



**MINERVA**<sup>®</sup>  
SCHOOLS AT KGI

Minerva Schools at Keck Graduate Institute

ANNUAL SECURITY REPORT

**September 2014-August 2015**

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## **From the President**

To the KGI Community –

It is up to each one of us to help foster a secure and supportive environment at KGI — an environment where individuals can feel safe to visit, learn, work and live. Primary to this goal are the principles of responsibility and respect. These values are essential to any community, and serve as the foundation for the success and productivity of our students, faculty and staff. Safety on campus is one of the highest concerns. A truly safe campus can only be achieved through the cooperation of everyone. This publication contains information about campus safety measures and reports statistics about crime in the KGI community. It also describes our efforts to confront alcohol and drug abuse. Please take the time to read it and help foster a more caring and safe environment.

*Sheldon Schuster, President*

From the Chief Student Affairs Officer

To KGI Community –

Thank you for your interest in the MSKGI Annual Security Report. As a branch campus of KGI, we publish this report to provide valuable information for our community and to comply with the important provisions of the Clery Act. The safety and security of our students, faculty and staff are everyone's responsibility at KGI. We encourage you to review the information contained in this brochure. You will find information about our services and resources, training and crime prevention. We join President Schuster in the commitment to foster a secure and supportive environment at KGI. We are proud to be an integral part of KGI's tradition of excellence.

Teri Cannon

## **ANNUAL SECURITY REPORT**

### **REPORTING CRIMES AND OTHER EMERGENCIES**

KGI has a number of ways for campus community members and visitors to report crimes, serious incidents, and other emergencies to appropriate officials. Regardless of how and where you decide to report these incidents, it is critical for the safety of the entire KGI community that you immediately call 911 in case of any emergency and report all incidents to Teri Cannon, Chief Student Affairs Officer, to ensure an effective investigation and appropriate follow-up actions, including issuing a crime alert message or an emergency notification to students, faculty and staff.

#### **Voluntary, Confidential Reporting**

If crimes are never reported, little can be done to help other members of the community from also becoming victims. We encourage KGI community members to report crimes promptly and to participate in and support crime prevention efforts. KGI community will

be much safer when all community members participate in safety and security initiatives.

If you are the victim of a crime or want to report a crime you are aware of, but do not want to pursue action within MSKGI or criminal justice system, we ask that you consider filing a voluntary, confidential report. Depending upon the circumstances of the crime you are reporting, you may be able file a report while maintaining your confidentiality. The purpose of a confidential report is to comply with your wish to keep your personal identifying information confidential, while taking steps to ensure your safety and the safety of others. The confidential reports allow KGI to compile accurate records on the number and types of incidents occurring at our office and residence hall. Reports filed in this manner are counted and disclosed in the Annual Security Report. In limited circumstances, we may not be able to assure confidentiality and will inform you in those cases. Anyone may call +1 (415) 649-7658 to report such information.

### **Reporting to Student Affairs**

Please report all crimes and other emergencies in a timely manner to Student Affairs at [teri@minerva.kgi.edu](mailto:teri@minerva.kgi.edu). Though there are many resources available, we should be notified of any crime, whether or not an investigation continues, to assure that we can assess any and all security concerns and inform the community if there is a significant threat.

### **Reporting to MSKGI Authorities**

While KGI prefers that community members promptly report all crimes and other emergencies directly to 415-677-2211, we also recognize that some may prefer to report to other individuals or KGI offices. The Clery Act recognizes certain KGI officials and offices as “Campus Security Authorities (CSA).” The Act defines these individuals as “official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline and campus judicial proceedings. An official is defined as any person who has the authority and the duty to take action or respond to particular issues on behalf of the institution.”

While KGI has identified several CSAs, we officially designate the following offices as places where community members may report crimes. All personnel are located at 1145 Market Street, San Francisco, CA 94102.

<b>Official</b>	<b>Name</b>	<b>Phone Number/Email</b>
Chief Student Affairs Officer	Teri Cannon	510-219-1977 teri@minerva.kgi.edu
Student Services and Operations Manager	Lauren Zanghi	602-697-9431 lauren@minerva.kgi.edu
Chief Experience Office	Robin Goldberg	650-787-2905 robin@minerva.kgi.edu
Director of Student Experience	Mike Wang	201-679-9430 mike@minerva.kgi.edu

### ***Professional Counselors***

Under the Clery Act, professional counselors who are appropriately credentialed and hired to serve in a counseling role are not considered Campus Security Authorities when they are acting in the counseling role. As a matter of policy, KGI encourages mental health counselors to notify persons they are counseling of the voluntary, confidential reporting options available to them. MSKGI’s Manager of Mental Health Services, who is a licensed psychologist and provides counseling to MSKGI students is James Lyda, who can be reached at [jlyda@minervaproject.com](mailto:jlyda@minervaproject.com) or 415-770-9511.

### **It’s Up to Each of Us**

MSKGI takes great pride in our community and offers students, faculty and staff many advantages. MSKGI is a great place to live, learn, work and study. We are located in San Francisco, one of the most interesting, diverse and vital communities in the world, which serves as our “campus.” San Francisco experiences the level of criminal activity

that one would expect for a major US urban area that is also a business and financial center and a tourist destination. Our goals are to protect our students, faculty and staff from harm and to create and maintain a reasonably safe environment in this environment – including in our offices and residence halls. And we want our students to learn how to navigate the city safely and to avoid conduct that may subject them to risk.

No crime prevention program can be effective without the cooperation, involvement, and personal support of students and employees. Awareness of one's environment and implementation of strategies to reduce or eliminate the opportunity for crime to occur is the best place to start. Though KGI is progressive with its policies, programs, and education, it is up to each one of us to live with a sense of awareness and to use reasonable judgment when living, working or visiting on campus.

## **PREPARATION OF THE ANNUAL SECURITY REPORT AND DISCLOSURE OF CRIME STATISTICS**

Minerva Schools at Keck Graduate Institute prepares this report to comply with the Jeanne Clery Disclosure of Campus Security and Crime Statistics Act using information maintained by the Student Affairs Office and local law enforcement agencies, especially the San Francisco Police Department.

This report provides statistics for the previous year concerning reported crimes that occurred in the residence hall and in our offices as these two spaces constitute our only physical “campus” during the 2014-15 academic year. MSKGI enrolled its first students at these sites in fall 2014, so we report for the period September 1, 2014 to August 30, 2015. This report also includes institutional policies concerning campus security, such as policies regarding sexual assault, alcohol and other drugs.

Campus crime statistics must be reported by location: On campus (owned, contiguous, educational or student-used); in dormitories or other student residences (within the on-campus area); non-campus buildings or property (non-contiguous owned and student-used); and public property (streets, sidewalks, lots adjacent to campus).

KGI distributes a notice of the availability of this Annual Security Report by October 1 of each year to every member of KGI community. Anyone, including prospective students

and employees, may obtain a paper copy of this report by contacting Student Affairs at [studentlife@minerva.kgi.edu](mailto:studentlife@minerva.kgi.edu).

## **MSKGI RESPONSIBILITIES**

MSKGI is responsible for campus safety and security programs including emergency management, safety and security education, and threat assessment. Other specific tasks include but are not limited to the following:

- First responders to emergencies of any kind.
- Monitor fire alarms, intrusion alarms, and other systems at both locations.
- Training of staff in emergency procedures.
- Providing overnight security guards at the residence hall.
- Prepare incident reports and maintain records of crimes, incidents and reported activities for analysis purposes.
- Assist law enforcement and other emergency service providers as needed.
- Provide security/crime prevention presentations to students, faculty, and staff.

## **Working Relationship with Local, State, and Federal Law Enforcement Agencies**

MSKGI works closely and cooperatively with the San Francisco Police Department. The police are notified immediately and respond to crimes against persons, violent crimes, major felonies, crimes involving a known or identified suspect, and are called when police presence and/or assistance is deemed appropriate. All reports on criminal activity that are initiated by MSKGI or Minerva Project are forwarded to the police for investigation and mandated reporting as required by Uniform Crime Reporting Standards.

In addition, MSKGI/Minerva Project personnel act as liaison with local fire/paramedic personnel and other local and county, state and federal law enforcement agencies when they are involved with the any incident or activity at our locations.

## **Crimes Involving Student Organizations at Off-Campus Locations**

MSKGI does not have any recognized student organizations at off-campus locations.

### **TIMELY WARNING REPORTS – CRIME ALERTS**

In an effort to provide timely notice to the campus community in the event of a crime that may pose a serious or ongoing threat to members of the community, as defined by the Clery Act, MSKGI issues Crime Alerts. MSKGI will generally issue Crime Alerts for the following crimes: arson; aggravated assault; criminal homicide; robbery; burglary; sex assaults; and hate crimes. MSKGI will post these warnings through a variety of ways, including as appropriate text message, e-mails, posters at the residence hall, and other social media.

The purpose of these Crime Alerts is to notify the campus community of the incident and to provide information that may enable MSKGI community members to protect themselves from similar incidents. MSKGI will issue Crime Alerts whenever the following criteria are met: 1) a crime is committed on or near Minerva offices or residence halls; 2) the perpetrator has not been apprehended; and 3) there is a substantial risk to the physical safety of other members of the MSKGI community because of this crime. Such crimes include, but are not limited to: 1) Clery Act-designated crimes that are reported to any MSKGI authority and 2) an incident that MSKGI determines to represent an on-going threat to the MSKGI community.

Additionally, MSKGI may, in its discretion, issue Crime Alerts when there is a pattern of crimes against persons or property in a location used and frequented by KGI students.

### **EMERGENCY RESPONSE AND EVACUATION PROCEDURES**

#### **Emergency Management at KGI**

A summary of KGI's emergency response procedures can be found on the MSKGI website. Included in this report is information on fire extinguisher training, basic first aid,

and wildlife safety. Major emergency protocols covered include fire safety, evacuation exits and evacuation assembly area, and earthquake preparedness. All students, faculty and staff are registered for MSKGI's emergency alert system.

### **Drills, Exercises and Training**

To ensure MSKGI's emergency management plans remain current and actionable, KGI will conduct an emergency management exercise at least once yearly. These exercises may include tabletop drills, emergency operations center exercises, or full-scale emergency response exercises. MSKGI conducts after-action reviews of all emergency management exercises.

### **Emergency Notification**

KGI is committed to ensuring the campus community receives timely, accurate, and useful information in the event of a significant emergency or dangerous situation on campus or in the local area that poses an immediate threat to the health and safety of campus community members. The system can be used to send emergency messages within minutes of the occurrence of an incident. MSKGI performs a KGI-wide annual test of the system. The following procedures outline the process KGI uses when issuing emergency notifications.

#### ***Procedures Used to Notify the Campus Community***

In the event of a situation that poses an immediate threat to members of the campus community, KGI has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of emergency notification to all or a segment of campus community. These methods of communication include the mass notification system Connect 5, KGI's e-mail system, and verbal announcement within a building and public address system on police cars. KGI will post updates during a critical incident on the homepage. If the situation warrants, KGI will establish a telephone call-in center to communicate with KGI community during an emergency situation.

### *Confirming the Existence of a Significant Emergency or Dangerous Situation and Initiating the Emergency Notification System*

MSKGI senior personnel may become aware of a critical incident or other emergency situation that potentially affects the health and/or safety of the campus community through reports from students or staff or calls to the emergency contact number. Once first responders confirm that there is, in fact, an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the campus community, first responders notify any senior team member to issue an emergency notification.

If, in the professional judgment of first responders, issuing a notification potentially compromises efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency, MSKGI may elect to delay issuing an emergency notifications. As soon as the condition that may compromise efforts is no longer present, KGI will issue the emergency notification to the campus community.

### *Determining the Appropriate Segment or Segments of the Campus Community to Receive an Emergency Notification*

MSKGI and/or local first responders on the scene of a critical incident or dangerous situation will assist those preparing the emergency notification with determining what segment or segments of community should receive the notification. Generally, community members in the immediate area of the dangerous situation (i.e. the building, or surrounding area) will receive the emergency notification first. MSKGI may issue subsequent notifications to a wider group of community members. If the emergency affects a significant portion of the entire campus, KGI officials will distribute the notification to the entire campus community.

### *Determining the Contents of the Emergency Notification*

The office responsible for issuing the emergency notification (will, in concert with MSKGI and local first responders, determine the contents of the notification. MSKGI has developed a wide range of template messages addressing several different emergency situations. The individual authorizing the alert will select the template message most appropriate to the on-going situation and modify it to address the specifics of the

present incident. In those cases where there are no pre-determined template messages in the system, the individual authorizing the alert will develop the most succinct message to convey the appropriate information to the community. The goal is to ensure individuals are aware of the situation and that they know the steps to take to safeguard their personal and community safety.

## **SECURITY OF and ACCESS TO FACILITIES**

MSKGI offices at 1145 Market Street, San Francisco, CA, 9<sup>th</sup> floor are open from 9:00 a.m. until 5:00 p.m., Monday through Friday. The residence hall (851 California Street) can only be accessed by students and staff with keys.

### **Security Considerations at Facilities**

Security considerations for KGI facilities include the following:

- Fire, intrusion, and other alarms are installed on all major facilities.
- Videotapes are made of the roof and back entrance of the residence hall and are reviewed on a regular schedule.
- Regular preventive maintenance and testing is done on all alarm systems and exterior fire escapes.
- Bike racks are located inside the two buildings.
- A security guard is in the lobby of the office building 14 hours a day.
- A security guard is in the lobby of the residence hall overnight from 10 pm to 5 am.

## **SECURITY POLICIES, CRIME PREVENTION AND SAFETY AWARENESS**

MSKGI has established a number of policies and procedures to ensure a reasonably safe environment. These policies include:

### **Explosives, Firearms, and Other Weapons Policy:**

Possession, use or transportation of firearms or “deadly weapons” is prohibited at all locations. According to the California State Penal Code, Section 626.9 (b), any person who brings or possesses a firearm upon the grounds of, or within, a private institution is

guilty of a felony which is punishable by imprisonment in the state prison for one, two or three years. State law and MSKGI policy prohibit bringing firecrackers or explosive materials of any kind onto any part of the campus or into the buildings. This includes combustibles in containers such as gasoline cans. Illegal knives, switchblades, and other blades that violate California State Law are prohibited. BB guns, pellet rifles, and other weapons that propel projectiles are also prohibited and are not allowed on campus. Violation of this policy by any member of the community will result in confiscation of the weapon and may result in disciplinary action.

#### Additional Information Regarding the Student Code of Conduct

MSKGI provides all students with KGI regulations, policies, and procedures governing student conduct. KGI policies and procedures including the Code of Student Conduct are published in the [Student Handbook found on the MSKGI website](#). In addition, students who live in the residence halls are bound by the policies governing conduct in student housing. These policies are in the [lease agreement](#). If you have additional questions, special needs, or wish to request a hard copy of this information, please email [studentlife@minerva.kgi.edu](mailto:studentlife@minerva.kgi.edu)

### **SEXUAL AND GENDER VIOLENCE**

The Gender Based Discrimination and Harassment Policy, adopted by KGI and applicable to MSKGI, is available through a link in the MSKGI Student Handbook.

#### **Introduction**

KGI and MSKGI are committed to providing a safe learning and working environment. To achieve this goals and to comply with federal law, KGI has adopted policies and procedures to prevent and respond to incidents of sexual violence including sexual assault, domestic violence, dating violence and stalking. These guidelines apply to all students, faculty, staff, contractors, and visitors.

#### **Reporting an Incident**

If a student, employee or visitor has been the victim of an incident of sexual violence, he/she should immediately report it to the Chief Student Affairs Officer. In the case of an

emergency or ongoing threat, get to a safe location and please report the incident by calling 911.

KGI officials will assist victims in notifying law enforcement, including local police, if they elect to do so. Victims are also entitled not to report to law enforcement. Any student or employee who reports an incident of sexual violence, whether the offense occurred on or off campus, shall receive a written explanation of their rights and options.

A sexual assault is 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. This category also includes incest and statutory rape. Domestic violence includes felony or misdemeanor crimes of violence committed by a current or former spouse or intimate partner of the victim. Dating violence means violence committed by a person who is or has been in a romantic or intimate relationship with the victim. Stalking is engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others or suffer substantial emotional distress.

### **Procedures Victims Should Follow**

If an incident of sexual assault, domestic violence, dating violence or stalking occurs, it is important to preserve evidence to aid in the possibility of a successful criminal prosecution. The victim of a sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical exam. Any clothing removed should be placed in a paper bag. Evidence of violence, such as bruising or other visible injuries following an incident of domestic or dating violence should be documented, including through the preservation of photographic evidence. Evidence of stalking including any communication, such as written notes, voicemail, or other electronic communications should be saved and not altered in any way.

### **Procedures:**

1. The Chief Student Affairs Officer or his/her designee will investigate the alleged misconduct with all due haste.

2. The Chief Student Affairs Officer will notify the president.
3. If warranted, MSKGI will pursue disciplinary action in accordance with institutional procedures, and the remedy imposed will be commensurate with the violation.
4. Informal resolution may be an option with the consent of both the complainant and respondent.
5. A case will be referred to the appropriate hearing body if informal resolution is pursued and a mutually satisfactory conclusion is not reached, or if the conditions of informal resolution are not honored.

### **On and Off Campus Resources**

MSKGI offers other important resources to the victims of sexual violence including medical treatment, counseling and advocacy they may wish to utilize. The Chief Student Affairs Officer is available to assist any student and employees' supervisors will assist employees as they consider their options for recourse and navigate through resources. A victim need not make a formal report to law enforcement or MSKGI to access these resources that include the following.

- Care at local hospitals:
  1. St. Francis Memorial Hospital, 900 Hyde St, San Francisco, CA 94109  
Phone: 415-353-6000
  2. California Pacific Medical Center, Castro & Duboce Streets, San Francisco, CA 94114 Phone: 415-600-6000
- The victim can be treated and tested by his/her own health care provider.
- Eligible employees may wish to contact the confidential Employee Assistance Plan (EAP), which is available through the benefits program by calling Integrated Behavioral Health at 1-800- 386-7055 (available 24 hours a day, seven days a week). A professional counselor can assist by phone.
- Psychological counseling for students is available by contacting James Lyda at [jlyda@minerva.kgi.edu](mailto:jlyda@minerva.kgi.edu) or at 415-770-9511.

### **Accommodations**

Whether or not a student or employee reports to law enforcement and or pursues any formal action, MSKGI is committed to providing them as safe a learning or working environment as possible. Upon request, MSKGI will make any reasonably available change to a victim's academic, living, transportation, and or working situation. Students may contact the Chief Student Affairs Office for assistance, and employees may contact their supervisor for assistance.

If a victim reports the matter to law enforcement, the police may assist them in obtaining a restraining/protective order from a criminal court. MSKGI is committed to ensuring that any such order is fully upheld on all institutionally owned and controlled property. MSKGI is also committed to protecting victims from any further harm, and the Title IX Coordinator may issue a temporary no-contact order pending the outcome of any conduct proceeding.

### **Victim Confidentiality**

MSKGI recognizes the sensitive nature of sexual violence and is committed to protecting the privacy of any individual who reports an incident of sexual violence. Different officials on campus are, however, able to offer varying levels of privacy protection to victims. Reports made to law enforcement, including if criminal prosecution is pursued, may be made public, if requested the identification of the survivor may remain confidential.

Reports made to MSKGI officials will be kept confidential, and identifying information about the victim shall not be made public. Reports made to medical professionals and licensed mental health counselors will not be shared with third parties except in cases of imminent danger to the victim or a third party.

### **Education Programs**

MSKGI is committed to increasing the awareness of and preventing sexual violence. All incoming students and new employees are provided with programming and strategies intended to prevent rape, acquaintance rape, sexual assault, domestic violence, dating violence, and stalking before it occurs through the changing of social norms and other

approaches; that includes a clear statement that MSKGI prohibits such acts, their definitions, the definition of consent, a pre-arrival course on healthy relationships called Haven, options for bystander intervention, information about risk reduction, and our policies and procedures for responding to these incidents. Ongoing prevention and awareness campaigns are also offered throughout the year.

### **Conduct Proceedings**

KGI strictly prohibits all acts of sexual assault, domestic violence, dating violence, and stalking. In addition to facing criminal action, students, employees and other affiliates may also face disciplinary action by KGI. Members of the Claremont community found guilty of violating college policies on sexual assault may be subject to penalties up to and including expulsion for students and termination for employees. Incidents involving accused students will be handled by the Chief Student Affairs Officer and incidents involving accused employees/affiliates will be handled by the member of the MSKGI Senior Team who oversees the unit in which the employee works.

All conduct proceedings, whether the conduct is reported to have occurred on or off campus, shall provide a prompt, fair and impartial investigation and resolution by officials who have received training on the nature of the types of cases they are handling, and how to conduct an investigation and a hearing in a manner that protects the safety of victims and promotes accountability. Determination of responsibility shall be made by the two investigators appointed by the Title IX Coordinator using the preponderance of the evidence standard (which means that it is more likely than not that the alleged misconduct occurred).

In all proceedings, including any related meetings, both the accused and accuser are entitled to the same opportunities to have others present including the right to be accompanied by an advisor of their choice. Both the accused and accuser shall simultaneously be informed in writing of the outcome made by two investigators appointed by the Title IX Coordinator, of procedures for appealing the results of the outcome, of any change to the results that occurs prior to the time that they become final, and when such results become final. Disclosure of the outcome shall be made to

both parties unconditionally, and each shall be free to share or not share the details with any third parties.

## **Personal Safety**

Theft, disorderly conduct, and alcohol-related offenses should be reported to the police for the safety and wellbeing of all students and employees. It is important to know what reportable crimes are, because in many cases, victims do not realize that they have been victimized. One of the more serious crimes that too often is unreported is sexual assault. Crimes of this nature are very difficult for victims to report. We provide the following information to assist those help who may have been victims of sexual assault or who have a friend who has been sexually assaulted.

There are many guidelines to help you be more alert and aware of the situation to prevent such serious crimes, such as:

### **Know your surroundings**

- Be alert
- Call for help
- Report any suspicious people and/or activity, immediately

### **Defining Rape and Sexual Assault**

In California, rape is defined as an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under circumstances that include forcible compulsion or the threat of forcible compulsion, when a person is unconscious, or where the person knows that the victim is unaware that the act is occurring.

While these definitions are clear, victims often have difficulty reporting a sexual assault for numerous reasons, such as knowing the perpetrator, fear of retaliation, fear of parents knowing about the incident, and fear of getting in trouble with law enforcement. Despite these concerns, it is vital to report such incidents in order to get help.

The following information provides steps to follow should a sexual assault occur:

- Get to a safe place as soon as possible!

- Try to preserve all physical evidence – The victim should not bathe, shower, brush teeth, douche, use the toilet, or change clothing until s(he) has a medical exam. Contact a close friend or relative, if available, who can provide support and accompany the victim to the medical exam and/or police department.
- Get medical attention as soon as possible – An exam may reveal the presence of physical injury of which the victim is unaware. Following a sexual assault, antibiotics are typically given at the time of the exam to help prevent the victim from acquiring certain sexually transmitted diseases. Emergency contraceptive pills are offered to all victims at the time of the exam (if the victim presents within 120 hours) to help prevent pregnancy from occurring as a result of the rape. If the victim reports memory loss, loss of consciousness or other circumstances suspicious for a drug-facilitated assault, a urine test may be done if the victim presents within 96 hours. Some of the commonly used “date rape” drugs, however, are only detectable in the urine for six to eight hours after ingestion.
- Contact the police – Sexual assault is a crime; it is vital to report it. It is important to remember report a crime is not the same as prosecuting the crime. The decision to prosecute may be made at another time. Final decision to prosecute is determined by the District Attorney.
- Talk to a counselor – Seeing a counselor may be important in helping the victim understand his/her feelings and begin the process of recovery.

### **Our Commitment to Addressing Sexual Assault/Rape**

MSKGI does not tolerate sexual misconduct or abuse, such as sexual assault, rape or any other forms of nonconsensual sexual activity. Sexual misconduct in any form violates the Student Code of Conduct, MSKGI policies, and also may violate federal and/or state laws. Violations of this policy are subject to disciplinary sanctions and/or those outlined in applicable KGI policies (KGI’s Student Handbook available on the KGI website).

### **KGI Procedures for Responding to Reports of Sexual Assault**

If you or someone you know is the victim of a sexual assault, the victim has several rights, including:

- The right to report the incident to MSKGI and to local authorities. MSKGI will assist victims in notifying local police. Filing a police report does not mean the victim must pursue criminal charges. The victim maintains his or her rights throughout the process.

- In addition to the campus services listed below, there are also several community service organizations that can provide counseling, mental health, and other related services to sexual assault victims.
  
- Local and National Resources:
  - Rape Crisis 24-hour Hotline  
415 647 7273
  - Woman Inc. 24-hour Crisis Line  
Support for domestic violence  
415 864 4722
  
  - RAINN National Sexual Assault Crisis Hotline:  
800-656-HOPE (800-656-4673)  
<http://www.rainn.org/get-help/national-sexual-assault-hotline>  
RAINN, the national sexual assault crisis hotline is a clearinghouse for local crisis hotlines. When a caller calls the hotline, a computer notes the area code and first three digits of the caller's phone number. The call is then instantaneously connected to the nearest RAINN member center. If all counselors at that center are busy, the call is sent to the next closest center. The caller's phone number is not retained, so the call is anonymous and confidential unless the caller chooses to share personally-identifying information. If a victim of a sexual assault or relationship violence incident requests a change in her or his living arrangements or academic schedule, the Office of Student Affairs, and other offices at KGI, will assist the individual with making these changes, as long as they are reasonably available.

### **KGI Disciplinary Procedures in Sexual Assault Incidents**

If you have been sexually assaulted, you have options for addressing such conduct. You may wish first to discuss the problem privately with our mental health counselor or another confidential counselor. The staff of the Student Affairs Office is always available to assist a victim with getting the support she/he requests.

KGI's student conduct process is designed to afford a complainant (the person who is bringing a charge) and a respondent (the person who is answering a charge) a fair, prompt, and appropriate resolution process. The process is designed to help persons who need support as they address these incidents.

The Office of Student Services manages the resolution proceeding in which a student is the alleged perpetrator. The full text of the protocol for how KGI responds to sexual assault complaints through the campus conduct process can be found in the student Handbook at <http://www.kgi.edu/current-students/student-services/student-handbook.html>.

In determining whether the alleged conduct constitutes sexual harassment or assault, the full context in which the alleged incident occurred must be considered. In any case, both the accuser and the accused are entitled to the same opportunities to have others present during any disciplinary proceeding. Both the accuser and the accused will be informed of the outcome of any proceeding.

During any sexual assault complaint proceeding, MSKGI has a range of sanctions available. Those sanctions may range from probation to expulsion from KGI, depending upon the nature and circumstances of the specific incident.

## **Sex Offender Registration – Campus Sex Crimes Prevention Act**

### ***Megan's Law***

Members of the general public may request information concerning sexually violent predators in the community by visiting the San Francisco Police Department. This information is also available on the Internet at <http://www.meganslaw.ca.gov/>.

## **MSKGI POLICIES GOVERNING ALCOHOL AND DRUGS**

### **MSKGI Alcohol and Drug Policy**

MSKGI's Policy on Use of Alcoholic Beverages is listed in the [Residential Agreement at \\_\\_\\_\\_\\_](#).

In accordance with federal and state laws, the unlawful possession, use, or distribution of illicit drugs and alcohol by students at an MSKGI facility is a violation of not only the law but of MSKGI's regulations. KGI has adopted and implemented the following policy, which applies to MSKGI:

- a. The use of alcoholic beverages by persons under the age of 21 is prohibited.
- b. The sale or furnishing of an alcoholic beverage to anyone under the age of 21 is prohibited.
- c. The sale of alcoholic beverages on campus is prohibited.
- d. Advertising of alcoholic beverages is prohibited.
- e. Alcoholic beverages may be served or consumed only at private events limited to members of the college community and their invited guests (all of legal age).
- f. Alcoholic beverages may not be served or consumed in public or at events open to the public.
- g. The possession, use, cultivation, sale, or transfer of illicit drugs is prohibited.
- h. The possession of drug paraphernalia, including pipes, needles, or other contrivances used in the consumption of illicit drugs, is prohibited.

Federal law requires KGI and MSKGI to notify annually all faculty, staff, and students of the following:

*MSKGI prohibits the unlawful possession, use, manufacture or distribution of alcohol or controlled substances by students, faculty, staff, and guests in buildings, facilities, grounds or property controlled by MSKGI or used as part of MSKGI activities. For students, this includes prohibiting the possession and consumption of any beverage containing alcohol in residence halls or the office except by individuals who are 21 years or older. In addition, the smoking of any material is prohibited in all facilities of MSKGI at all locations.*

***Assistance for Alcohol Abuse and/or Drug Use Problems:***

MSKGI is committed to education and counseling as the primary focus of their substance abuse programs. Students are urged to seek information and help regarding substance abuse for themselves and their friends. Services include counseling, educational materials, and/or referrals are available at the Student Affairs Office, including counseling by the Manager of Mental Health Services. To protect students' privacy, information regarding a student during participation in any related program is treated as confidential.

Sanctions for a violation of these policies may include, but are not limited to: verbal and written warnings, the completion of an appropriate rehabilitation program, and suspension. A social event may be closed immediately or other intervention may be taken to correct a violation. Disciplinary action under the MSKGI Student Code of Conduct may be invoked entirely apart from any civil or criminal penalties that a student might incur.

### **Federal, State and Local Law**

Students are subject to local, state, and federal law while at the MSKGI-controlled locations and events. The federal government, through the Drug Free Schools and Communities Act, requires that colleges enforce state and local laws concerning drugs and alcohol in order to remain eligible for federal funds including federal student financial aid, which is utilized by KGI but not MSKGI. California has a strict host liability law. If a student sells or serves alcohol, she or he can be held responsible in a court of law for the conduct of any individual who is served if that person subsequently injures himself or herself, becomes ill, dies, or injures a third party. This is especially true when the person served is a minor or is already intoxicated.

The City of San Francisco also prohibits public intoxication, open containers of alcohol in vehicles, and consuming alcohol in public parks. Under California law the following are illegal

- It is illegal to sell, furnish or give alcoholic beverage to anyone under 21 or to anyone who is obviously intoxicated. (California Business & Professions Code Sec. 25658.)
- It is illegal for anyone under 21 to purchase or attempt to purchase alcoholic beverages or to possess alcoholic beverages in any public place, including streets or highways. (California Business & Professions Code Sec. 25662.)
- It is illegal to sell alcohol without a valid license or permit. (California Business & Professions Code Sec. 23301.)
- It is illegal to drink while driving. (California Vehicle Code Sec. 23221.)

- It is illegal to have an open container of alcohol in a moving vehicle. (California Vehicle Code Sec. 23222, 23223.)
- It is illegal to drive under the influence of alcohol. (Intoxication is presumed when blood alcohol level is .08% or higher, but may be found with blood alcohol levels of .05% to .08%). (California Vehicle Code Sec. 23152.)
- It is illegal for anyone under 21 to drive with a blood alcohol level of .05% or more or to drive while under the influence of alcohol. (California Vehicle Code Sec. 23140.)
- It is illegal to ride a bicycle or to operate a water vessel, water ski or aquaplane while intoxicated.
- It is illegal to present any form of false identification to purchase, order or attempt to purchase any alcoholic beverage or to possess false evidence of age and identity. (California Business & Professions Code Sec. 25661.)
- It is illegal to sell or provide false evidence of age or identity and to anyone under age 21. (California Business & Professions Code Sec. 25661.)
- It is illegal for anyone under age 21 to enter or stay in a place licensed to sell liquor without a lawful reason to be there. (California Business & Professions Code Sec. 26665.)
- It is illegal to be found in a public place under the influence of liquor, drugs or controlled substances if you are unable to care for your own safety or interfere with the use of a public way. (California Penal Code Sec. 647(f).)

### **Legal Penalties**

In general, a misdemeanor is punishable by fines up to \$1,000 and/or imprisonment in the county jail for up to one year. A felony is punishable by imprisonment in state prison for more than one year. Other penalties stated below for a particular offense may be in addition to those stated for misdemeanors and felonies.

- Anyone who sells or gives any alcoholic beverage to a person under age 21 is guilty of a misdemeanor. Punishment may include a fine of \$1,000, which may not be suspended and performance of not less than 24 hours of community service in addition to penalties provided for misdemeanor violations.

- Anyone under age 21 who purchases any alcoholic beverage or consumes an alcoholic beverage in any on-sale premises is guilty of a misdemeanor.
- Anyone under 21 who attempts to purchase any alcoholic beverage is guilty of an infraction and shall be punished by a fine of not more than \$100. Any subsequent violation shall be punished by a fine of not more than \$250 or 36 hours of community service.
- Anyone under 21 who is in possession of an alcoholic beverage in a public place or street or highway is guilty of a misdemeanor.
- Anyone under 21 who presents false evidence of age and identity to order or obtain any alcoholic beverage or who possesses false evidence of age and identity is guilty of a misdemeanor. Punishment shall include a fine of \$250 which may not be suspended or performance of not less than 24 hours nor more than 32 hours of community service.

**Penalties for drunk driving:**

- First Offense: Imprisonment in the county jail for not less than 96 hours, at least 48 hours of which shall be continuous, nor more than six months and by a fine of not less than three hundred ninety dollars (\$390), nor more than one thousand dollars (\$1000) and completion of a driving under the influence education program (at least 30 hours if blood alcohol was less than .20% and at least 45 hours if more than .20%). If under 21, suspension of driver's license for one year, over 21, suspension for six months. In addition, a period of probation from three to five years may be imposed. If registered to the driver, the vehicle may be impounded for 1 to 30 days.
- Second Offense (within 7 years): Fines from \$390 to \$1000, imprisonment in the county jail for not less than 90 days nor more than one year, driver's license suspension of 18 months. If registered to the driver, the vehicle will be impounded for 1 to 30 days.
- Third Offense: Fines from \$390 to \$1000, imprisonment in the county jail for not less than 120 days nor more than one year, driver's license revocation for four years. If registered to the driver, the vehicle may be impounded for 1 to 90 days or may be sold.

- Fourth Offense or greater; Fines from \$390 to \$1000, imprisonment in the county jail for not less than 180 days to three years in state prison, driver's license revocation for four years. If registered to the driver, the vehicle may be impounded for 1 to 90 days or may be sold.
- For all offenses, participation in an alcohol or drug program may be required and vehicles registered to the driver may be sold or impounded for periods up to three years. Are there new laws or do we mention
- Driving privileges are suspended for six months for refusing to submit to a blood alcohol test. The suspension is for two years if there has been a prior conviction within seven years, and for three years if there have been three or more convictions within seven years.

### **General Overview of Local State and Federal Laws Concerning Drugs**

It is a crime to possess, use, sell, manufacture, or distribute illegal drugs. Both federal and state laws impose criminal sanctions including imprisonment, on persons violating criminal drug laws.

#### **California State Law Prohibits:**

**Marijuana Possession:** Every person who possesses marijuana except as otherwise provided by law shall be punished by imprisonment in the county jail for a period of not more than one year or the state prison for a period of between one and ten years

**Marijuana Cultivation:** Every person who plants, cultivates, harvests, dries or processes any marijuana or any part thereof, except as otherwise provided by law, shall be punished by imprisonment in the state prison for a period of between one and ten years and shall not be eligible for release upon competition of sentence, on parole or on any other basis, unless he has been imprisoned for a period of not less than one year in the state prison.

**Possession of Marijuana for Sale:** Every person who possesses for sale any marijuana, except as otherwise provided by law, shall be punished by imprisonment in the state prison for a period of between two and ten years and shall not be eligible for

release upon completion of sentence or on parole or any other basis until he/she has been imprisoned for a period of not less than two years in state prison.

**Transportation or Sale of Marijuana:** Every person who transports, imports into this state, sells, furnishes, administers or gives away or offers to transport, import into this state, sell, furnish, administer or give away or attempts to import into this state or transport any marijuana shall be punished by imprisonment in the state prison for a period of five years to life and shall not be eligible for release upon completion of sentence or on parole or any other basis until she/he has been imprisoned for a period of not less than three years in the state prison.

**Possession of drug paraphernalia:** It is unlawful to possess and opium pipe or any device, contrivance, instrument or paraphernalia used for unlawfully injecting or smoking a controlled substances, which is classified as a narcotic drug.

**Unauthorized Possession of Controlled Substances:** Except as otherwise provided...every person who possesses (1)any controlled substance or (2) any controlled substance which is a narcotic drug, unless upon the written prescription of a physicians, dentist, podiatrist or veterinarian licensed to practice in this state, shall be punished by imprisonment in state prison for a period of not less than two years or more than ten years and shall not be eligible for release upon completion of sentence or on parole or any other basis until she/he has been imprisoned by for period of not less than two years in the state prison.

**Possession for Sale of Controlled Substances:** Except as otherwise provided...every person who possesses for sale (1) any controlled substance or (2) any controlled substance which is a narcotic drug shall be punished by imprisonment in the state prison for a period of not less than five years or more than 15 years and shall not be eligible for release upon completion of sentence or not parole or any other basis until she/he has been imprisoned for a period of not less than 2 fi years in the state prison.

**Possession with Intention to Manufacture Methamphetamine:** Any person who possesses both methlamimine and phenyhl-2propanone (phrnylacetone) at the same time with the intent to manufacture methamphetamine is guilty of a felony and shall be punished by imprisonment in the state prison for between one and five years.

Please see California Health and Safety Code, Sections 11210 through 11710 for relevant and current California laws.

## **Drugs Risks and Consequences**

Alcohol and other drug use during pregnancy increases risk of physical harms to fetus. Additional risks of harm may occur from toxic impurities present in street drugs. Additional risks of harm may occur from the use of prescription drugs in ways other than prescribed. Drugs taken by injection can increase the risk of infection (e.g. HIV, hepatitis, etc.) through needle contamination. For more information visit: [www.drugabuse.gov](http://www.drugabuse.gov) and [www.samhas.gov/](http://www.samhas.gov/)

## **Drug and Alcohol Abuse Education Programs**

### ***Resources for Students***

All KGI students are able to access resources on drug and alcohol education through a pre-arrival course on alcohol and drug use called AlcoholEDU, Office of Student Services Personnel, the Manager of Mental Health Services, and the following local resource:

Alcoholics Anonymous 24-hour Hotline  
Find a meeting, get your questions answered or gain support  
**415 674 1821**

## **ANNUAL DISCLOSURE OF CRIME STATISTICS**

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) requires colleges and universities across the United States to disclose information about crime on and around their campuses. MSKGI maintains a relationship with the San Francisco Police Department to ensure that crimes reported directly to the police department that involve MSKGI are brought to the attention of MSKGI.

MSKGI collects the crime statistics disclosed in the charts through a number of methods, including the SFPD and staff. The statistics reported here generally reflect the number of criminal incidents reported to the various authorities. The statistics reported for the subcategories on liquor laws, drug laws and weapons offenses represented the number of people arrested or referred to campus judicial authorities for respective violations, not

the number of offenses documented.

### **Definitions of Reportable Crimes**

#### **Primary Crimes:**

**Murder/Manslaughter** – defined as the willful killing of one human being by another.

**Negligent Manslaughter** – is defined as the killing of another person through gross negligence.

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

*A. Rape — The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.*

*B. Fondling — The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.*

*C. Incest — Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.*

*D. Statutory Rape — Non-forcible sexual intercourse with a person who is under the statutory age of consent.*

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

**Aggravated Assault** – is defined as an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

**Burglary** – is the unlawful entry of a structure to commit a felony or a theft.

**Motor Vehicle Theft** – is the theft or attempted theft of a motor vehicle.

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

### **Hate Crimes**

**Hate Crimes** – includes all of the crimes listed above that manifest evidence that the victim was chosen based on one of the categories of bias listed below, plus the following crimes.

**Larceny/Theft**—includes, pocket picking, purse snatching, shoplifting, theft from building, theft from motor vehicle, theft of motor vehicle parts or accessories, and all other larceny.

**Simple Assault**—an unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration or loss of consciousness.

**Intimidation**—to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.

**Destruction/Damage/Vandalism or Property (except Arson)**—to willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

### ***Categories of Prejudice:***

**Race** – A preformed negative attitude toward a group of persons who possess common physical characteristics genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind.

**Gender** – A preformed negative opinion or attitude toward a group of persons because those persons are male or female.

**Religion** – A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being.

**Sexual Orientation** – A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex.

**Ethnicity/national origin** – A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions.

**Disability** – A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/ challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.

### **Dating violence, domestic violence, and stalking**

**Dating Violence** – 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** – A felony or misdemeanor crime of violence committed:

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

**Stalking**—Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- (i) Fear for the person's safety or the safety of others; or
- (ii) Suffer substantial emotional distress.

### 2014-15 Minerva Schools at Keck Graduate Institute Crime Statistics Chart

This chart covers only one year of data because MSKGI first enrolled students at the branch campus in San Francisco in fall 2014. The data are based on calls for service placed to the San Francisco Police Department. Most calls for service do not generate police reports.

	Office: 1145 Market 9 <sup>th</sup> Floor, SF	Residence Hall: 851 California Street, SF	Public Property*
<b>Offense</b>			
<b>Criminal Homicide</b>			
<i>Murder and Non-negligent Manslaughter</i>	0	0	0
<i>Negligent Manslaughter</i>	0	0	0
<b>Sex Offenses</b>			
<i>Rape</i>	0	0	0
<i>Fondling</i>	0	0	0
<i>Incest</i>	0	0	0

<i>Statutory Rape</i>	0	0	0
<b>Robbery or Theft-related Offense</b>	0	0	2
<b>Assault or Aggravated Assault</b>	0	0	1
<b>Burglary</b>	0	0	0
<b>Motor Vehicle Theft</b>	0	0	0
<b>Arson</b>	0	0	0

\* All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.