

**SEXUAL MISCONDUCT**

**RESOURCES 24/7**

**Your safety is important. If you have an immediate safety, medical or mental health concern, please contact the following resources.**

| <b>Resource</b>   | <b>Contact Information</b>  | <b>Type of Resource</b>  | <b>Confidential</b> |
|---|---|--|---------------------|
| <b>Safety Resources</b>   |   |  |                     |
| Campus Security   | (626) 395-5000  | Safety situations, contact mental health and/or law enforcement resources and provide transportation vouchers to off-campus resources. Security can contact the caller's choice of a confidential or other resource. | No                  |
| JPL Protective Services Division                                      | (818) 393-3333<br>(818) 354-3333  | Safety situations, contact mental health and/or law enforcement resources and arrange for transportation to off-Campus resources. Security can contact the caller's choice of a confidential or other resource.      | No                  |
| <b>Medical Resources</b>  |   |  |                     |
|   |   | <b>Note that Medical Providers (but not psychological counselors) must notify the police regarding assaultive or abuse conduct, including sexual assault.</b>  |                     |
| The Rape Treatment Center at Santa Monica-UCLA Medical Center         | (310) 319-4000<br><a href="http://www.911rape.org">www.911rape.org</a>                                    | 24-hour emergency medical treatment for victims of sexual assault including forensic services (the "rape kit").  | Yes                 |
| San Gabriel Valley Medical Center Sexual Assault Response Team (SART) | 438 West Las Tunas<br>San Gabriel, CA<br>91776<br>(626) 289-5454<br><br>(SART) Hotline:<br>(877) 209-3049 | 24-hour medical care, emotional support and comprehensive exams including forensic evidence collection (the "rape kit")<br><br>Immediate connection to on-call nurse for sexual assault services.                    | Yes                 |
| Huntington Memorial Hospital  | 100 W. California Blvd.<br>Pasadena, CA<br>91105<br>(626) 421-7733  | Emergency and trauma services. Social workers available to provide counseling as needed.   | Yes                 |

| <b>Resource</b>                          | <b>Contact Information</b>   | <b>Type of Resource</b>   | <b>Confidential</b> |
|--|--|---|---------------------|
| Caltech Student Health Services          | 626-395-6393   | Medical consultation, lab and radiology services, pharmacy, allergy clinic, women's health and sexual health services.  | Yes                 |
| <b>Off-Campus Mental Health Resource</b> |  |   |                     |
| Peace Over Violence                      | 892 N. Fair Oaks Avenue, Suite D<br>Pasadena, CA 91103<br>(626) 584-6191<br>(626) 793-3385<br>(24 hours) | 24-hour emergency services offer victims of sexual assault, domestic violence and stalking emotional support, information, compassion, accompaniment, referral and advocacy services. | Yes                 |
| <b>On-Campus Mental Health Resources</b> |  |   |                     |
| Student Counseling Services              | (626) 395-8331<br>(after hours and weekends, press "2" to be connected to a clinician)                   | Individual psychotherapy and counseling, consultation, referrals, psychiatric evaluation and medication, and crisis intervention for students.  | Yes                 |
| Staff and Faculty Consultation Center    | 626-395-8360   | Professional counseling services for staff, faculty and postdocs.   | Yes                 |
| Caltech Center for Diversity             | Taso Dimitriadis<br>626-395-8108<br>Erin-Kate Escobar<br>626-395-3221                                    | Confidential resource and support for students.   | Yes                 |

**Sexual Misconduct**

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## **I. Policy**

All members of the Caltech community have the right to be treated, and the responsibility to treat others, with dignity and respect. These principles are fundamental to the educational and intellectual mission of Caltech. It is the policy of Caltech to provide a work and academic environment free of unlawful discrimination, including sexual misconduct.

Caltech will not tolerate sexual misconduct, and is committed to educating the community in ways to prevent its occurrence. Sexual misconduct is considered to be a serious offense. This policy prohibits all forms of sexual misconduct, including sex or gender-based discrimination, sexual or gender-based harassment, and sexual violence, including sexual assault, non-consensual sexual contact, dating violence, domestic violence, sexual exploitation and stalking. Caltech also prohibits retaliation against an individual who reports, submits a complaint, or who otherwise participates in good faith in any matter related to this policy.

Caltech will take prompt and equitable action upon receiving a report of sexual misconduct to determine what occurred and take reasonable steps to stop and remedy the effects of the sexual misconduct, and prevent recurrence of the behavior. Caltech provides all parties with appropriate due process and will reach reasonable conclusions based on the evidence collected. Caltech will take appropriate action, including disciplinary measures, when warranted, up to and including termination of employment or permanent separation from the Institute.

## **II. Scope**

This policy applies to all students, faculty, supervisory and nonsupervisory staff, postdoctoral scholars, volunteers, interns, vendors, independent contractors, persons performing services under contract with the Institute, visitors, and any other individuals regularly or temporarily employed, studying, living, visiting, or otherwise participating in Caltech's educational programs or activities.

This policy applies to conduct occurring on Institute-controlled property, at Institute-sponsored events, in Institute programs or activities, and off-campus where the conduct has continuing adverse effects on any member of the Caltech community in any Caltech program or activity.

Members of the Caltech community are encouraged to immediately report sexual misconduct to Caltech as well as to local law enforcement, regardless of where the incident occurred, or who committed it. Reports to Caltech and law enforcement may be pursued simultaneously. An individual who has experienced sexual violence is encouraged to immediately seek assistance from a medical provider.

Even if Caltech does not have jurisdiction over the person accused of sexual misconduct, Caltech will still take prompt action to provide for the safety and well-being of the individual reporting and the campus community, including taking reasonable steps to stop and remedy the effects of the sexual misconduct and to prevent recurrence of the behavior.

When used in this policy and accompanying procedures, complainant refers to the individual who allegedly is the subject of the sexual misconduct and respondent refers to the individual who allegedly committed sexual misconduct.

### III. Prohibited Conduct

Sexual misconduct is a form of sex discrimination and violates Title VII of the Civil Rights Act of 1964, as amended, Title IX of the Education Code, and California law. All forms of sexual misconduct are prohibited under this policy, including sex or gender-based discrimination, sexual or gender-based harassment, and sexual violence, including sexual assault, non-consensual sexual contact, dating violence, domestic violence, sexual exploitation and stalking. All individuals are protected against sexual misconduct regardless of gender, sexual orientation, gender identity or gender expression. Sexual misconduct can be committed by individuals of any gender, regardless of an individual's sexual orientation, gender identity, gender expression, or sexual orientation, and can occur between individuals of the same gender or different genders, strangers or acquaintances, as well as people involved in intimate or sexual relationships.

Attempts or threats to commit prohibited conduct are equally covered by this policy.

**A. Sex or Gender-Based Discrimination** refers to disparate treatment based on sex, sexual orientation, gender identity, or gender expression.

**B. Sexual or Gender-Based Harassment**

**Sexual or Gender-Based Harassment** by peers, coworkers, managers or third parties such as visitors, vendors, or contractors is a form of prohibited sex discrimination where the objectionable conduct creates a hostile educational or work environment. The determination of whether an environment is hostile is based on the totality of the circumstances, including but not limited to: (1) the frequency of the conduct; (2) the nature and severity of the conduct; (3) whether the conduct was physically threatening; (4) the effect of the conduct on the complainant's mental or emotional state, with consideration of whether the conduct unreasonably interfered with the complainant's educational or work performance or educational programs or activities; (5) whether the conduct was directed at more than one person; (6) whether the conduct arose in the context of other discriminatory conduct; and (7) whether the conduct implicates concerns related to academic freedom or protected speech.

A single isolated incident may create a hostile environment if the incident is sufficiently severe, particularly if the conduct is physical. For example, a single incident of unwanted physical conduct of a sexual nature, like grabbing an intimate body part, may be sufficiently severe to constitute a hostile environment. In contrast, isolated or sporadic comments of a sexual nature typically will not be sufficient to constitute a hostile environment. Behavior of a harassing nature that does not rise to the level of unlawful harassment but is nevertheless determined to be inappropriate may subject the offender to disciplinary action.

**Gender-Based Harassment** is harassment based on an individual's actual or perceived sex, including harassing or bullying conduct based on the individual's gender expression, gender identity, transgender status, gender transition, or nonconformity with sex stereotypes.

**Sexual Harassment** is pervasive and/or severe unwelcome sexual advances, requests for sexual favors, and other conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or education; or
- Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting that individual's employment or academic terms or status; or

- Such conduct has the purpose or effect of unreasonably interfering with an individual's performance or creating an intimidating, hostile, or offensive environment.

**IV. The following are examples of conduct that, depending on the nature, frequency and severity, may constitute sexual or gender-based harassment:**

- Sending unwanted sexually-oriented jokes to a student or work group email list.
- Displaying explicit sexual pictures in common areas of Institute housing or on a work computer station where others can view it.
- Unauthorized sharing or posting sexually explicit photos of another, including a current or former partner.
- Making or using derogatory comments, epithets, slurs, or jokes of a gender-based or sexual nature.
- Surreptitiously taking pictures or videos of individuals, especially of private or intimate areas of their body.
- Observing, recording, viewing, distributing or allowing another to observe, record, view or distribute, intimate or sexual images of another individual without that individual's consent.
- Ostracizing individuals from group activities because of their sex, gender or gender identity, gender expression, or because they objected to harassing behavior.
- Making unwelcome graphic comments about an individual's body, using sexually degrading words to describe an individual.
- Engaging in unwanted suggestive or obscene communications.
- Engaging in unwelcome touching of a sexual nature.
- Making unwanted sexual advances.
- Promising a benefit to someone in exchange for engaging in sexual activity.
- Exposing one's genitals to another without consent.

Even when relationships are consensual, care must be taken to eliminate the potential for harassment or other conflicts. It is not acceptable to treat other similarly-situated individuals, who are not in the consensual relationship, less favorably. Caltech practice, as well as more general ethical principles, prohibits individuals from participating in evaluating the work or academic performance of those with whom they have amorous and/or sexual relationships, or from making hiring, salary, or similar decisions regarding those individuals. Sexual or romantic relationships between an undergraduate student and a faculty or staff member are not permitted.

Upon learning about a relationship that violates this policy, the supervisor, dean, or division chair has the authority and responsibility to review and remedy any direct administrative or academic relationship between the involved individuals.

When a consensual personal relationship arises and a power differential exists, consent may not be considered a defense to a claim of sexual harassment. The individual in the relationship with greater power will be held responsible.

**C. Sexual Violence**

Sexual violence is any sexual conduct that occurs by force or threat of force or without consent, including where the person is incapacitated.

## **Consent**

Consent is a crucial component of the Caltech policy. Consent is the affirmative, conscious, and voluntary agreement to engage in sexual activity.

- It is the responsibility of each person involved in the sexual activity to ensure that they have the affirmative consent of the other or others to engage in the sexual activity.
- Lack of protest or resistance does not mean consent, nor does silence mean consent.
- Affirmative consent must be ongoing through a sexual activity and can be revoked at any time.
- The existence of a dating relationship between the persons involved, or the fact of past sexual relationship between them, should never by itself be assumed to be an indicator of consent.

It is not a valid excuse that the respondent believed that the complainant affirmatively consented to the sexual activity if the respondent knew or reasonably should have known that the complainant was unable to consent to the sexual activity under any of the following circumstances:

- The complainant was asleep or unconscious
- The complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the complainant could not understand the fact, nature or extent of the sexual activity
- The complainant was unable to communicate due to a mental or physical condition.

It is not a valid excuse to alleged lack of affirmative consent that the respondent believed that the complainant consented to the sexual activity under either of the following circumstances:

- The respondent's belief 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 complainant affirmatively consented.

**Non-Consensual Sexual Contact** is defined as intentional contact with the intimate body parts of another (whether directly or through clothing), or disrobing or exposure of another by force or threat of force, without consent, including where the person is incapacitated. Intimate body part means breast, genitals, groin, anus, or buttocks.

**Sexual assault** is defined as having or attempting to have sexual intercourse with another individual by force or threat of force, without consent, including where the person is incapacitated. Sexual intercourse includes 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.

**Sexual exploitation** occurs when an individual takes non-consensual or abusive sexual advantage of another for their own or another's benefit or advantage.

**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.

**Domestic violence** is violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child, by a person who is or has cohabitated with the victim, as a spouse or intimate partner, by person similarly situated to a spouse under the law of the state where the violence occurred, and by any other person against an adult or youth victim who is protected from that person's acts under the laws of the state where the violence occurred.

**Stalking** is a course of conduct directed at an individual that would cause a reasonable person to fear for his or safety or the safety of others, or suffer substantial emotional distress. 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 the person's property. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Stalking that is sex or gender-based should be reported and will be handled pursuant to this policy and applicable procedures. Stalking that is not sex or gender-based is covered by the [Violence Prevention policy](#) and should be reported to Security at campus or the Protective Services Division at JPL and will be handled pursuant to that policy.

## **V. Retaliation**

Retaliation against any member of the Caltech community for making a good-faith report of sexual violence, or for participating in an investigation, proceeding, or hearing conducted by Caltech or a state or federal agency, is strictly prohibited. Overt or covert acts of retaliation, reprisal, interference, discrimination, intimidation, or harassment against an individual or group for exercising their rights under Title IX or other federal and state laws violates this policy and is unlawful. Caltech will take steps to prevent retaliation and will take prompt and appropriate corrective action to stop, and remedy its effects, if retaliation occurs. Individuals who violate this policy may be subject to disciplinary action up to and including termination of employment or permanent separation from the Institute.

## **VI. Privacy**

Caltech will maintain the privacy of all individuals involved in a report of sexual misconduct to the extent possible. All Caltech employees who are involved in the Institute's response, including the Title IX Coordinator, Deputy Coordinators, and investigators, receive specific instruction about respecting and safeguarding private information. Throughout the process, every effort is made to protect the privacy interests of all individuals involved, in a manner consistent with the need for a thorough review of the matter.

Privacy generally means that information related to a report of sexual misconduct will only be shared with those individuals who have a "need to know." These individuals will be discreet and will respect the privacy of all individuals involved.

## **VII. Preservation of Evidence**

Because sexual violence may involve physical trauma and is a crime, individuals who have experienced sexual violence are urged to seek medical treatment as soon as possible. They are strongly encouraged to preserve all physical and digital evidence of the violence. This may be needed to prove criminal sexual violence, or for obtaining a protective order. Individuals who have experienced sexual violence should not shower, bathe, douche, eat, drink, wash their hands, or brush their teeth until after they have had a medical examination. They should save all the clothing they were wearing at the time of the violence. Each item of clothing should be placed in a separate paper bag, not a plastic bag. They should not clean or disturb anything in the area where the sexual violence occurred. Digital evidence relating to the incident, such as texts, emails, and social media posts, should be also be preserved.



## VIII. Resources

Caltech also encourages individuals who have experienced sexual misconduct to seek immediate psychological and support and advocacy services provided by campus or community services. [Campus Security](#) and the [Protective Services Division](#) at JPL will contact on-campus and on-lab resources, provide information regarding off-campus resources for support and advocacy, medical treatment, and forensic evidence collection, and will arrange for transportation to access off-campus resources.

24-Hour a Day/7 Days a Week

[Campus Security](#) (reporting and/or to reach confidential or other resources)

(626) 395-5000

Security can assist with safety situations, contact law enforcement, provide transportation vouchers to off-campus resources and contact mental health resources. The caller must simply provide a phone number where the confidential or other resource can reach the caller. Names and other information regarding the incident need not be provided to Campus Security.

[JPL Protective Services Division](#) (reporting and/or to reach confidential or other resources)

(818) 393-3333

(818) 354-3333

The JPL Protective Services Division can assist with safety situations, contact law enforcement, arrange for transportation to access off-campus resources, and contact the caller's choice of a confidential or other resource. The caller must simply provide a phone number where the confidential or other resource can reach the caller. Names and other information regarding the incident need not be provided to the Protective Services Division.

### A. **On-Campus Confidential Resources**

Caltech offers members of the Caltech community the choice of seeking confidential counseling. These confidential counseling services are intended for the personal benefit of the individual and offer a setting where various courses of action can be explored. Except as otherwise provided below, confidential resources will not share information without the express permission of the individual. Speaking to a confidential resource is not a report to Caltech, and no investigation will be triggered.

#### 1. **Caltech Mental-Health Professionals**

Caltech's mental-health professionals in Student Counseling Services and the Staff and Faculty Consultation Center will not report any information about an incident to Caltech, including to the Title IX Coordinator unless requested by their client. These professionals are prohibited from breaking confidentiality unless there is an imminent threat of harm to self or others or as otherwise permitted by law. When a report involves suspected abuse of a child under the age of 18, these confidential resources are required by state law to notify child protective services and/or local law enforcement. They can be contacted 24 hours a day/7 days a week.

- For Students:  
(626) 395-8331      Student Counseling Services  
(626) 395-8331      after hours, press #2 to be connected to on-call service
- For faculty, campus staff, and postdoctoral scholars:  
(626) 395-8360      [Staff and Faculty Consultation Center](#)

(626) 395-5000 after hours via Security

- For JPL employees:  
(800) 367-7474 Empathia/Life Matters – identify yourself as a JPL employee  
or visit [mylifematters.com](http://mylifematters.com) (Password: JPL)

## 2. Caltech Center for Diversity

Designated confidential resources (identified below) in the [Caltech Center for Diversity](#) can generally talk to a complainant or respondent without revealing any personally-identifying information about an incident to Caltech. While maintaining an individual's confidentiality, the Caltech Center for Diversity will report the nature, date, time and general location of an incident to Security for purposes Clery reporting. This information will be included in aggregate statistics (with no identifying information) for inclusion in Caltech's Annual Security Report, if required.

- Taso Dimitriadis (626) 395-8108
- Erin-Kate Escobar (626) 395-3221

## 3. On-Campus Medical Resources

Caltech's Student Health Center is committed to providing compassionate and quality medical help to a student who has experienced sexual violence. Caltech's medical professionals in the Student Health Center will not report any information about an incident to Caltech, including the Title IX Coordinator, unless requested by their client. **Note that medical providers (but not psychological counselors) are required to notify law enforcement when they receive a report of assaultive or abusive conduct, including sexual assault.**

Student Health Services  
(626) 395-6393  
1239 Arden Rd  
Pasadena, CA 91106

## B. Off-Campus Resources

[Peace Over Violence](#) (24-hour emergency services offer victims of sexual assault, domestic violence and stalking emotional support, information, compassion, accompaniment, referral and advocacy services.)

892 N. Fair Oaks Avenue, Suite D  
Pasadena, CA 91103  
(626) 584-6191  
(626) 793-3385 (24 hours)

[San Gabriel Valley Medical Center](#) (24-hour medical care, emotional support and comprehensive exams including forensic evidence collection (the "rape kit"). SART Hotline provides immediate connection to on-call nurse for sexual assault services."). **Note that medical providers (but not psychological counselors) are required to notify law**

**enforcement when they receive a report of assaultive or abusive conduct, including sexual assault.**

438 West Las Tunas Drive

San Gabriel, CA 91776

(626) 289-5454

Sexual Assault Response Team (SART) Hotline: (877) 209-3049 (24 hours)

**[The Rape Treatment Center at Santa Monica-UCLA Medical Center](#)** (24-hour emergency medical treatment for victims of sexual assault, including forensic services (the “rape kit”).

**Note that medical providers (but not psychological counselors) are required to notify law enforcement when they receive a report of assaultive or abusive conduct, including sexual assault.**

(310) 319-4000

[www.911rape.org](http://www.911rape.org)

**[Huntington Memorial Hospital](#)** (24-hour emergency and trauma services. Social workers available to provide counseling as needed).

100 W. California Blvd.

Pasadena, CA 91105

(626) 421-7733

## **IX. Reporting to Caltech**

Anyone who witnesses, experiences, or is otherwise aware of conduct that the individual believes to be in violation of this policy, including retaliation, is urged to contact Caltech immediately. Individuals are encouraged to report to the Title IX Coordinator or a Deputy Title IX Coordinator.

### **A. Title IX Coordinator and Deputy Coordinators**

The Title IX Coordinator is responsible for coordinating Caltech’s compliance with Title IX and for Caltech’s overall response to conduct falling under Title IX. The Title IX Coordinator oversees all Title IX complaints, monitors outcomes, identifies and addresses any patterns of systemic problems that arise, and assesses effects on the campus climate. The Title IX Coordinator also oversees the implementation and application of Caltech’s Title IX related policies within the scope of Title IX and coordinates Caltech’s response to all complaints of sexual violence under Title IX to ensure consistent treatment of parties involved, and prompt and equitable resolution of complaints. The Title IX Coordinator is supported by three Deputy Coordinators all of whom can answer questions regarding Title IX.

Title IX Coordinator

Felicia Hunt (faculty, staff, postdoctoral scholars, and students)

Phone: (626) 395-3132

E-mail: [TitleIXCoordinator@caltech.edu](mailto:TitleIXCoordinator@caltech.edu)

Office: 205 Center for Student Services

Deputy Title IX Coordinator for Faculty

Melany Hunt

Phone: (626) 395-4231  
E-mail: [hunt@caltech.edu](mailto:hunt@caltech.edu)  
Office: 265 Gates-Thomas

Deputy Title IX Coordinator for staff and postdoctoral scholars  
Ofelia Velazquez-Perez  
Phone: (626) 395-3819  
E-mail: [Ofelia.Velazquez-Perez@caltech.edu](mailto:Ofelia.Velazquez-Perez@caltech.edu)  
Office: 206 Central Engineering Services

Deputy Title IX Coordinator for JPL  
Jackie Clennan-Price  
Phone: (818) 354-2983  
E-mail: [Jackie.A.Clennanprice@jpl.nasa.gov](mailto:Jackie.A.Clennanprice@jpl.nasa.gov)  
Office: Human Resources T1720-149

## **B. Responsible Employees**

If an individual discloses prohibited conduct to any responsible employee, the responsible employee must report to the Title IX Coordinator all relevant details about the alleged sexual misconduct. At campus, the following are responsible employees:

- Title IX Deputies
- Staff members with a supervisory or managerial role, who do not have legally protected confidentiality
- Security Officers
- Residential Life Coordinators
- Resident Associates
- Coaches
- Employee Relations consultants
- Faculty members who supervise a research laboratory or group, or who have administrative responsibilities.

At JPL, the following are Responsible Employees:

- Title IX Deputy for JPL
- Supervisors and managers
- Employee Relations Representatives
- Human Resources Business Partners
- Education Office staff

Caltech is committed to protecting the privacy of all individuals involved in a report of sexual misconduct. All employees involved in the response to a report of sexual misconduct understand the importance of properly safeguarding private information. Caltech will make every effort to protect individuals' privacy interests consistent with Caltech's obligation to investigate reports made to Caltech.

If a member of the Caltech community would like support and guidance in filing a complaint, they may contact the Title IX Coordinator or a Deputy Coordinator, one of the Deans or Associate Deans,

the Director of Employee & Organization Development in Human Resources, or the JPL Section Manager of Talent Management or Human Resources Business Partners at JPL. They may also contact of the EEO Coordinators identified in the [Nondiscrimination and Equal Employment Opportunity Policy](#).

### **C. Anonymous Reporting**

Caltech provides the following resources for anonymous reporting:

[Campus Hotline](#) (626) 395-8787 or (888) 395-8787  
JPL Ethics Hotline (818) 354-9999  
JPL Protective Services Division's Workplace Violence Hotline (818) 393-2851  
For either Campus or JPL by submitting a compliance [Hotline Contact Form](#)

Contacting one of these anonymous reporting resources may trigger an investigation, and if the reporting party shares personally identifying information, they will be notified if an investigation occurs.

### **D. Notification of Law Enforcement**

Individuals who have experienced sexual violence are encouraged to notify local law enforcement. Caltech will provide assistance in notifying law enforcement if the individual so chooses. An individual who has experienced sexual violence also has the right to decline to notify law enforcement or Caltech.

Caltech has an obligation under California law to report incidents of sexual violence to law enforcement; however, Caltech will not report identifying information about the complainant without the complainant's consent after being notified of their right to have personally identifying information withheld. If the complainant does not consent to be identified, personally identifying information about the respondent also will not be provided.

[Pasadena Police Department](#)  
207 N. Garfield Ave.  
Pasadena, CA 91101  
Call 911 for Emergency Response  
Non-Emergency Response: (626) 744-4241

### **X. Requests for Confidentiality or that Complaint Not Be Pursued**

In matters falling under Title IX, if a member of the Caltech community discloses an incident to the Title IX Coordinator, a Deputy Title IX Coordinator or a Responsible Employee, but requests that their name not be used, that the Institute not pursue an investigation, or that no disciplinary action be taken, Caltech must weigh the request against its obligation to provide a safe, non-discriminatory environment.

The Title IX Coordinator or designee will weigh the request for confidentiality against factors including, but not limited to, the seriousness of the conduct, circumstances that suggest there is a significant risk that the accused will commit further acts of sexual misconduct, whether there was a weapon involved, and the age of a student victim.

The Title IX Coordinator or designee will determine the appropriate manner of resolution. The Title IX Coordinator or designee will attempt to address the conduct consistent with the complainant's request not to use their name or their request not to pursue an investigation or that no disciplinary action be taken, while also protecting the health and safety of the complainant and the Institute community.

Caltech's ability to fully investigate and respond may be limited if the complainant requests anonymity or declines to participate in an investigation. Caltech will, however, take other action to limit the effects of the prohibited conduct and prevent its recurrence.

In those instances where the Title IX Coordinator or designee determines that Caltech must proceed with an investigation despite the request of the complainant, the Title IX Coordinator or designee will inform the complainant of Caltech's intention to initiate an investigation. The complainant is not required to participate in the investigation.

In all cases, the final decision on whether, how, and to what extent Caltech will conduct an investigation, and whether other measures will be taken in connection with the report of prohibited conduct, rests solely with the Title IX Coordinator or their designee.

#### **XI. Reports Involving Minors**

Every member of the Caltech community, who knows of, or reasonably suspects, child abuse, including sexual misconduct involving a minor, has a personal responsibility to report to [Caltech Security](#) or the [JPL Protective Services Division](#) immediately. Caltech employees who are mandated reporters have additional reporting obligations, including reporting immediately to LA County Child Protection and/or the local police department. See the [Violence Prevention](#) policy for more information.

#### **XII. False Reports**

Caltech will not tolerate intentional false reporting of incidents. A good faith complaint that results in a finding of "no violation" is not considered a false report. However, when a complainant or third party is found to have fabricated allegations or to have given false information with malicious intent or in bad faith, they may be subject to disciplinary action.

#### **XIII. Emergency Notifications and Timely Warnings**

In the event of a dangerous situation on campus that involved an immediate threat to the health or safety of students or employees, Caltech will issue an Emergency Notification consistent with its Emergency Notification procedures. In the event Caltech believes that there is a serious or continuing threat to the campus community, Caltech will issue a Timely Warning consistent with its Timely Warning procedures. Emergency Notifications and Timely Warnings do not disclose the name of the victim.

#### **XIV. Clery Reporting**

The Clery Act requires Caltech to issue an [Annual Security and Fire Safety Report](#), which includes crime statistics for sexual assault (rape, fondling, incest and statutory rape), domestic violence, dating violence and stalking. Campus Security gathers these crime statistics from security reports, Pasadena Police Department information, JPL and reports by Campus Security Authorities. Crime statistics do not disclose any identifying information about a complainant, respondent, witnesses or

others. For more information and statistics for the past three years, see the current [Annual Security and Fire Safety Report](#).

**XV. Contacting the Office of Civil Rights**

Employees, students and others participating in Caltech's educational programs or activities may direct questions regarding Title IX or file complaints with the U.S. Department of Education Office for Civil Rights, (415) 486-5555, [ocr.sanfrancisco@ed.gov](mailto:ocr.sanfrancisco@ed.gov) or (800) 421-3481, [OCR@ed.gov](mailto:OCR@ed.gov).

In addition, employees have the right to file a complaint with the Federal Equal Employment Opportunity Commission or the California Department of Fair Employment and Housing, which have the authority to remedy violations.

**XVI. Informational Resources**

Information on sexual misconduct, as well as copies of Caltech's Sexual Misconduct, Nondiscrimination and Equal Employment Opportunity, Unlawful Harassment, and Violence Prevention Policies are available from Caltech's Title IX Coordinator and Deputy Coordinators, Caltech's EEO Coordinators, Human Resources, Student Affairs and Deans offices, the Caltech Center for Diversity, Resident Associates, the Staff and Faculty Consultation Center, and Employee & Organizational Development at campus, and the Deputy Title IX Coordinator, EEO Coordinator, and Human Resources Business Partners at JPL. The Policies are published in the [Caltech Catalog](#) and on the following Caltech and JPL websites: [Caltech Human Resources](#), [JPL Human Resources](#), [Title IX](#), and [Student Affairs](#).



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Thomas F. Rosenbaum  
President

## **Procedures for Responding to and Resolving Complaints of Sexual Misconduct at Caltech**

Caltech will take prompt and appropriate action to address all reports of sexual misconduct in a fair and impartial manner. The complainant, respondent, and all other participants in the process will be treated with dignity, care and respect. Caltech will conduct a fair, impartial, timely and thorough investigation that provides all parties with appropriate due process to ensure that the parties receive notice and an opportunity to be heard as described in these and related procedures.

These procedures are for the benefit of the Caltech community and do not apply in cases involving complainants and/or respondents who are not current Caltech students, faculty, staff, postdoctoral scholars, volunteers, and interns. When a complaint involves a third party who is not affiliated with Caltech, Caltech's ability to investigate and take action against the person accused of sexual misconduct may be limited. However, in all cases, Caltech will conduct an inquiry into what occurred and take prompt action as is practicable to provide for the safety and well-being of the complainant and the campus community.

### **Reporting to Caltech**

A member of the Caltech community who wishes to report sexual misconduct should do so as soon as possible after the incident, although reports (hereinafter "complaints") may be made at any time. Complaints can be made orally or in writing. Complaints should be brought to the attention of the Title IX Coordinator or a Deputy Title IX Coordinator, or other responsible employee listed in the policy, who will then notify the Title IX Coordinator in cases falling under Title IX.

Title IX Coordinator

Felicia Hunt (faculty, staff, postdoctoral scholars, and students)

Phone: (626) 395-3132

E-mail: [TitleIXCoordinator@caltech.edu](mailto:TitleIXCoordinator@caltech.edu)

Office: 205 Center for Student Services

### **Informal Options**

Individuals who believe they have been subjected to sexual misconduct may choose to resolve their concerns informally. In general, the goal of the informal options is to quickly end offending behavior without utilizing disciplinary action. Individuals with an official status at Caltech, such as faculty, managers, or supervisors, are expected to follow up with the complainant to make sure that the issue has indeed been resolved. Mutually agreeable administrative changes are sometimes possible to ease an uncomfortable situation. Individuals are not required to try to resolve their concerns informally before making a formal complaint.

Complainants should consider at the outset whether such changes might be desirable. Informal options include:

- Talking personally with the offending individual, or writing a letter asking they to stop. This is a personal step taken solely among the relevant parties.
- Speaking to members of the Student Counseling Services, the Staff and Faculty Consultation Center, or the Caltech Center for Diversity on campus and the JPL Employee Assistance Program/Life Matters at JPL. Such conversations are confidential and are not communicated to individuals within or outside Caltech.



- Resolving the complaint informally with the help of a third party who has a faculty, supervisory, or managerial position at Caltech. The goal here is also to allow the parties to resolve complaints without an investigation and without elevating the complaint within Caltech. However, a person in one of these official positions is obligated to follow up with the Title IX Coordinator and complainant to be sure the situation has been resolved. This action might include referring the complaint to an appropriate individual within Caltech or sharing some of this information with other persons holding positions of responsibility at Caltech.

### **Interim Measures**

Upon receipt of a report of sexual misconduct, Caltech will take prompt measures to protect the rights of both the complainant and the respondent as appropriate. Caltech will immediately assess whether there is a threat to the complainant, the respondent and/or other members of the community and will take steps necessary to address such risks. These steps may include interim safety measures, which may be made at any time, to provide for the safety of individuals and the campus community.

Administrative changes and/or academic changes may be made, if requested and reasonably available, at any stage in the process to protect the rights of either party. They will be made by the appropriate administrators. For students, these changes might include changes to housing arrangements, counseling services, academic accommodations, “no contact” orders, stay away letters, or persona non grata status, escorts, limitations on extracurricular or house activities, changes to classes and/or housing, Caltech-imposed leave for the respondent, as well as any other remedy that can be tailored to the involved individuals to achieve the goals of this policy.

Changes affecting faculty and staff, including employees at JPL, might include transfer of supervisory or evaluative responsibility regarding grading, supervision, tenure review, letters of recommendation, and/or changes to office assignments.

When taking steps to separate a complainant and respondent, Caltech will endeavor to minimize the burden on the complainant. Care will be taken to protect both parties with the greatest degree of privacy possible. If a complainant wishes to seek a temporary restraining order or similar judicial order, Caltech will help the complainant with that process.

Future measures for the broader Caltech community may include but are not limited to: developing materials on sexual misconduct, further training for faculty, students, postdoctoral scholars, and staff regarding Title IX, education of students on bystander intervention and/or sexual violence prevention, or taking steps to clearly communicate that Caltech does not tolerate sexual misconduct and will respond to any incidents and to any individual covered by these procedures who reports such incidents.

### **Initial Title IX Assessment**

For reports of sexual misconduct covered by Title IX, Caltech’s Title IX Coordinator or designee will make an initial assessment of the complaint which will include an immediate assessment of any risk of harm to individuals or to the campus community and will take steps necessary to address those risks. These steps may include interim protective measures to provide for the safety of the complainant and the campus community as described above.

The complainant will be provided with information on the complainant’s rights and options under the Institute’s Sexual Misconduct policy and these procedures, written materials about the availability of, and contact information for, on- and off-campus resources and services, and

coordination with law enforcement. The need for and types of interim measures also will be discussed.

The Title IX Coordinator may also meet with the respondent and other relevant parties as part of the initial assessment. If the Title IX Coordinator meets with the respondent, the individual will be provided with information on the respondent's rights and options under the Institute's Sexual Misconduct policy and these procedures, and written materials about the availability of, and contact information for campus resources and services.

The initial assessment will proceed to the point where a reasonable assessment of the safety of the individual and of the campus community can be made, whether there is a potential violation of the Sexual Misconduct policy, and if there is a potential policy violation an appropriate approach to resolution can be determined. Thereafter, the Title IX Coordinator may refer the complaint for formal investigation, administrative resolution or other appropriate disposition, depending on a variety of factors, such as the complainant's request that their name not be used, complainant's request that no investigation into a particular incident be conducted or that no disciplinary action be taken, the risk posed to any individual or the campus by not proceeding, the nature and seriousness of the allegations, whether there have been other reports/complaints of sexual misconduct involving the respondent, and whether the allegations are contested. The Title IX Coordinator will obtain the complainant's agreement to proceed with the proposed approach to resolution, whether it be a formal investigation, administrative resolution or another alternative approach. In implementing the approach, the Title IX Coordinator will inform and coordinate with the appropriate responsible Caltech official(s): Provost, EOD Director, Deans, Associate Deans, Associate Vice President for Human Resources on campus, or Director for Human Resources at JPL.

Caltech will investigate reports of sexual misconduct consistent with its obligations under applicable law. The Title IX Coordinator will seek consent from the complainant to proceed with a formal investigation or an administrative resolution. If the complainant requests confidentiality or asks that the complaint not be pursued, Caltech will still take all reasonable steps to investigate or otherwise determine what occurred and respond to the report. If the Complainant refuses to have their name disclosed to the respondent, the Title IX Coordinator will explain that Caltech's ability to investigate and respond may be limited. If the complaint includes allegations that may constitute a possible crime, the Title IX Coordinator will notify the complainant of their right to file a criminal complaint or to choose not to notify law enforcement.

In cases of alleged sexual misconduct at JPL not falling under Title IX, the above described initial assessment will be done by the JPL Officer or their designee.

### **Administrative Resolution**

In cases covered by Title IX, the Title IX Coordinator or designee, with the complainant's and the respondent's agreement, may offer the opportunity to resolve the sexual misconduct complaint by Administrative Resolution. Administrative Resolution provides an opportunity for the respondent to accept responsibility for their alleged conduct and proceed to a resolution without a formal investigation. Complainants and respondents participating in this process may have an advisor of their choice accompany them when reporting, or responding to, allegations of sexual misconduct. The advisor may not speak on behalf of the individual they are accompanying.

If the Administrative Resolution option is agreed to by a complainant, the Title IX Coordinator will meet with the respondent to review the allegations. The Title IX Coordinator will provide the respondent with information on the respondent's rights and options under the Institute's Sexual Misconduct policy and these procedures, and written materials about the availability of, and contact

information for, campus resources and services. The Title IX Coordinator will offer the respondent the opportunity to resolve the complaint by Administrative Resolution by accepting responsibility for the alleged conduct. If the respondent elects to acknowledge that the alleged conduct occurred and takes responsibility for the alleged sexual misconduct, the respondent will sign a written acknowledgement and the matter will be referred to the appropriate dean for a decision concerning sanctions and any other remedial action that may be appropriate. The complainant and respondent will both be notified simultaneously in writing of the resolution, including any sanctions against the respondent. Either party may appeal the sanction imposed.

In cases of alleged sexual misconduct at JPL not falling under Title IX, the above described Administrative Resolution process will be administered by the JPL EEO Officer or their designee.

If the respondent contests responsibility for the alleged conduct, the Administrative Resolution process will be concluded and the case will be referred for formal investigation or other resolution as appropriate.

### **Student Policy Violations: Complainants and Witnesses**

A student who participates as a complainant or witness in an investigation of sexual assault, dating violence, domestic violence or stalking will not be subject to disciplinary sanctions for a violation of Caltech's student conduct policies, including but not limited to the Substance Abuse policy, at or near the time of the incident, unless Caltech determines that the violation was egregious, including but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating or academic dishonesty.

### **Formal Investigation**

The following procedures apply to formal investigations of sexual misconduct complaints. For complaints involving students, the Title IX Coordinator will oversee the investigation. For complaints not involving students, the Title IX Coordinator will refer the investigation to Human Resources if the respondent is a staff member, volunteer, or postdoctoral scholar, or to the Provost's office if the respondent is a faculty member or other academic personnel. The Title IX Coordinator will be informed of the outcome of the investigation and any appeal in order to carry out their responsibilities to monitor outcomes, identify and address any patterns, and assess effects on the campus climate.

- The purpose of the investigation is to determine the facts relating to the complaint.
- All participants involved in the investigation will receive a fair and impartial process and be treated with dignity, care, and respect.
- The complainant and respondent may have an advisor of their choice accompany them when reporting, or responding to, allegations of sexual misconduct. The advisor may not speak on behalf of the individual they are accompanying.
- Caltech's investigation will occur independently from any legal/criminal proceedings that may take place. Caltech may defer fact gathering for an appropriate time during a criminal investigation.
- Investigators will be trained regularly in issues related to sexual misconduct and how to conduct an investigation process that protects the safety of all involved and promotes accountability. The investigators chosen must be impartial and free of any conflict of interest.

- The complainant and respondent will be provided with a copy of the Sexual Misconduct policy and accompanying procedures informed of the relevant procedures, and may object to the investigator(s) on the grounds that the investigator has a conflict or cannot be impartial by notifying the appropriate Caltech official in writing. Objections will be evaluated and the parties will be notified in writing of the determination.
- Within a reasonable length of time after the complaint has been filed, the respondent will be notified in writing of the nature and alleged factual bases underlying the complaint and an investigation will begin. If interim measures are needed to protect the rights of the complainant and/or respondent during the investigation, the Title IX Coordinator will see that they are made.
- The complainant and respondent will be informed that Caltech does not tolerate retaliation, takes steps to prevent retaliation, and takes strong responsive action if retaliation occurs. The complainant and respondent will be advised to notify Caltech immediately of any retaliation that occurs.
- The investigator(s) will summarize for the respondent the evidence in support of the complaint to allow the respondent the opportunity to respond.
- The investigation will be treated as private to the extent possible and all parties will be advised to maintain privacy. Caltech administrators will be informed on a need-to-know basis. Caltech will make reasonable and appropriate efforts to preserve the complainant's and respondent's privacy and protect the confidentiality of information.
- The complainant and respondent will be given equal opportunity to present their cases separately to the investigator(s), to suggest others who might be interviewed, and to present other evidence. The investigator(s) may, if appropriate, interview other parties to reach findings and conclusions.
- In complaints covered by Title IX, the investigators will investigate any allegations that alcohol or drugs were involved in the incident.
- Consistent with federal and state law, the investigators will not ask questions or seek evidence of the complainant's prior sexual conduct with anyone other than the respondent. Furthermore, evidence of a prior consensual sexual, romantic or intimate relationship between the complainant and respondent itself does not imply consent or preclude a finding of sexual misconduct.
- All parties who participate in investigative interviews may submit written statements. Investigatory meetings will not be recorded.
- Both parties will be kept informed of the status of the investigation.
- Complaints will be investigated and resolved within a reasonably prompt time frame after the complaint has been made, generally within 60 days (not including any appeal), though this time frame may be extended depending on factors, including but not limited to, the complexity of the case.
- The complainant and the respondent will be notified in writing of the outcome of the proceedings and any change in the result that occurs prior to the result becoming final at the

same time. Such notice shall include the option to appeal.

- Investigative files for students will be maintained in the Title IX Coordinator's office. Investigative files for staff and faculty will be maintained in Human Resources and the Provost's Office, respectively.
- Extensions of time, and other exceptions to or modification of these procedures can be made by the Title IX Coordinator or designee, Provost, Dean or Associate Deans, Associate Vice President for Human Resources, or Director for Human Resources at JPL.

### **Standard of Evidence**

The investigator(s) will use the preponderance of evidence standard in determining whether sexual misconduct occurred. A preponderance of the evidence means that it is more likely than not that the incident occurred. When the investigator(s) is presented with two different but plausible versions of the incident, credibility determinations may affect the outcome.

### **Findings and Conclusions**

The investigator(s) will report their findings and conclusions regarding the charges to the appropriate Caltech official from the same area as the respondent -- the Provost for faculty, the relevant Dean for students, the Executive Director of Human Resources for postdoctoral scholars and campus staff, or the Deputy Director for Human Resources at JPL for JPL employees for decision.

The conclusions that the investigation might reach include, but are not limited to, the following possibilities:

1. A violation of Caltech policy occurred.
2. Inappropriate behavior occurred, but did not constitute a violation of Caltech policy.
3. The complaint was not supported by the evidence.
4. The complaint was brought without any basis or without a reasonable, good faith belief that a basis existed.

### **Resolution**

As soon as practicable after receiving the findings and conclusions of the investigator(s), the appropriate Caltech official from the same area as the respondent, the Provost for faculty, the relevant Dean for students, the Executive Director of Human Resources for postdoctoral scholars and campus staff, or the Deputy Director for Human Resources at JPL for JPL employees, will make a decision concerning resolution of the complaint, including imposing sanctions against the respondent if appropriate. The complainant and respondent simultaneously will be informed in writing of the results of the investigation and the parties' right to appeal and the procedures for appeal.

If a violation of Caltech's Nondiscrimination and EEO, Unlawful Harassment or Sexual Misconduct policy or policies has occurred, appropriate sanctions will be imposed. Depending on the severity of the case and the respondent's role at Caltech, any one or more of the sanctions listed below may be imposed:

- Verbal warning
- Training
- Mandatory counseling/coaching
- A formal written warning placed in the respondent's file
- Exclusion from participation in certain activities for specified period of time
- Suspension of the right to accept new graduate students or postdoctoral scholars
- Transfer of advisees
- Removal from positions of administrative responsibility
- Removal from housing
- Removal from a supervisory position
- Involuntary leave of absence/suspension
- Expulsion
- Termination of employment
- Permanent separation from the Institute
- Revocation of admission
- Other sanctions instead of, or in addition to, those specified above
- Multiple sanctions may be imposed

If the respondent was found not to have violated Caltech's policy on sexual misconduct, but the investigation concluded that the individual violated another Caltech policy, or committed some other wrongful or improper act, appropriate corrective action will be taken. Effective corrective action may also require remedies for the complainant and/or the broader Caltech community. Caltech will take appropriate measures to prevent the reoccurrence of any sexual misconduct, and to correct any discriminatory effects on the complainant and others, as appropriate.

Results of disciplinary proceedings may be disclosed consistent with applicable law, including FERPA, Title IX, and the Clery Act. Upon request, Caltech will disclose the results of a disciplinary proceeding against a student who is the alleged perpetrator of any crime of sexual violence to the alleged victim.

### **Appeals**

Appeals must be in writing and submitted within ten (10) days of notification of the decision. Appeals of decisions resulting from the Formal Investigation process must be on the grounds that a procedural error occurred that significantly affected the outcome of the investigation or the sanction is substantially disproportionate to the findings. Appeals of decisions resulting from the Administrative Resolution process must be made on the grounds that the sanction is substantially disproportionate to the acknowledged conduct.

The complainant and the respondent simultaneously will be informed, in writing, of the outcome of the appeal. Appeal decisions are final.

Decisions of the Provost may be appealed to the Office of the Provost or designee. Decisions of the Dean of Undergraduate Students or Dean of Graduate Studies may be appealed to the Vice President for Student Affairs or designee. Decisions of the Executive Director for Human Resources may be appealed to the Associate Vice President of Human Resources or designee. Decisions of the Deputy Director for Human Resources at JPL may be appealed to the Director for Human Resources at JPL or designee.

**Further Complaints**

If the corrective action does not end the sexual misconduct, the complainant should immediately notify the Title IX Coordinator or a Deputy Title IX Coordinator, the Provost or a Division Chair, Dean or Associate Dean, EOD Director; or at JPL, the Section Manager, Talent Management. In such cases, the complainant has the right to file another complaint.

Related Policies:

[Nondiscrimination and Equal Employment Opportunity](#)

[Unlawful Harassment](#)

[Violence Prevention](#)