



AVEDA INSTITUTE PHOENIX

Aveda Institute Campus Security Policy

The Aveda Institute is committed to providing safety to all of its future professionals, faculty and staff.

- If a crime happens to you or your property or if there is an emergency occurring on campus, contact the designated Campus Security Authority or any available administrator.
- The Aveda Institute will provide future professionals, faculty, and staff with a copy of the crime report from the previous calendar year by October 1st of the following year. Statistics will be gathered from the local police and compiled in the annual report. The report will show number of incidents only on campus and is divided into the following categories:

Criminal Homicide: (A) Murder and non-negligent manslaughter (B) Negligent manslaughter	Motor vehicle theft
Sex offenses: (A) Forcible sex offenses (B) Non-forcible sex offenses (C) Domestic Violence (D) Dating Violence (E) Stalking	Arson
Robbery	Liquor law violations (A) Arrests for liquor violations, drug law violations, and illegal weapons possession (B) Persons not included above who were referred for campus disciplinary action for liquor law violations, drug law violations and illegal weapons possession
Aggravated assault	Hate crimes
Burglary	

- The Aveda Institute has assigned a specific Campus Safety Authority in which any Campus Safety and Security concerns can be reported and addressed. The Aveda Institute has a working relationship with the Local Police Department who are able to support and provide

services promptly in the event of an incident. We encourage accurate and prompt reporting of all crimes to the Campus Security Authority and local police.

If you have concerns, questions or need information, please contact:

Katrina Bervin/ Director AIX Campus Security Authority

Telephone: 480.794.1259

Email: kbervin@avedaphoenix.com

- In addition to the required annual campus security report, The Aveda Institute will provide a timely warning to future professionals and staff of any occurrences of the following crimes that are reported to local police agencies and/or the Campus Security Authority that are considered to represent a serious or continuing threat to our future professionals and staff. As soon as the Institute becomes aware of the crimes, future professionals and educators will be notified in their next class. These crimes are: criminal homicide, forcible and non-forcible sex offenses, domestic violence, dating violence, stalking, robbery, aggravated assault, burglary, motor vehicle theft, arson, hate crimes including crimes involving bodily injury reported to local police agencies that show evidence of prejudice based on race, gender, religion, sexual orientation, ethnicity or disability, arrests for violations of liquor and drug law violations and illegal weapons possession, and persons not arrested but referred for disciplinary action for liquor, drug and weapons law violations.
Note: The Aveda Institute is not required to provide timely warnings with respect to crimes reported to a pastoral or professional counselor.
- The Aveda Institute will also provide timely warning to future professionals and staff if significant emergency or dangerous situation involving an immediate threat to the health and safety of students or staff occurs on the campus. The Aveda Institutes goal is to maintain a safe and nonviolent academic and working environment. Please notify a staff member immediately in case of a medical emergency or accident. All accidents must be reported to the Director and Campus Security Authority. In case of a bomb threat immediately contact the police or administrative personnel and evacuate the building as directed by the police or the administrative personnel. The Aveda Institute has an alarm monitored system that is directed to the Fire Department. Whenever a fire is detected, a continuous siren will sound. In all cases when the fire alarm sounds all future professionals and staff must instruct and assist all guests in evacuating and must also evacuate the building themselves. Re-enter the building only when the Fire Department or Security has given clearance. Floor plans are posted throughout the Institute; please familiarize yourself with the escape routes. In the event of severe weather warnings the building management will make a decision on when to evacuate team members, future professionals, and guests.
- If a future professional wants to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics, please contact the Campus Security Authority.
- Access to the building is only given to future professionals during the normal class day. Any future professionals seeking access outside normal class time must have prior authorization from an administrator.

- We encourage future professionals and staff to be responsible for your own security and the security of others. If you have concerns about walking from the building to your car after dark, either walk in groups or contact one of the institutes staff and we will provide escort service to walk you to your car.
- The Aveda Institute does not have any off-campus locations and therefore all monitoring and recording of any criminal activity is conducted at the campus location.

Drugs and Alcohol Policy

- School policy prohibits the possession, use and sale of alcoholic beverages to anyone.
- School policy also prohibits the possession, use and sale of illegal drugs.
- School policy supports and enforces State underage drinking laws.

Future Professionals caught in any of the above situations will be withdrawn from the program and will be reported to authorities.

Future Professionals needing assistance may contact the below substance abuse resources:

- [Substance Abuse Treatment Referral Service 1\(800\)662-4889](#)
- [Al-Anon & Alateen 1\(888\)425-2666](#)
- [Alcoholics Anonymous \(602\)264-1341](#)
- [Arizona Drug Abuse \(866\)872-6790](#)

New Campus Obligations under Violence Against Women Act (VAWA)

Under Title IX, discrimination on the basis of sex can include sexual harassment and sexual violence, which includes sexual assault, domestic violence, and stalking. Any Institute that receives federal funds may be held legally responsible when it knows about or ignores sexual harassment or sexual violence in its programs or activities. The Institute can be held responsible in court whether the harassment or violence is committed by a student or staff.

What is VAWA?

On March 7, 2013, President Obama signed into federal law the Violence Against Women Reauthorization Act of 2013 (VAWA), which is aimed at improving how colleges and universities in the U.S. address sexual violence. This new law imposes obligations for Colleges and Universities to revise their policies and practices to comply with new regulations that addresses and prohibits acts of violence such as, sexual assault, domestic violence, dating violence and stalking, and it clarifies the rights of victims. The new regulations also include:

- Reporting campus crime statistics beyond the crime categories that the Clery Act already mandates, to which now include incidents of domestic violence, dating violence and stalking, as well as crimes motivated by gender identity or national origin;
- Providing comprehensive educational prevention and awareness programs for incoming students and new employees, in addition to ongoing prevention and awareness campaigns for

students, faculty and employees that identifies and defines sexual assault, rape, acquaintance rape, domestic violence, dating violence and stalking; and

- Conducting annual training for investigators and hearing officers who investigate and review reported offenses.
- In addition, both Title IX and VAWA legislation permits the Aveda Institute, to assist both the victim and the accused with:
 - An investigation
 - Counseling and medical services
 - Using the Campus Safety Escort Service
 - Choosing a support person to accompany them throughout proceedings
 - Allowing the victim and the accused to attend different classes
 - Academic support services

Aveda Institute Title IX Policy

The Aveda Institute is committed to creating and maintaining a community where all individuals who participate at the Institute's programs and activities can work and learn together in an atmosphere free of harassment, exploitation, or intimidation. Every member of the Institute should be aware that the Institute prohibits sexual harassment and sexual violence, and that such behavior violates both law and Institutional policy. The Institute will respond promptly and effectively to reports of sexual harassment and sexual violence, and will take appropriate action to prevent, to correct, and when necessary, to discipline behavior that violates this policy on Sexual Harassment and Sexual Violence. The Aveda Institute's policy covers all members of the Institute, including future professionals, employees, non-student or non-employee participants in the Institute's programs. This Policy furthers the Institute's commitment to compliance with the law and to the highest standards of ethical conduct.

Definitions

Sexual Assault

Sexual assault occurs when physical sexual activity is engaged without the consent of the other person or when the other person is unable to consent to the activity. The activity or conduct may include 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).

Domestic Violence

Domestic violence is defined as means of any criminal offense involving violence or physical harm or threat of violence or physical harm, or any attempt, conspiracy, or solicitation to commit a criminal offense involving violence or physical harm, when committed by one cohabitant against another.

Domestic violence includes asserted violent misdemeanor or felony offenses committed by the victim's current or former spouse, current or former cohabitant, person similarly situated under domestic or family violence law, or anyone else protected under domestic or family violence law.

Dating Violence

Dating violence is defined as violence by a person who has been in a romantic or intimate relationship with the victim. Whether there was such relationship will be gauged by its length, type, and frequency of interaction.

Stalking

Stalking is defined as a course of conduct directed at a specific person that would cause a reasonable person to fear for her, his, or others' safety, or to suffer substantial emotional distress.

Consent

Consent is *informed*. Consent is an affirmative, unambiguous, and conscious decision by each participant to engage in mutually agreed-upon sexual activity.

Consent is *voluntary*. It must be given without coercion, force, threats, or intimidation.

Consent is *revocable*. Consent to some form sexual activity does not imply consent to other forms of sexual activity. Consent to sexual activity on one occasion is not consent to engage in sexual activity on another occasion. A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of the relationship, there must be mutual consent to engage in consent is withdrawn, the sexual activity must stop immediately.

Consent cannot be given when a person is incapacitated. A person cannot consent if she/he is unconscious or coming in and out of consciousness. A person cannot consent if she/he is under the threat of violence, bodily injury or other forms of coercion. A person cannot consent if her/his understanding of the act is affected by a physical or mental impairment.

Title IX Campus Security Authority

The Campus Security Authority provides a safe and confidential place for students, employees and visitors who desire information about and/or need help with issues involving sexual assault, dating/domestic violence and stalking.

The Campus Security Authority is responsible for receiving and conducting the administrative investigation of all reports of sexual assault filed on campus by students and employees, and is available to discuss options, explain Institute policies and procedures, and provide education on relevant issues.

The Campus Security Authority must receive annual training on the issues related to domestic violence, dating violence, sexual assault, stalking, and how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

The Institute encourages all members (and visitors) of the Institute who experience sexual assault or other forms of interpersonal violence to report their incident. The Campus Security Authority will provide information about reporting options, psychological support and resources.

If you have concerns, questions or need information, you may contact:

Katrina Bervin/ Director AIX Campus Security Authority
Telephone: 480.794.1259
Email: kbervin@avedaphoenix.com

Violence on Campus

It is the Institute's mission to be proactive in providing ongoing training and educational programs about sexual assault and interpersonal violence, and to work collaboratively with our community partners like, Arizona Rape Prevention and [Arizona Coalition against Sexual Assault](#), in an effort to change the culture of violence. The Aveda Institute will also post information regarding these community programs informing the students what resources and programs are available for them.

If a sex offense occurs while at the Aveda Institute, please contact the local Police Department, and report this immediately to the appointed Campus Safety Authority. The Aveda Institute will do everything possible to assist in this serious matter. If such a serious offense occurs, it is important to preserve evidence for proof of the criminal offense.

Future Professionals who are victims of sex offenses may find help from the following list or others known to the future professional:

- [National Sexual Violence Resource Center \(NSVRC\) \(877\)739.3895](#)
- [Rape, Abuse and Incest National Network \(RAINN\) \(800\)656-4673](#)
- [Arizona Rape Prevention \(ADHS\) \(877\)634-2723](#)
- [Arizona Coalition Against Sexual Assault \(AzSan\) \(602\)258-1195](#)

Individuals wishing to learn additional information about registered sex offenders may go to the Arizona Department of Corrections web site at www.corrections.az.gov

Risk Reduction Tips

- Be aware of surroundings
- Be Assertive - Set and communicate sexual limits
- "No" MEANS "No" Say it clearly, loudly and mean it.
- Trust your instincts
- Get to know people
- Limit alcohol consumption so you are better able to assess your surroundings.
- When drinking alcohol in social settings, make arrangements with a friend to leave together. Do not stand by when you observe warning signs of potential sexual assault, get involved.

What To Do If You Or Another Individual Has Been Sexually Assaulted:

Important steps to take after an assault:

- Get to a place where you or the individual is safe from further attack and call the police
- Encourage the individual to report the assault to law enforcement
- Encourage the individual to seek medical attention
- Ask the Title IX Campus Security Authority for help
- Call a family member or someone that you or the individual trusts
- Do not wash, comb, or clean any part of your/their body. Do not change clothes if possible, so the hospital staff can collect evidence. Do not touch or change anything at the scene of the assault
- Go to the nearest hospital emergency room as soon as possible. You/They need to be examined, treated for any injuries, and screened for possible sexually transmitted infections (STIs) or pregnancy. The S.A.R.T. Nurse will collect evidence using a rape kit for fibers, hairs, saliva, semen, or clothing that the attacker may have left behind

Reporting a Sexual Assault to Police

The Aveda Institute encourages all members of the campus community who experience any form of sexual violence to report such incidents to Campus Security Authority. The decision to file a report with the Police Department or any local law enforcement agency lies within the discretion of the survivor. Whether or not a survivor chooses to report the incident to law enforcement there is support and help for the survivor. The Sexual Assault Resource Services Consultant/Team or the local rape crisis center will provide information, support, and referrals to a survivor no matter what course of action she/he chooses to take. The Sexual Assault Resource Services Consultant Team will explain the options and alternatives available to the survivor including:

- Filing a police report
- Obtaining aid through the Utah County District Attorney Victim-Witness Assistance Program
- Disciplinary options available within the Institute
- The availability of mediation
- Academic assistance

How to help a friend who has been assaulted

- Listen attentively and empathically to what they are saying – stay calm, be patient, and non judgmental. Let them tell you in their own word
- Don't ask for details or specifics. Don't Pry
- Validate the survivor's feelings: their anger, pain, and fear
- Encourage the survivor, family, and significant others to seek professional help
- Be clear that the rape was not the survivor's fault
- Accept that there may be changes in your relationship with the survivor

- Get support with your own feelings
- Be gentle, patient, and sensitive. Respect the time and space it takes to heal

Sex Offenses

The Aveda Institute will provide a written explanation of available rights and options, including procedures to follow, when the Aveda Institute receives report that the future professional or employee has been a victim of domestic violence, dating violence, sexual assault, or stalking on campus.

The written information shall include:

- To whom the alleged offense should be reported
- Options for reporting to law enforcement and campus authorities, the right to be assisted by campus authorities in notifying law enforcement authorities if the complainant so chooses and the right to decline to notify such authorities
- The rights of complainants regarding orders of protection, no contact orders, restraining orders, or similar lawful orders issued by criminal or civil courts and the Institutes responsibilities regarding such orders
- The importance of preserving evidence as may be necessary to prove criminal domestic violence, dating violence, sexual assault, or stalking, or to obtain a protection order
- The existing campus and community services available for victims including counseling health, mental health, victim advocacy, legal assistance, and other services
- Options for, and available assistance to, change academic, living, transportation, and working situations, if requested by the complainant and if reasonably available, regardless of whether the victim chooses to report the crime to police or local law enforcement.
- Any applicable procedures for institutional disciplinary action

If a sex offense happens where both the accused and the accuser attend The Aveda Institute, both the accuser and the accused:

- Are entitled to the same opportunities to have others present during a disciplinary proceeding
- Will be informed simultaneously in writing of the Institute's final determination of any Institute disciplinary proceeding with respect to the alleged sex offense and any sanction that is imposed against the accused
- The dismissal that may occur following a final determination of said proceeding regarding rape, acquaintance rape, or other forcible or non-forcible sex offenses
- The Aveda Institute will work with future professionals to change a future professional's academic situation (i.e., allowing the future professional to take a leave of absence, allowing the future professional to enroll in a later program, etc.) if the change is requested by the victim and the change is reasonably available.

Please see the outlined "Investigation" details below for the procedures on how to proceed when a claim is made regarding sexual misconduct at the Aveda Institute. Please also see the subsequent forms that go along with the Investigation procedure.

Investigations – step by step

When an informal or formal complaint is made, the Campus Security Authority should take immediate steps to stop the alleged conflict, protect those involved and begin investigations. Under many laws Institutes are legally obligated to investigate complaints (harassment, discrimination, retaliation, safety and ethical) in a timely manner. In addition, any appropriate corrective action is required to be taken by the Institute to ensure illegal actions/behaviors cease immediately.

Responsiveness to a complaint and an investigation will not only yield the best information and evidence, but it will also enhance both the investigator's and the Institute's credibility. Investigations can help the Campus Security Authority identify and resolve internal problems before they become widespread. Since every complaint has the potential to become a lawsuit, Campus Security Authority's should investigate every case in a manner in which it can be presented to a court of law, if necessary. As potentially disruptive as investigations can be, they must be prompt, thorough and effective to ensure everyone's protection. The following steps should be taken as soon as the Campus Security Authority receives a verbal or written complaint. [See enclosed sample of Incident Complaint Form.](#)

Step 1: Ensure confidentiality

The Campus Security Authority must protect the confidentiality of the accuser's claims to the best of its ability. At the same time, the Campus Security Authority has to conduct a prompt and an effective investigation. Therefore, it may not be possible to keep all information gathered in the initial complaint, such as interviews and records, completely confidential. The Campus Security Authority should explain to the complaining party and all individuals involved in the investigation that all information gathered will remain confidential to the extent possible for a thorough investigation. It should also be explained that in order to conduct a prompt and effective investigation, some information will be revealed to the accused and potential witnesses, but that information will be shared only on a "need to know" basis. [Have all parties sign a Confidentiality Agreement - enclosed.](#)

Step 2: Provide interim protection

One of the first considerations may be the need to take immediate measures for the protection of the accuser or the alleged victim. It may be necessary to separate the alleged victim from the accused to guard against continued harassment or retaliation. Actions such as a schedule change, transfer or leave of absence may be necessary; however, the person(s) involved should not be involuntarily transferred or burdened. These types of actions could appear to be retaliatory and result in a retaliation claim. The Campus Security Authority and the accuser must work together to arrive at an amenable solution. Campus Security Authority's may wish to seek legal advice prior to making any decisions.

Step 3: Select the investigator

The Campus Security Authority has been selected to investigate any claims made in regards to sexual misconduct within the Institute. The Campus Security Authority should possess all of the following:

- An ability to investigate objectively
- To have no “stake in the outcome.” They should not have a personal relationship with the involved parties. The outcome should not directly affect the investigator’s position within the company
- Skills that include prior investigative knowledge and working knowledge of employment laws
- Strong interpersonal skills in order to build a rapport with the parties involved and be perceived as neutral and fair
- Attention to details
- The right temperament to conduct interviews
- To be in a position to maintain confidentiality, be respected within the organization (since his or her conclusions will be used to make a determination), have the ability to act as a credible witness and, if internal, have the likelihood of continued employment with the company
- Receive yearly training on the subject of the investigation

Step 4: Create a plan for the investigation

An investigation must be planned to be effective and properly executed. A complete plan should include an outline of the issue, the development of a witness list, sources for information and evidence, interview questions targeted to get crucial information and details, and a process for retention of documentation (i.e. interview notes and evidence like e-mails, etc).

The use of all available resources will assist the investigator in developing a proper plan

INTERVIEW PLAN EXAMPLE

Day One

Allow time between interviews to type up notes and adjust to new information/evidence/witnesses. The interview plan may call for conducting interviews earlier or later as needed to allow enough time to gather all the information needed, but keeps the investigation flowing as efficiently as possible. Additional time may be necessary depending on the amount of witnesses and information provided. Interview accuser (to clarify details and gather evidence and witnesses)

- Read over interview notes and fill in details while still fresh Determine if it makes sense to interview accused next or some witnesses
- Next interview - potentially accused (get their side of story, gather evidence and witnesses)
- Complete notes and prepare for next interview
- Interview potential first witness and take time to complete interview notes
- Interview second witness and take time to complete interview notes
- Interview third witness and take time to complete interview notes

- Review notes for entire day and make plan for second day

Day Two

- Finish any additional witness interviews. Handle any follow-up interviews with accused, accuser or witnesses as needed to clarify information previously discussed or ask new questions about evidence/information disclosed after initial interview
- Review interview notes, evidence and credibility assessment

Day Three

- Finish review of investigation process and establish the proposed recommendations for action.
- Discuss proposed resolution with administration

Day Four

- Create any relevant disciplinary actions, warnings or memos
- Closure meeting with accused
- Closure meeting with accuser

Day Five

Write investigation report

Step 5: Interview questions [See enclosed Interview of the Accuser, Interview of the Accused and Interview of Witnesses](#)

Questions should be developed ahead of time in the planning stage, although additional questions will be added throughout the investigation as more evidence and information is shared. Good questions are relevant and designed to draw out facts without leading the interviewee; they should be open-ended to elicit as much information as possible.

- Tell the person(s) involved that you appreciate their time and cooperation.
- Determine the nature of what we are investigating
- Reiterate the matter under investigation is serious, and the Institute has a commitment/obligation to investigate this claim
- No conclusion will be made until all of the facts have been gathered and analyzed
- Any attempts to influence the outcome of the investigation by discussing it with others, retaliation against anyone who participates, providing false information or failure to be forthcoming can be the basis for corrective action up to and including termination
- Take written statements from those interviewed (who were at or near the scene of the incident, or involved in the investigation)
- Ask open ended questions such as who, what, where, why, when and how

Step 6: Conduct interviews

Once the appropriate investigator has been selected, an investigation plan has been developed, and interview questions have been developed, interviews can be conducted. The investigator should inform all parties involved of the need for an investigation and the urgency for confidentiality, and then explain the investigation process.

The investigator should focus on being impartial and objective in order to gather and consider relevant facts. Prevention from pushing the investigation in any particular direction is imperative. The investigator should never offer any opinion or say anything to interviewees that will discredit his or her impartiality. Objectivity must be maintained with every interview.

Taking notes, looking for inconsistencies, looking for opportunities for more evidence and names of other potential witnesses should be a consideration as well. Asking the person(s) involved to write down what happened may help to find inconsistencies. There may be a disparity between what the person(s) involved are willing to write and what they told you in the interview.

Credibility determinations: Interviews provide differing accounts and even conflicting versions of the events. Be aware that the issue is very personal to the person(s) involved. Because of the personal and emotional nature of the issue, their individual perception of what happened can be clouded by personal interests or, possible termination, they may even lie. Investigators must consider the credibility of the individuals being questioned during an investigation and use techniques (i.e. inherent plausibility, ability, demeanor, motive, motive to falsify, corroboration, past behavior and past accusations) in assessing credibility.

Follow Up with Other Possible Sources of Evidence

- Sexual visuals in the workplace
- Time cards or calendars
- Telephone records
- Travel logs
- Timing of the incident, e.g., just before or after a performance appraisal, just before or after the accused is rejected by the accuser or vice versa
- Prior performance evaluations
- Personnel files
- Physical evident, such as the layout of an office, lighting, relative locations of the parties
- Notes, letters, handwriting samples
- E-mail, voice mail
- Physical impossibility, e.g., the accused was in a meeting/on the telephone/out of town during the alleged incident

Step 7: Make a decision

Through the investigation, the investigator must be careful not to jump to any conclusions before all of the facts are available. Once the interviews are conducted, other necessary procedures, such as evidence collection, are completed. When any credibility issues have been resolved, the investigator will evaluate all the information for a formal recommendation. The investigator and/or member of management, as well as legal counsel, should make the final determination of any actions that are warranted based on the investigative report. The investigator must consider all of the parties involved as well as company processes, not just whether the accused is guilty, in the final determination.

Inconclusive Investigation

In some cases, the evidence does not conclusively indicate whether or not the allegation(s) was founded or unfounded. If such a situation exists, all parties of the investigation should be notified in writing that the Institute has completed a thorough investigation but has been unable to establish either the truth or falsity of the allegation(s). However, the Institute will take appropriate steps to ensure that the persons involved understand the requirements of the Institutes policies and appropriate law, and the Institute will monitor the situation to ensure compliance in the future.

Step 8: Closure of investigation

(Discussed separately, in a private meeting) Once a decision is made, the investigator should:

Notify both the accuser and the accused of the outcome simultaneously in writing. It is important to let the complainant know that the Institute took the complaint seriously and took appropriate action. Ensure the complainant agrees that he/she has been properly heard and understood, even if he or she is not in agreement with the results. Set a timeframe to follow up with the complainant to ensure there are no other issues and that he or she is settling back into the environment. Encourage communication and follow up until the complainant is comfortable again. Finally, remind all parties to preserve confidentiality.

Violation Founded. (Discussed separately, in a private meeting)

Where a violation is founded, the accuser and/or witness should be notified of the findings and that specific or corrective actions will be taken. No details about the nature or extent of disciplinary or corrective actions will be disclosed to the accuser and/or witness, unless there is a compelling reason (e.g., personal safety).

Inform the accused that a determination has been made and discuss the corrective measures that will be taken.

It is important to take immediate and appropriate corrective action. Disciplinary measures should be proportional to the seriousness of the offense. In some cases, disciplinary action may be as simple as an apology from the accused or as extreme as termination.

Examples of Disciplinary Actions:

- Required apology to be given to the accuser

- Oral and written warning
- Training or counseling
- Transfer or reassignment
- Monitoring of accuser to ensure that the matter stops
- Discharge

- **Violation Unfounded.** (Discussed separately, in a private meeting)

In this situation, all parties of the investigation should be notified that the Institute thoroughly investigated the allegation(s) and found that the evidence did not support the claim.

Step 9: Develop written summary investigation results

If operating on the premise that every investigation of a serious nature could potentially be heard and reviewed by a court, the investigator will want to consider preparing a final investigative report. Keep a clear paper trail of the evidence, such as examining documentation of previous behavior and incidents. The investigator should have a clear record of everything done, any findings as well as other steps taken during the investigation. It is also necessary to document interviews with the accused, the accuser and witnesses. Investigators should ensure their notes from interviews are as factual as possible, have as much relevant information as possible, are dated and indicate the duration and time of the interview.

The final report will summarize

- The incident or issues investigated including dates
- Parties involved
- Key factual and credibility findings including sources referenced
- Institutional policies and/or guidelines and their applicability to the investigation
- Specific conclusions
- Party (or parties) responsible for making the final determination
- Issues that could not be resolved and reasons for lack of resolution
- Actions taken

The goal of the document is to ensure that if a court, jury or government agency were to review it, they would conclude that the Institute took the situation seriously, responded immediately and appropriately, and had a documented good-faith basis for any actions taken during or as a result of the investigation.

Monitor treatment of the Accuser

Ensure that he/she is not subjected to any type of retaliation by the accused or others in the Institute and that any other harm caused by the accused is corrected.

Retention of Investigative Reporting's:

The Institute will retain records relative to the Company-initiated investigation for a period of five years, unless otherwise advised by the Human Resources Department.

Forms

Investigation Confidentiality Agreement

I, _____, (name) understand that I am a party to an investigation being conducted at _____ (Institute) and that all information disclosed to and by me is considered confidential under the Institute's Confidentiality Policy.

As stated in the Confidentiality Policy, internal company business is to be discussed with coworkers/classmates only on an as-needed basis and is not to be disclosed to any external parties, except as authorized by company officials or as required by law to governmental authorities.

I also understand that if I make an unauthorized disclosure of information on this investigation during my employment/enrollment with _____ (Institute). I will be subject to disciplinary action, including termination.

If I disclose unauthorized information on this investigation after my employment ceases with the company, I may be held liable by individuals involved in this investigation.

Agreed to by: _____

(Signature)

Printed name: _____

Date: _____

Incident Complaint Form

Date of Event: _____ (If more than one event, please report each event on a separate form.)

Where did the specific event occur?

How would you describe the circumstances?

Please explain the events that occurred?

Were there any witnesses to this specific event? (If yes, please provide their names)

How did you feel?

What would be your desired outcome as a result of the investigation?

Name – Signature

Date

Notification of Investigation Memorandum

DATE:

TO:

FROM:

RE: Upcoming Investigation

Please be informed that you may be contacted by _____ in the next week as part of a workplace investigation that is being conducted as a result of a complaint of a violation of Institutional policy.

Our Institutional policy is committed to careful and thorough investigation of any such complaints. Accordingly, we expect our employees/future professionals to cooperate to the fullest extent possible, providing accurate information as requested in the investigative process.

Please understand that due to the sensitive nature of the process, this investigation will be conducted in a manner that protects the privacy of all involved to the greatest extent possible. In order to maintain the integrity of the investigation, you are asked to refrain from discussing the investigation with your fellow employees/classmates.

If you have any questions regarding the investigative process, please feel free to contact me.

Thank you for your cooperation.

Investigatory Leave Notice

Date

Name

Address

Address

Dear (name):

This is (to notify you/confirm in writing) that you are being placed on investigatory leave in accordance with [Policy #/name]] commencing (date).

The reason you are being placed on investigatory leave is to allow the department time to review the allegation(s) that (briefly and in general terms describe the allegation).

We will be scheduling a meeting with you in order to discuss this matter. Please email me at (email address) with your current contact number(s) and any corrections to your address so that we may contact you to schedule this meeting.

This investigation will be kept as confidential as possible. You are not to contact co-workers/classmates or other potential witnesses during this leave with the exception of (your manager/HR/investigator/union rep). You are not to disclose or further discuss information regarding this investigation to others outside of (the investigator/me/HR/rep). Failure to maintain confidentiality may result in discipline up to and including termination of employment/enrollment. If you need to contact anyone regarding work issues or come to the (Department/Office of) for any reason during the period of investigatory leave, please make arrangements through (your supervisor/me/other) at (telephone number and email address). Any questions regarding this letter please direct to (name) at (phone number and/or email).

Sincerely,

Name

Title

Company

October 2018

Investigation Resolution

Expected Outcome of Complainant:

Although my signature on this document does not constitute an admission of guilt, I do acknowledge that the complainant perceived my actions as being offensive. My signature on this form is my agreement that I will cease-and-desist the actions that are perceived as being offensive.

Signature of Accused

Date

I am satisfied my complaint has been acknowledged and that actions taken by the respondent are satisfactory to me.

Signature of Complainant

Date

Interview of the Accuser

Date: _____

Meeting with - Name: _____

Investigated by – Name: _____

Foundation Questions: (some may or may not apply here)

1. Who committed the alleged inappropriate behavior?
2. What exactly happened?
3. How did you react?
4. Did you ever indicate that you were offended or somehow displeased by the act or offensive treatment?
5. When did the incident occur, or is it ongoing?
6. Where did the incident occur?
7. Who else may have seen or heard the incident?
8. Have you discussed the incident with anyone?
9. How has the behavior affected you and your job?

10. Did you seek any medical treatment or counseling as a result of the incident?

11. When did you first learn of the Institutes Title IX Policy? (If not provide a written copy of the policy and note below).

12. Is there anyone else who may have relevant information?

13. Do you have any other relevant information?

14. What action do you want the Institute to take?

15. (After reviewing notes, always ask if there is anything else):

Close the Interview:

- Direct the accuser to maintain confidentiality within the Institute. Encourage him/her to report to you if she/she experiences any further problems
- Remind the accuser of the Institutes duty to investigate by talking with other witnesses, as appropriate
- Advise if a date has been set as a goal for concluding the investigation

Interview of Witnesses

Date: _____

Meeting with - Name: _____

Investigated by - Name: _____

Introduction

- Express appreciation for the witness's time and cooperation
- Explain the nature of what is being investigated
- Note that the matter under investigation is serious and that the Institute has a commitment/obligation to investigate this claim
- Emphasize that no conclusion will be made until all of the facts have been gathered and analyzed
- Stress that any attempt to influence the outcome of the investigation by discussing it with others, retaliation against anyone who participates, providing false information or failure to be forthcoming can be the basis for corrective action up to and including termination
- Examine/consider motivation due to "political" alliances of witnesses

Foundation Questions for Witnesses:

1. Please describe any inappropriate or offensive behavior that you have experienced or witnessed. What did you see or hear? When did this occur? How often did it occur?
2. Are you aware of behavior by the accused toward the accuser or toward others in the workplace?
3. What did the accuser tell you? When did he or she tell you this?
4. Do you know if the accuser reported the concern to Administration?
5. Upon knowledge of the incident(s), did you report it to Administration?

6. Do you have any notes, physical evidence or other documentation regarding the incident(s)?

7. Do you know of any other relevant information?

8. Are there other persons who have relevant information?

Close the Interview:

- Direct the witness to maintain confidentiality within the Institute about the investigation, so that the results will be as reliable as possible
- Encourage him/her to report to you if she/she experiences any further problems
- Remind the witness of the Institutes duty to investigate by talking with other witnesses, as appropriate
- Advise if a date has been set as a goal for concluding the investigation

Interview of the Accused

Date _____

Meeting with - Name: _____

Investigated by - Name: _____

Introduction (with a view toward finding out what happened):

- Provide detailed allegations to the accused to allow complete and fair answers
- As required by EEOC guidelines, release the name of the accuser to the accused. You are not required to release the name of a witness to the alleged accused unless a witness has given accusing information during their statement
- Ask the accused for their witnesses to current and past events
- After reviewing notes, always ask if there is anything else
- Keep good notes of interviews, responses, dates/times, efforts, results, actions and refusals. Assume all documents will be seen by a jury
- Assess credibility and resolve factual disputes, or determine you don't need to and can act on another reasonable basis. Keep secondary performance issues separate from this investigation

1. What is your response to the allegations?

2. Do you agree or disagree with the allegations?

3. If the accused claims that the allegations are false, ask why the accuser might lie.

4. Are there witnesses to support alleged accusers' version of the story?

5. Are there any persons who might have relevant information?

6. Are there any notes, physical evidence, or other documentation regarding the incident(s)?

7. Does he/she have any other relevant information?

Close the Interview:

- Direct the accused to maintain confidentiality within the Institute about the investigation, so that the results will be as reliable as possible
- Encourage him/her to report to you if she/she experiences any further problems
- Remind the accused of the Institutes duty to investigate by talking with other witnesses, as appropriate
- Advise if a date has been set as a goal for concluding the investigation

2018 Campus Safety and Security Survey

Institution: Main Campus (484899001)
User ID: C4848991

Screening Questions

Please answer these questions carefully. The answers you provide will determine which screens you will be asked to complete for this data collection.

1. Does your institution provide On-campus Student Housing Facilities?

No.

Yes. (If Yes is selected, you must enter the number of student housing facilities below and enter Fire Statistics for each facility.)

Number of On-campus Student Housing Facilities:

2. Does your institution have any noncampus buildings or properties?

Yes

No

3. Have you combined statistics that you received from the local or state police with your institution statistics for this report? If you answer No to this question, you will be asked to provide the data you received from the local and state police separately.

Yes. Local and/or state law enforcement agencies provided us with statistics that we are combining with statistics collected by our campus security authorities.

No. We are not combining the statistics because we cannot determine whether the statistics we obtained from local and/or state law enforcement agencies are for on-campus incidents or public property incidents.

Not available. We cannot determine if the statistics we obtained from local and/or state law enforcement agencies are for our Clery geography.

Not available. We made a good-faith effort to obtain statistics from local and/or state law enforcement agencies, but the agencies did not comply with our request.

Criminal Offenses - On campus

For each of the following criminal offenses, enter the number reported to have occurred On Campus.

Criminal offense	Total occurrences On campus		
	2015	2016	2017
a. <u>Murder/Non-negligent manslaughter</u>	0	0	0
b. <u>Manslaughter by Negligence</u>	0	0	0
c. <u>Rape</u>	0	0	0
d. <u>Fondling</u>	0	0	0
e. <u>Incest</u>	0	0	0
f. <u>Statutory rape</u>	0	0	0
g. <u>Robbery</u>	0	0	0
h. <u>Aggravated assault</u>	0	0	0
i. <u>Burglary</u>	0	0	0
j. <u>Motor vehicle theft</u> (Do not include theft from a motor vehicle)	0	0	0
k. <u>Arson</u>	0	0	0

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Criminal Offenses - Public Property

For each of the following criminal offenses, enter the number reported to have occurred on Public Property.

Criminal offense	Total occurrences on Public Property		
	2015	2016	2017
a. <u>Murder/Non-negligent manslaughter</u>	0	0	0
b. <u>Manslaughter by Negligence</u>	0	0	0
c. <u>Rape</u>	0	0	0
d. <u>Fondling</u>	0	0	0
e. <u>Incest</u>	0	0	0
f. <u>Statutory rape</u>	0	0	0
g. <u>Robbery</u>	0	0	0
h. <u>Aggravated assault</u>	0	0	0
i. <u>Burglary</u>	0	0	0
j. <u>Motor vehicle theft</u> (Do not include theft from a motor vehicle)	1	0	0
k. <u>Arson</u>	0	0	0

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

i. <u>Burglary</u>	0	0	0	0	0	0	0	0	0
j. <u>Motor vehicle theft</u>	0	0	0	0	0	0	0	0	0
k. <u>Arson</u>	0	0	0	0	0	0	0	0	0
l. <u>Simple assault</u>	0	0	0	0	0	0	0	0	0
m. <u>Larceny-theft</u>	0	0	0	0	0	0	0	0	0
n. <u>Intimidation</u>	0	0	0	0	0	0	0	0	0
o. <u>Destruction/damage/ vandalism of property</u>	0	0	0	0	0	0	0	0	0

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format:
 "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

h. <u>Aggravated assault</u>	0	0	0	0	0	0	0	0	0
i. <u>Burglary</u>	0	0	0	0	0	0	0	0	0
j. <u>Motor vehicle theft</u>	0	0	0	0	0	0	0	0	0
k. <u>Arson</u>	0	0	0	0	0	0	0	0	0
l. <u>Simple assault</u>	0	0	0	0	0	0	0	0	0
m. <u>Larceny-theft</u>	0	0	0	0	0	0	0	0	0
n. <u>Intimidation</u>	0	0	0	0	0	0	0	0	0
o. <u>Destruction/damage/ vandalism of property</u>	0	0	0	0	0	0	0	0	0

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

VAWA Offenses - On Campus

For each of the following crimes, enter the number reported to have occurred On Campus.

Crime	Total occurrences On Campus		
	2015	2016	2017
a. <u>Domestic violence</u>	0	0	0
b. <u>Dating violence</u>	0	0	0
c. <u>Stalking</u>	0	0	0

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

VAWA Offenses - Public Property

For each of the following crimes, enter the number reported to have occurred on Public Property.

Crime	Total occurrences on Public Property		
	2015	2016	2017
a. <u>Domestic violence</u>	0	0	0
b. <u>Dating violence</u>	0	0	0
c. <u>Stalking</u>	0	0	0

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Arrests - On campus

Enter the number of Arrests for each of the following crimes that occurred On Campus.

Do NOT include drunkenness or driving under the influence in Liquor law violations.

Crime	Number of Arrests		
	2015	2016	2017
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Arrests - Public Property

Enter the number of Arrests for each of the following crimes that occurred on Public Property.

Do NOT include drunkenness or driving under the influence in Liquor law violations.

Crime	Number of Arrests		
	2015	2016	2017
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Disciplinary Actions - On Campus

Enter the number of persons referred for disciplinary action for crimes that occurred On Campus for each of the following categories.

Do not include disciplinary actions that were strictly for school policy violations.

If the disciplinary action is the result of an arrest, please do not count it here; count the violation as 1 arrest.

Do NOT include drunkenness or driving under the influence in Liquor law violations.

Crime	Number of persons referred for Disciplinary Action		
	2015	2016	2017
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Disciplinary Actions - Public Property

Enter the number of persons referred for disciplinary action for crimes that occurred on Public Property for each of the following categories.

Do not include disciplinary actions that were strictly for school policy violations.

If the disciplinary action is the result of an arrest, please do not count it here; count the violation as 1 arrest.

Do NOT include drunkenness or driving under the influence in Liquor law violations.

Crime	Number of persons referred for Disciplinary Action		
	2015	2016	2017
a. <u>Weapons: carrying, possessing, etc.</u>	0	0	0
b. <u>Drug abuse violations</u>	0	0	0
c. <u>Liquor law violations</u>	0	0	0

Caveat:

If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."

Unfounded Crimes

Of those crimes that occurred On Campus, in On-campus Student Housing Facilities, on or in Noncampus property or buildings, and on Public Property, enter the number of crimes that were unfounded.

The total number of unfounded crimes should include all criminal offenses, hate crimes, domestic violence, dating violence, or stalking incidents that have been unfounded. Arrests and disciplinary actions cannot be unfounded.

If a reported crime is investigated by law enforcement authorities and found to be false or baseless, the crime is "unfounded". Only sworn or commissioned law enforcement personnel may unfound a crime.

Count unfounded crimes in the year in which they were originally reported.

	Number		
	2015	2016	2017
a. <u>Total unfounded crimes</u>	0	0	0

Caveat:
If you have changed prior years' data, you must add a caveat explaining the change. Use the following format: "For (YEAR), Line (X) was changed from (A) to (B) because (REASON)."