

Guide to Resources and Services for Victims of Sexual Assault

If you are a student or employee at Gnomon and have been the victim of sexual harassment, sexual violence or other gender-based harassment it is important that you read the following information. Although not intended to be a comprehensive explanation of your options and rights, this information may be useful to you.

Sexual misconduct is a broad term used to describe any non-consensual behavior of a sexual nature that is committed by force, intimidation, or is otherwise unwelcome. This includes but is not limited to: sexual harassment, unwanted touching over or under clothing, forced penetration, relationship violence, and stalking. Incidents of sexual misconduct may happen to anyone, regardless of gender or status on campus (students, faculty, staff, and visitors).

Sexual harassment, sexual violence and other gender-based harassment that is sufficiently severe, persistent, or pervasive so as to limit an individual's ability to participate in or benefit from an educational opportunity. Occurrences in a school setting implicates a federal law called Title IX of the Higher Education Amendments of 1972, which prohibits discrimination on the basis of sex in education programs or activities. Gnomon is committed to maintaining a positive learning, working and living environment and will not tolerate acts of sexual harassment or sexual violence or related retaliation against or by any student or employee. When sexual harassment or sexual violence has occurred and is brought to the attention of the school, Gnomon will take steps to end the harassment or violence, prevent its reoccurrence, and address its effects.

Gnomon's Harassment and Sexual Misconduct Policy is available in full at: <https://www.gnomon.edu/files/policies/FINAL%20HARASSMENT%20AND%20SEXUAL%20MISCONDUCT%20POLICY%20v2%20rev8.6.2015.pdf>. Gnomon's Title IX Coordinator can address inquiries, explain the school's responsibilities in these cases, and receive reports of sexual misconduct.

Pamela Arimoto
Title IX Coordinator
1015 N. Cahuenga Blvd.
Los Angeles, CA 90038
323-466-6663 x127
studentaffairs@gnomon.edu

For more information on your rights you may also contact:

Department of Education Office for Civil Rights
San Francisco Office
50 Beale Street, Suite 7200
San Francisco, CA 94105-1813
415-486-5555/FAX 415-486-5570
Email: ocr.sanfrancisco@ed.gov

Key Terms & Definitions

Sexual Assault: Sexual assault is defined as any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental incapacity; because of his/her youth; or physical incapacity. Sexual assault includes, but is not limited to rape, forcible sodomy, penetration with a foreign object, sexual battery or the threat of sexual assault.

Retaliation: Retaliation is acts or attempts to retaliate or seek retribution. Retaliation can take many forms, including threats, intimidation, pressuring, continued abuse, violence, reprisal and/or an adverse action related to employment or education. Retaliation may be committed by or against an individual or a group. A Complainant, Respondent or third party may commit or be the subject of retaliation. Retaliation against a person who properly reports or participates in the investigation of violations is strictly prohibited. Retaliation may result in additional sanctions or legal action, or both.

Intimate Partner Violence (IPV) : Intimate partner violence – also known as *Domestic Violence* or *Dating Violence* - describes physical violence, sexual violence, stalking and psychological aggression (including coercive acts) by a current or former intimate partner. An intimate partner is a person with whom one has a close personal relationship that can be characterized by the following: emotional connectedness; regular contact; ongoing physical contact and sexual behavior; Identity as a couple and/or; familiarity and knowledge about each other's lives. The relationship need not involve all of these dimensions. Examples of intimate partners include current or former spouses, boyfriends or girlfriends, dating partners, or sexual partners. IPV can occur between heterosexual or same-sex couples and does not require sexual intimacy. IPV can vary in

frequency and severity. It occurs on a continuum, ranging from one episode that might or might not have lasting impact to chronic and severe episodes over a period of years. The school will not tolerate intimate partner violence of any form. For the purposes of this policy, the school does not define intimate partner violence as a distinct form of misconduct. Rather, the school recognizes that sexual harassment, sexual assault, stalking, and retaliation all may be forms of intimate partner violence when committed by a person who is or has been involved in a sexual, dating or other social relationship of a romantic or intimate nature with the Complainant.

<http://www.cdc.gov/violenceprevention/intimatepartnerviolence/definitions.html>

Affirmative Consent: Gnomon policy defines affirmative consent as 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 he or she has 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 throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

Stalking: Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress.

If I am a victim of sexual assault, or know someone who has been assaulted...

You Have The Right To:

- Be informed of all reporting options.
- Choose to report an incident of sexual violence to campus or local law enforcement, or not. And that a criminal (police) investigation does not relieve the school of its duty under Title IX to respond promptly and effectively.
- Report the incident and have the school investigate what happened, and have your complaint resolved promptly and equitably.

- Be informed of and have access to on- and off-campus support services such as victim advocacy, legal assistance, visa and immigration assistance, student financial aid assistance, counseling, and medical and mental health services.
- Be informed of options for available assistance in, and how to request changes to academic or working situations and protective measures offered.
- You have the right to be free from retaliation for exercising your rights.

You have these rights regardless of your race, color, ethnicity, national origin, age, sex, sexual orientation, gender identity or expression, physical or mental disability, religion, or any other protected class.

If I have been sexually assaulted, what do I do?

- **Go to a safe location.** If it is an emergency, call 911 immediately.
- **Tell someone.** Call a friend, a family member, or someone else you trust who can be with you and give you support.

“What happened was not your fault.”

- **Get medical care as soon as possible.** Go to a hospital emergency department or a specialized forensic clinic that provides treatment for sexual assault victims. Even if you think that you do not have any physical injuries, you should still have a medical examination and discuss with a health care provider the risk of exposure to sexually transmitted infections and the possibility of pregnancy resulting from the sexual assault. You may also request medications for the prevention of sexually transmitted infections (including HIV) and emergency contraception. Having a medical exam is also a way for you to preserve physical evidence of a sexual assault.

Preserving evidence is important because it may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order.

- Preserve all physical evidence of the assault, even if you are unsure whether you want to report the crime. Do not shower, bathe, douche, eat, drink, wash your hands, or brush your teeth until after you have had a medical

examination. Save all clothing that you were wearing at the time of the assault and bring them and any other potential evidence to the medical exam. Place each item of clothing in a separate paper bag (do not use plastic bags). Do not clean or disturb the area where the assault occurred. Such evidence in conjunction with the identification and location of witnesses may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order.

- If you think you may have been given a rape drug, request that the hospital or clinic take urine and blood samples. These samples need to be collected quickly as these kinds of drugs leave the system quickly. Drugs, such as Rohypnol and GHB, are more likely to be detected in urine than in blood.
- **Let others help.** Talk with a counselor who is trained to assist rape victims. They help you learn how to cope with the emotional and physical impacts of the assault and are familiar with the physiological and psychological effects that traumatic events cause.
- **Get information whenever you have questions or concerns.** After a sexual assault, you have a lot of choices and decisions to make - e.g., about getting medical care, making a police report, and telling other people. You may have concerns about the impact of the assault and the reactions of friends and family members. You can find a counselor by contacting a local rape crisis center, a hotline, a counseling service, or other victim assistance agencies.

The Rape Abuse and Incest National Network (RAINN) is a national victim assistance organization that will connect you to a rape crisis center in your area. Call 1-800-656-HOPE (4673) – 24 hour confidential hotline

- **Report it.** If you want to report the crime, notify the local Police Department and/or Gnomon's Title IX Coordinator. Reporting the crime can help you regain a sense of personal power and control. If you need help making a criminal report, Gnomon can help. If the assailant is a Gnomon student/employee, you can file a formal report with the Title IX Coordinator.

I want to tell someone what happened.

If you want to report a sexual assault please contact Gnomon's Title IX Coordinator or you may submit a report using the **online grievance form** found on Gnomon's website. Reports can be made by victims and/or third parties using the same form. All reports are directed to the Title IX Coordinator.

You may also report directly to local law enforcement. If requested, Gnomon can assist you with making a report to law enforcement. If a report is initially made with law enforcement, they may refer the case to the Title IX Coordinator, but only with the victim's consent. A victim/complainant may pursue both the school disciplinary process (civil rights process) through the Title IX Coordinator, and the criminal process with local law enforcement simultaneously.

If I inform the school do I have to file a formal report?

First, it is important to know that... We encourage you to report incidents of sexual misconduct or violence, with the intention for you to get the support you need. When Gnomon is notified of an incident, the school will take immediate and appropriate steps to fulfill its obligation to investigate or otherwise determine what occurred. Gnomon is committed to protecting the privacy of all individuals involved in a report of sexual harassment, sexual misconduct, and sexual violence. You want to consider carefully whom you share personally identifiable details with at school. In order to ensure campus safety, when the school becomes aware of sexual violence, Gnomon may have an obligation to proceed with an investigation, regardless of a victim's/complainant's wishes.

The initial reporting to the school is NOT a formal complaint. At this point, it is the opportunity to explore your options. If you request that your name or other identifying information not be used in an investigation, the school will consider your request in light of the context of its responsibility to provide a safe and nondiscriminatory environment. Information including your name may be shared with the respondent, witnesses and with school officials who have a legitimate need to know. Beyond that, Gnomon will take steps to protect your identity and the identity of all individuals involved. Throughout any investigation of a report of harassment and sexual misconduct, every effort will be made to protect the privacy interests of all individuals, and respect and safeguard private information, to the extent possible consistent with the legal obligations of Gnomon to investigate and respond effectively. You are not required to participate if you choose not to; however, this may limit the school's ability to respond to the incident

Private Reporting

If you are ready to speak privately about your experience, or to report any gender-equity concern, all Gnomon employees are enabled to receive a report of discrimination and/or sexual misconduct. As “Responsible Employees” they have an obligation to share what they know about incidents of sexual misconduct with the Title IX Coordinator. Responsible Employees – such as an instructor or advisor - may talk to a victim in private, and the victim has the right to expect Gnomon to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

“Is there someone I can tell CONFIDENTIALLY?”

There are confidential resources that can offer you support to allow you the time and space you need to process what has happened, and provide you with basic information about your options and available resources. Off-campus resources and reporting options are available such as local rape crisis counselors, victim advocacy centers, domestic violence resources, local or state agencies, and emergency care facilities. These individuals/resources are under no obligation to share your personal information with Gnomon and a Title IX response will NOT be prompted. They will keep your identity and information private and anonymous, except in extreme cases of immediate threat or danger to the reporting party, or general community.

Anonymous Reporting

You may report incidents of sexual misconduct anonymously by submitting an **anonymous report** found online on the Gnomon website. All anonymous reports go directly to the Title IX Coordinator.

What if I want to be left alone?

This may be a confusing and difficult time. Remember that these resources are always available to you, regardless of how much time has passed since the incident. Gnomon policy does not limit the timeframe for reporting an incident and you may contact the Title IX Coordinator at any time.

You are not alone. There are people who can help you.

You have options.

“What are my options?”

The Process

The Title IX Coordinator has authority to address complaints of sexual harassment and sexual violence in a non-criminal (civil rights) context. Gnomon’s sexual misconduct disciplinary process is completely separate from the police and courts. Gnomon’s process of investigation uses the **preponderance of the information standard – determining whether it is *more likely than not* that the conduct occurred.**

Reported allegations are evaluated to determine an appropriate course of action. Some cases can be handled informally and outside of the formal investigative process. Cases of sexual violence will not be mediated, even on a voluntary basis. For cases that require a formal investigation, individuals who have received specialized training in Title IX investigations. All investigations are conducted in a thorough, un-biased, and equitable manner.

Gnomon will take interim steps to protect a victim/complainant while a report is being investigated or when a case is pending. Depending on situation and the victim’s wishes, these steps may include class changes, ordering the alleged assailant to not have contact with the victim, excluding the alleged assailant from parts of campus, or providing the victim with an escort to and/or on campus. Any adjustments made will be designed to minimize the burden on the victim’s educational program. Some of these actions may also be remedies in those cases resulting in a finding of a policy violation.

Because Gnomon’s primary concern is safety, minor alcohol and drug violations by a complainant, victim, or witnesses occurring during or around the incident will be handled through student conduct violation process whenever possible. The use of alcohol or other drugs alone never makes an individual at fault for sexual violence.

Gnomon has a policy which prohibits retaliation against any student or employee who reports an incident of alleged sexual harassment or sexual violence, or any student or employee who testifies, assists or participates in a proceeding, investigation relating

to these allegations. All parties involved are informed of this provision, and any retaliation should be reported immediately to the appropriate Gnomon officials.

Most sexual violence or sexual harassment investigations take up to 60 days to be resolved, depending on the complexity of the case and the number of parties involved. The school will keep the parties advised as to the status of the case in a timely manner and as is reasonable. Should it take more than 60 days to complete an investigation, both parties will be notified in writing. When an investigation is completed, both parties will be simultaneously notified in writing of the outcome of the case, of any sanctions imposed, and instructions for appeal if available.

The Outcome

If findings result in the preponderance of evidence (more likely than not) is satisfied, recommendations for sanctions and remedies ensue. The intent for sanctions and remedies is not to “undo” an act of sexual misconduct, rather an attempt to allow some restoration of harm caused. Conduct codes and related procedures apply to behaviors exhibited by students; while policies under Human Resources govern the behaviors of employees. Regardless of whether the behavior was exhibited by a student, employee, or community member, the school has an obligation under Title IX to protect a harassed/affected student’s access to an education. Sexual misconduct, hostile work environment, and sexual violence must be addressed, even if the individual(s) who caused it cannot be identified. Sanctions may be issued individually, or a combination of sanctions may be imposed.

Sanctions are determined on a case-by-case basis; however reasonable steps will be taken to foster consistency for similar violations and circumstances. Examples of sanctions range from written warnings and counseling, to suspension, termination of employment, or disqualification.

Criminal Investigations

By contrast, a criminal investigation is intended to determine whether an individual violated criminal law; and determine beyond a reasonable doubt the incident occurred. The perpetrator(s) may be imprisoned or subject to criminal penalties. A Title IX investigation (through Gnomon) will never result in incarceration of an individual and, therefore, the same procedural protections and legal standards are not required.

Further, while a criminal investigation is initiated at the discretion of law enforcement authorities, a Title IX investigation is not discretionary; Gnomon has a duty under Title

IX to resolve complaints promptly and equitably and to provide a safe and nondiscriminatory environment for all students and employees free from sexual harassment and sexual violence.

In most cases, Gnomon will not wait until a criminal case is resolved before proceeding with an investigation. In cases where a police investigation has been conducted or is being conducted, law enforcement may be able to provide some information to the Title IX Coordinator, with the victim's consent. Gnomon will comply with law enforcement agency requests for cooperation. Such cooperation may require the school to temporarily suspend the fact-finding aspect of a Title IX investigation while the law enforcement agency gathers evidence. Gnomon will promptly resume its Title IX investigation as soon as notified by the law enforcement agency that it has completed the evidence gathering process.

For more information on your rights, how to respond to and prevent sexual assault, visit...

- Not Alone (<https://www.notalone.gov/students/>)
- RAINN (<https://www.rainn.org/>)
- No More (<http://nomore.org/>)

VICTIM/SURVIVOR CARE RESOURCES

If it is an emergency, call 911 immediately.

National CONFIDENTIAL Sexual Assault Hotline - 1-800-656-4673
Use this number to find services for rape victims in your area.

National Domestic Violence Hotline - 1-800-799-7233
TTY: 1-800-787-3224

ONLINE 24/7 Support Specialists - <https://ohl.rainn.org/online/>

Rape, Abuse & Incest National Network (RAINN)
Visit <https://ohl.rainn.org/online/> to chat CONFIDENTIALLY trained RAINN support specialist, any time, 24/7.

Mental Health Emergencies or Suicide Crisis Line – 1-800-854-7771

OFF-CAMPUS CONFIDENTIAL REPORTING RESOURCES

Rape Treatment Center Santa Monica (UCLA Medical Center)
1250 Sixteenth Street
Santa Monica, CA 90404
(310) 319-4000
<http://www.911rape.org/>

Cedars-Sinai Medical Center
8700 Beverly Blvd.
Los Angeles, CA 90048
(310) 4-CEDARS (423-3277)
<http://www.cedars-sinai.edu/>

Keck Hospital of USC
1500 San Pablo Street
Los Angeles, CA 90033
(800) 872-2273
<http://www.keckmedicine.org/>

Providence St. Joseph Medical Center Burbank

501 S. Buena Vista St.
Burbank, CA 91505
(818) 843-5111 (Hospital)
(888)-432-5464 (Resource Center)
<http://california.providence.org/saint-joseph/>

Gnomon does not endorse any particular health service provider or its products. Students are strongly encouraged to evaluate their needs and compare products.

OFF-CAMPUS CONFIDENTIAL COUNSELING SERVICES

Peace Over Violence

A community-based sexual assault, domestic violence, youth violence and child abuse prevention center. Focus on prevention, intervention, and social change.

Metro Headquarters
1015 Wilshire Blvd., Suite 200
Los Angeles, CA 90017
(213)955-9090 Office
<http://www.peaceoverviolence.org/>

24 hour rape crisis hotline

(310) 392-8381
(213)626-3393
(626) 793-3385

Asian Pacific Counseling and Treatment Center

1730 W. Olympic Blvd., Suite 300
Los Angeles, CA 90015
(213) 553-1830
<http://apaitonline.org/>

Jewish Family Services of Los Angeles

1 Federation Way, Suite 220
Irvine, CA 92603
(949)435-3460
<http://www.jfsla.org/page.aspx?pid=240>

L.A. Gay and Lesbian Center

Provide counseling, violence prevention and intervention, HIV program and testing, legal services, and other support programs for gay, lesbian, and transgender individuals.

McDonald/Wright Building

1625 N. Schrader Blvd.

Los Angeles, CA 90028

(323) 993-7640 (To set up an appointment)

(323) 993-7400 (Operator)

<http://www.lalgbtcenter.org/>

The Relational Center

5486 Wilshire Blvd.

Los Angeles, CA 90036

(323) 935-1807

<http://www.relationalcenter.org/>

Veterans Crisis Line Hotline, Online Chat & Text

The Veterans Crisis Line connects Veterans in crisis and their families and friends with qualified, caring Department of Veterans Affairs responders through a confidential toll-free hotline, online chat, or text.

(800) 273-8255 Press 1

<http://www.veteranscrisisline.net/ChatTermsOfService.aspx?account=VeteransChat> (Chat Online),

Text **838255**

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