the victim names/identities or compromise their own criminal investigation. The University is required by the federal Clery Act to report certain types of crimes (including certain sex offenses) in statistical reports. However, while PGS will report the type of incident in the annual crime statistics report known as the Annual Security Report, victim names/identities will not be revealed.

In cases of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking, the preservation of physical evidence is important to facilitate the identity and successful prosecution of the offender. The victim should not change clothes, bathe, douche, or shower following the attack. Sexual Assault Response Team (S.A.R.T.) medical personnel are trained to collect, process, and preserve physical evidence of Sexual Misconduct, and are committed in their assistance to the victim. Victims may request a S.A.R.T. exam to preserve forensic evidence without completing a police report. This evidence may be used in the case a victim wishes to report the assault at a later date. Victims are not financially responsible for S.A.R.T. exams and the cost will be the responsibility of the local law enforcement jurisdiction.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection orders related to the incident more difficult. Victims who choose not to make a complaint regarding an incident, nevertheless should consider speaking with law enforcement to preserve evidence in the event that they change their mind and wishes to report the assault at a later date.

A victim has the right to have a confidential advocate present when reporting to law enforcement and during examinations. With the victim's consent, the confidential advocate will assess the victim's immediate needs and provide support and referral as appropriate. This confidential assistance may include: counseling, information concerning rape trauma syndrome; information on the collection of medical evidence and available health services to test for injuries, sexually transmitted diseases, and/or pregnancy. Assistance is also available with access to other resources and services, including assistance in obtaining emergency protection orders and restraining orders.

### **Reporting to a Campus Security Authority**

Any member of the University community may report incidents of Sexual Misconduct, Dating Violence, Domestic Violence or Stalking to any Campus Security Authority (CSAs). These University personnel will assist the victim in notifying the appropriate law enforcement agency if the victim requests the assistance of law enforcement. In addition, most campus employees including CSAs are required to report incidents of Sexual Misconduct, Dating Violence, Dating

Violence and Stalking to the Title IX Coordinator. Title IX Coordinator reporting responsibilities are described in detail below.

*NOTE: If the University determines that the perpetrator poses a serious and immediate threat to the campus community, under the Clery Act the campus may be required to issue a timely warning to the community. Any such warning will not include any information that identifies the victim.*

### **Reporting to the Title IX Coordinator**

Many resources and options are available on and off campus including confidential and privileged communication options. The University has designated a Title IX Coordinator as the primary point of contact to provide victims with assistance and support, and to monitor and oversee overall compliance with laws and policies related to Sexual Misconduct, Dating and Domestic Violence, and Stalking. The campus Title IX Coordinator is available to explain and discuss rights to file a criminal complaint and to assist in doing so; the University's relevant complaint process, and rights to receive assistance with that process, including the investigation process; how confidentiality is handled; available resources, both on and off campus; and other related matters.

Most University employees have a duty to report Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking incidents when they are notified of it. When a victim tells the Title IX Coordinator or another non-confidential University employee about a Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking incident, the victim has the right to expect the University to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably. In all cases, the University strongly encourages victims to report Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking directly to the campus Title IX Coordinator.

To the extent possible, information reported to the Title IX Coordinator or other University employees will be kept private and shared only with individuals responsible for handling the University's response to the incident. The University will protect the privacy of individuals involved in a Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking incident except as otherwise required by law. A Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking report may result in the gathering of extremely sensitive information about individuals in the campus community. While such information is considered confidential, University policy regarding access to public records and disclosure of personal information may require disclosure of certain information concerning a report. In such cases, efforts will be made to redact the records, as appropriate, in order to protect the victim's identity and privacy and the privacy of other involved individuals. No University employee, including the Title IX Coordinator, should disclose the victim's identity to the police without the victim's consent or unless the victim has also reported the incident to the police.

If a victim requests of the Title IX Coordinator or another University employee that their identity remain completely confidential, the Title IX Coordinator will explain that the University cannot always honor that request and guarantee complete confidentiality. If a victim wishes to remain confidential or request that no investigation be conducted or disciplinary action taken, the University must weigh that request against the University's obligation to provide a safe, non-discriminatory environment for all students, employees and third parties, including the victim. Under those circumstances, the Title IX Coordinator will determine whether the victim's request for complete confidentiality and/or no investigation can be honored under the facts and circumstances of the particular case, including whether the University has a legal obligation to report the incident, conduct an investigation or take other appropriate steps. Without information about a victim's identity, the University's ability to meaningfully investigate the incident and pursue disciplinary

action against the perpetrator may be severely limited.

The Title IX Coordinator will inform the victim of the initiation of an investigation prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the University's response to the incident. The Title IX Coordinator will remain mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm, and work with the victim to create a safety plan. Retaliation against the victim, whether by students, employees or third parties, will not be tolerated. The University and Title IX Coordinator will also:

- Provide interim remedies requested by the victim, if they are reasonably available, regardless of whether the victim chooses to report to campus or local police;
- Assist victims in accessing available victim advocacy, academic support, counseling, disability, medical/health or mental health services, and legal assistance both on and off campus;
- Provide security and support, which could include issuing a no-contact order, helping arrange a change of campus-based living or working arrangements or course schedules (including for the perpetrator pending the outcome of the investigation) or adjustments for assignments, tests, or work duties; and
- Inform victims of their right to report a crime to University or local police – and provide victims with assistance if desired.

The University will not require a victim to participate in any investigation or disciplinary proceeding if the victim does not wish to participate.

Under California law, and pursuant to University policy, many University employees, including the Title IX Coordinator, are mandatory child abuse and neglect reporters and should explain to victims under 18 years of age that they are required to report the incident to the police. However, the identity of the person who reports and the report itself are confidential and disclosed only among appropriate agencies.

Because the University is under a continuing legal obligation to address the issue of Sexual Misconduct, Dating Violence, Domestic Violence, or Stalking campus-wide, reports (including non-identifying reports) may also require the University to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported incident(s) occurred; increased education, training and prevention efforts, including to targeted population groups; climate assessments/victimization surveys; and/or revision of policies and practices.

### **Non-Reporting**

Victims are strongly encouraged to report any incident of Sexual Misconduct, Dating and Domestic Violence, or Stalking to the police and/or campus Title IX Coordinator so that steps may be taken to protect them and the rest of the campus community. However, non-reporting is also an option.

### **Civil Lawsuit**

Victims may choose to file a civil lawsuit against the perpetrator, whether or not criminal charges have been filed. A civil lawsuit provides the opportunity to recover actual damages, which may include compensation for medical expenses, lost wages, pain, suffering and emotional distress.

### ***Disciplinary Procedures and Sanctions***

Upon learning of possible sexual violence involving a student, regardless of whether the victim chooses to report the incident to law enforcement, PGS will take immediate action to investigate

or otherwise determine what happened. Such action may include, but is not limited to, speaking with the alleged victim, hereby referred to as the “Complainant”, the alleged perpetrator, hereby referred to as the “Respondent”, and other potential witness as appropriate and reviewing other evidence if available.

Pending a final determination, the Title IX Coordinator or designee will take appropriate interim measures. These measures may include, but are not limited to, the imposition of a no-contact order and academic modifications. The Title IX Coordinator or designee may limit a student or organization’s access to certain PGS facilities or activities pending resolution of the matter. The Title IX Coordinator may impose an Interim Suspension on the Respondent pending the resolution of an alleged violation when the Title IX Coordinator determines, at their sole discretion, that it is necessary in order to protect the safety and well-being of members of the PGS community.

On-campus disciplinary procedures against students will be in accordance PGS’s published Student Code of Conduct, which are prompt, fair, and impartial from the initial investigation to the final result. The Title IX Coordinator will receive annual training related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability. The Respondent will receive written notice of the report and the nature of the alleged misconduct. They will be advised in writing of the investigation process and opportunity to provide any relevant evidence. The investigation will generally be conducted by the Chief Operating Officer for the campus (or any other individual appointed by the Title IX Coordinator) if the Respondent is a student. If the Respondent is a faculty or staff member, Human Resources will also participate in the investigation.

The investigator will separately interview Complainant and Respondent. Both parties will be able to provide evidence and suggest other witnesses to be interviewed. The investigator will interview other relevant witnesses and review any other available relevant evidence. Both the Complainant and Respondent can have another individual present during their own respective interviews. If the Complainant or Respondent elects, they may have an attorney present during their own interview but said attorney may not advocate during the interview. The investigator will present all evidence to the Title IX Coordinator (or their designated Deputy Title IX Coordinator). In all cases, the Title IX Coordinator or the designated Deputy Title IX Coordinator will be appropriately trained regarding handling and considering sexual misconduct and relationship violence cases. The Title IX Coordinator will weigh the evidence presented and decide whether additional evidence is necessary for consideration. The Title IX Coordinator will determine whether it is more likely than not that a violation occurred. The standard of evidence that will be used is preponderance of the evidence. This is a burden of proof in which it is determined to be more likely than not, or at least 51% certain, that the violation has in fact occurred.

If the Respondent is an employee, the investigator will present all evidence to Human Resources. Human Resources, in conjunction with the COO and University President, will weigh the evidence presented and make a determination of whether a violation of the Sexual Misconduct & Relationship Violence Policy or any other policy has occurred. If PGS determines that sexual violence may have occurred, the institution will take steps proactively designed to promptly and effectively end the sexual violence or the threat of sexual violence, prevent its recurrence, and address its effects regardless of whether the alleged actions are subject to criminal investigation. For this purpose, the outcome of a disciplinary proceeding means only PGS’s final determination with respect to the alleged sexual offense and any sanction that is imposed against the accused. Sanctions, which may be imposed following a final determination may include but are not limited to coaching, training, probation, suspension, or expulsion in the

case of students or coaching, training, written warning, demotion, or termination in the case of employees.

Both the Complainant and Respondent will be notified simultaneously in writing of the outcome of the investigation and of the sanctions imposed, if any. If the Complainant or

Respondent is a student, he or she may appeal the outcome determination by written appeal to the University President within 15 days of notification of the outcome. An appeal may be made based only on one or more of the following reasons:

- New and significant evidence appeared that could not have been discovered by a properly diligent charged student or complainant before or during the original investigation and that could have changed the outcome.
- The Finding is Arbitrary and Capricious: Reading all evidence in the favor of the non-appealing party, the finding was not supported by reasonable grounds or adequate consideration of the circumstances. In deciding appeals, the University President is allowed to make all logical inferences in benefit of the non-appealing party.
- Disproportionate Sanctions: The sanctions were disproportionate to the findings.

The appeal shall consist of a written statement requesting review of the conduct decision or sanction and explaining in detail the basis for the appeal. The University President, or designated representative, will notify the non-appealing party of the request for an appeal. Within five working days of receipt of the notice, the non-appealing party may submit a written statement to be included in the case file. The appeal may proceed without the non-appealing party's written statement if it is not submitted within the designated time limit.

The University President will endeavor to make a determination of the appeal within 15 days of receipt. The President's decision is final.

### **Registered Sex Offenders**

California's sex offender registration laws require convicted sex offenders to register their status with the University police department if they are enrolled, residing, attending, carrying on a vocation (i.e. contractor or vendor on campus for more than 30 days in the year), or working with or without compensation for the institution. All public information available in California about registered sex offenders, to include the ability to look-up offenders by name, residence address, and zip code, is on the California Department of Justice Megan's law web site at [www.meganslaw.ca.gov](http://www.meganslaw.ca.gov)

Information regarding registered sex offenders is also available online from the Department of Justice's Dru Sjodin National Sex Offender Public Website (NSOPW): <https://www.nsopw.gov/>

### **Emergency Notification**

In the event of a local emergency that may affect members of the Presidio Graduate School community, information will be disseminated via email.

### ***Emergency Notification and Evacuation Process***

#### **Process used to confirm that there is a significant emergency or dangerous situation:**

In the event of a report of a dangerous or emergency situation to any staff member, the staff member will contact the University President or any other member of the campus security team. The President or campus security member will then review the situation, and if appropriate confer with local law enforcement or other first responders, to confirm the issue(s) involved and determine if activation of the Emergency Notification system is warranted.

### **Process used to determine the appropriate segment(s) of the campus community to receive notification:**

In the event of a confirmed emergency situation, the University President or campus security member will determine the appropriate segments of the campus population to receive notification and determine the content of the notification (i.e., how much information is appropriate to disseminate at different points in time), which will then be passed on to the staff members for immediate dissemination to the campus community via blast email and/or verbally to all students/staff present on campus providing the notification would not compromise the ability to contain the emergency or endanger additional students or staff members. The only reason that PGS would not immediately notify the campus community is if doing so would compromise efforts to assist a victim, contain the emergency, respond to the emergency, or otherwise mitigate the emergency.

### **Procedure used to notify the campus:**

Upon the confirmation of a significant emergency or dangerous situation involving the immediate threat to the health or safety of student or staff occurring on the campus, PGS will immediately notify the campus community, unless issuing a notification will compromise efforts to contain the emergency.

PGS will utilize its senior staff and campus security members to inform all students and employees on campus of the need to immediately evacuate the premises to a safe location.

The emergency response and evacuation procedures are publicized on an annual basis to campus staff, visitors, and students through internal postings.

## **Safety Tips**

Prevention is your best protection against crime. Here are some precautions you can take to assure greater security.

### **At Home**

- Leave at least one light on, inside and out when you are away. If possible, use a timer to turn lights on and off.
- Keep your doors and windows locked, even if you are at home, and even if you leave for a few minutes. NEVER open the door without knowing who is there. Require the caller to identify themselves satisfactorily. If a stranger asks to use a phone, do not permit them to enter your home. Make the call for that person if you believe it is an actual emergency.
- Keep in touch with your neighbors. Watch each other's apartments and homes and let each other know of anything suspicious.
- Don't give out personal information, such as your address. Report threatening or harassing calls to the police or phone company.

### **When Walking**

- Plan the safest route to your destination and use it. Choose well-lighted busy pathways and streets, avoiding alleys, vacant lots, or construction sites. Take a longer way if it's safer.
- Know your neighborhood and the campus. Find out which buildings are open late (or early) and where you go to summon help if needed.
- Carry your purse close to your body and keep a firm grip on it. Carry a wallet in an inside coat or side trouser pocket, not in the rear trouser pocket.
- Don't flaunt expensive jewelry, clothing, or "flash" cash.



- Have your car or house key in hand and ready as you approach your vehicle or home.
- Never hitchhike.

### ***While Traveling***

- Keep doors locked and windows rolled up, especially at stoplights. Always lock your car and take the keys.
- Keep valuables out of sight in the trunk. Park in areas that will be well-lit when you return. Check the back seat and the area around the car before getting in.
- Car Trouble: Raise the hood. Put on emergency flashers. Stay inside the car and lock the doors. Ask anyone who stops to help to call the police or the nearest service station for you.
- On public transportation, wait in well-lit areas near other people. If someone bothers you, move to a more populated area of the bus or train.

### ***Responding to an Attack***

In any situation, your goal is to get away with the least injury to yourself. If an attacker only wants your valuables, give them up. Valuables can be replaced; your life can't. Notify local police immediately. Learning to defend yourself is a good idea. However, don't overestimate your abilities. It may take lots of practice before you can use the techniques effectively.

## **Emergency Action Plan**

The purpose of this Emergency Action Plan is to establish procedures for safely and effectively managing an emergency event for Presidio Graduate School. All employees are expected to follow the procedures outlined in this plan to ensure that employees and consumers are protected from any further harm during an emergency situation.

### ***Authority***

PGS complies with California Code of Regulations, Title 8, Sections 3220, 3203, 6184, NFPA 1 Uniform Fire Code, section 10.9.

### ***Scope***

This Emergency Action Plan covers those designated actions managers and employees must take to ensure employee and consumer safety from fire and other emergencies. This plan includes: emergency evacuation procedures and emergency escape routes depending on your location in the office; procedures for all employees, and those who have additional responsibilities in the event of an emergency; procedures to account for employees after emergency evacuation has been completed; rescue and medical duties and expectations; the preferred means of reporting fires and other emergencies; and individuals who can be contacted for further information about the plan.

### ***Responsibilities of the Emergency Response Team***

The goal of the Emergency Response Team is to assist in the orderly evacuation of employees, guests and students from a building or area during an emergency or assist with shelter in place procedures if warranted. The duties of the Response Team are as follows:

- Be familiar with the content of this plan.
- Alert staff of emergency situations.
- Ensure that staff, guests and students are appropriately evacuating the facility or area based on the escape route assignments posted throughout the premises.



- Assist in the evacuation of guests, students and staff with disabilities that preclude them from using elevators during emergency situations, or alerting security, fire, and police personnel of the last known location of the individuals.
- Perform medical duties as necessary to employees, guests and students during emergency situations.
- Extinguish small fires with the use of a fire extinguisher.
- If instructed, take the Emergency Evacuation Binder located at the front desk to the designated meeting location and account for all employees, guests and students.

### ***Training***

Emergency Response Team members will be trained and made aware of their duties so that they can assist in the safe and orderly emergency evacuation of employees. They shall be made aware of their responsibilities under this plan:

- Upon initial assignment;
- Whenever the employee's responsibility under the plan changes; and
- Whenever the plan is changed.

### ***Responsibilities of the Employees***

The success of this Emergency Action Plan in times of emergencies hinges on employees knowing the procedures outlined in this plan and acting upon them in an appropriate manner. Before an emergency, employees shall:

- Become familiar with the contents of this plan to include who to report emergencies to, the assigned evacuation routes for the facility, and the designated meeting locations.
- Actively participate in emergency drills and treat them as if they are real.

During an emergency, employees shall:

- Assist an Emergency Response Team member if asked.
- Listen and wait for directions on how and when to evacuate the facility from emergency response team members, security, police, or fire personnel.
- Report any emergencies such as a bomb threat or threats of violence to your supervisor first and immediately.
- Follow the assigned escape route procedures to avoid crowding at the exits.
- Report immediately to your designated meeting location upon evacuating the facility. Do not take any side trips.
- Never go back into the facility to retrieve personal belongings. Returning to the office may ONLY take place when given the all-clear to do so.

### ***Reporting Emergencies***

Report fire or other emergencies immediately, first to your supervisor, then to the responsible person(s) listed above. When warranted, call 911 (9-911 from a landline if possible). Be prepared to provide the responder with the nature and location of the emergency. Our address is:

Administrative Offices:           649 West Mission Street, Suite 500  
San Francisco, CA 94105

Instructional Site: Oakstop  
1721 Broadway #201  
Oakland, CA 94612

### ***Evacuation Routes and Maps***

The evacuation routes and assembly area maps are posted conspicuously throughout the premises. Employees are to become familiar with all evacuation routes and the post-evacuation assembly point in order to ensure their own safety as well as that of guests and students who may be on the premises.

### ***Location of First Aid Kits***

As noted on the evacuation maps, the First Aid Kits are located in the kitchen and in the Student Services copy room on east side of the office.

### ***Designated Post-Evacuation Meeting Location***

Once employees have evacuated the facility, they **must** meet at the designated post-evacuation location to check in with a member of the Emergency Response Team. The ERT will be accounting for individuals. Look for the individuals wearing the neon orange vests.

Employees who do not show up to the designated meeting location will be presumed to still be in the building and fire and police personnel shall be notified of their absence immediately.

### ***Fire Emergency Procedures***

- Remove anyone in immediate danger.
- Once an employee is alerted to the fire danger, he/she will go to the nearest member of the Emergency Response Team to initiate the employee alarm system, exit the building according to the emergency action plan, and proceed directly to the designated assembly point.
- Confine the fire to the room/area by closing the door to the area where the fire is located and by ensuring all doors leading to the main hallways are closed.
- Attempt to extinguish the fire only if you are capable of using the portable fire extinguishers, the fire is in its beginning stage, and it can be extinguished safely.
- Disabled and non-ambulatory (unable to walk personnel) should request assistance from those nearest to them. Advise the Fire Department or other official Emergency Responders of any individuals who are trapped or who may require assistance to evacuate.

### ***Earthquake Emergency Procedures***

- If you are indoors, stay there. Take shelter under a desk, table, or in a doorway. If you cannot get under something sturdy or stand in a doorway, get on your hands and knees and cover your head and back of neck with your hands and arms.
- Stay away from windows, outside walls, light fixtures, filing cabinets and bookshelves. Do not attempt to use the elevators.
- If you are outdoors, go to an open area away from trees, buildings, walls, roadways and power lines.
- If the building is evacuated, do not return until authorized.
- Beware of potential dangers after an earthquake such as escaping gas, unstable building structures, electrical hazards, etc. Also beware of aftershocks.

### ***Evacuation of the Disabled***

- Persons (employees, students and guests) with a disability (including a short-term disability) limiting them from using the stairs will congregate entrance/exit corridor outside the front office area by the elevator where they will be assisted by either an official Emergency Responder (fire, EMT, or law enforcement personnel).
- In the event an emergency renders the elevator unsafe or dangerous, an official Emergency Responder will assist or carry the disabled person down one or more floors for pick-up and relocation.
- If assistance is not immediately available, disabled persons should remain in the entrance/exit corridor outside the front office until assistance from an official Emergency Responder becomes available.

### ***Serious Injury***

- Check the scene and the victim to determine the danger potential and the extent of the injury. Do not move a seriously injured victim unless there is an immediate danger such as fire, flood, or poisonous gas. If you must move the victim, do it as quickly and carefully as possible. If there is no immediate danger, do not move the victim and advise the bystanders the victim is not to be moved.
- Call 911 immediately if the victim is unconscious. Additionally, you should call for an ambulance if the victim has trouble breathing or is breathing in a strange way; has pressure or pain in the chest or abdomen; is bleeding severely; has slurred speech; appears to have been poisoned; has injuries to the head, neck, or back; or has possible broken bones.
- Keep the victim calm and as comfortable as possible. Administer CPR or First Aid if you have been trained in those areas (A list of these employees is included at the end of this document). A First Aid kit should be used and precautions should be taken to minimize exposure to blood, blood-borne pathogens, and other bodily fluids. Remain with the victim until emergency services personnel and Security arrive.

### ***Disgruntled Visitor***

- In the event someone encounters a disgruntled or belligerent visitor in the office, effort should be made to keep the visitor as calm as possible and seek assistance in a manner that does not cause further agitation.
- If you are unable to call for assistance outside the disgruntled visitor's presence, tell the visitor that you need to call someone to help him/her, and use the code words "**GUEST SERVICES**" when placing that call for help. You would call your supervisor or someone you know will answer and say, "Hi, this is [your name] and I need assistance with **GUEST SERVICES** in [your location]."
- This keeps the visitor from becoming even more defensive and angry while alerting others that there is a problem that needs immediate attention.
- Whoever receives a call from someone in the office for **GUEST SERVICES** shall NOT respond alone. At least two people (if possible) need to immediately proceed with caution to the location of the caller requesting assistance.

### ***Hazardous Materials***

- A hazardous material is a substance that presents a physical or health hazard. A health hazard refers to a substance for which there is significant evidence that health effects may occur for exposed employees.
- A Material Safety Data Sheet (MSDS) is required for all hazardous substances in use within the department. Employees will be provided with training on the safe use of all

chemicals they will be exposed to in the event that this situation ever arises.

- In the event of a hazardous material emergency:
- Evacuate the area, securing access to the area when possible.
- Immediately call 911 (9-911 from a landline) and inform the operator of the emergency. Provide as much information as possible to the operator and refer to the MSDS.

### ***Bomb Threats***

- If you receive a bomb threat or discover a possible bomb or suspicious object(s), immediately notify your supervisor and call 911 (9-911 from a landline). In the event of a bomb threat by telephone:
- Get someone's attention if possible and convey the nature of the call. Have them make the above notifications.
- Get as much information as possible from the caller. Ask the following questions:
- Where is the bomb?
- When is it going to explode?
- What does it look like?
- What kind of bomb is it?
- What is the caller's name or organization?
- Record the following information:
- Date and time of call
- Exact words of caller
- Age, sex, adult, or child
- Any speech pattern or accent
- Background noises
- For bomb threats by mail or for suspicious objects discovered:
- Do not handle the letter, envelope, or package any further.
- Immediately notify local law enforcement by calling 911 (9-911 from a landline).
- Notify your immediate supervisor.
- Evacuate the immediate area if instructed to do so.