



# 2023 Annual Security Report

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## Introduction

### The Jeanne Clery Act

*The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act)*, formerly the *Student Right-To-Know and Campus Security Act of 1990*, requires The Refrigeration School (RSI) to disclose to the public specific crime-related information on an annual basis. In compliance with this legislation, the school must report campus crime statistics, campus offenses, and security measures to all students and employees by October 1 of each calendar year.

Prospective students and employees shall receive a notice of its availability and a brief summary of its contents. The school may publish the report electronically, but the school must give students, employees, and potential students or employees a paper copy upon request and individually inform them of the availability of the report in electronic format. The school sends official annual notifications with the new report to all currently enrolled students via their email address that is on file with the school and to all faculty and staff via their official school email address. Contact the Campus President at (602) 275-7133 or the Compliance Department at (602) 336-7118 for clarification or additional information.

### Campus Security Authorities

While RSI lies within the jurisdiction of the Phoenix Police Department, and is where campus community members should report crimes, we understand that victims and witnesses sometimes tell someone other than the police. The Clery Act designates those individuals with significant responsibility for student

and campus activities as Campus Security Authorities (CSAs). CSAs have a reporting responsibility that includes completing and submitting an incident report form when they become aware of an incident.

Below are the primary CSAs to whom students, employees, and campus visitors should report Clery Act crimes.

Campus President	(602) 275-7133
Associate Director of Facilities	(602) 267-4268
Director of Career Services	(602) 267-4809
Director of Student Services	(602) 267-4806
Human Resources Department	(918) 960-5303
Compliance Department	(602) 336-7118

RSI does not employ professional or pastoral counselors, who would be exempted from CSA reporting requirements when functioning within the scope of their license or certification even though they may have significant responsibility for student and campus activities. RSI will assist victims with accessing external counseling services, who may have professional or ethical reporting requirements beyond the scope of the Clery Act. Victims are encouraged, when they deem appropriate, to inform a CSA to report crimes on a voluntary, confidential basis for inclusion in the annual crime statistics.

Reports filed using any of these methods are collected for possible inclusion in the Annual Security Report (ASR), and for possible issuing of a Timely Warning to the Campus Community.

## Crime Statistics

The following statistics are reported in accordance with the Uniform Crime Reporting procedures and the Clery Act, which requires all colleges and universities receiving federal funds to publish the occurrence of certain criminal offenses reported to school safety departments, to other appropriate school officials, or to local police. Statistics are reported for the three (3) most recently completed calendar years. Individuals who wish to make a report of a criminal incident for purposes of making timely warnings to our students and staff or for inclusion in this annual report are urged to provide the relevant information to a CSA.

The statistics for campus incidents are compiled from the Compliance Department, who review records on disciplinary referrals, actions reported, and law enforcement records. The Compliance Department makes all determinations for the disposition and classification of each incident.

### Definitions of Criminal Offenses

- **Criminal Homicide** - Murder and non-negligent manslaughter, and manslaughter by negligence.
  - Murder and Non-negligent Manslaughter is defined as the willful (non-negligent) killing of one human being by another.
  - Manslaughter by Negligence is defined as the killing of another person through gross negligence.
- **Rape** - is 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. This offense includes the rape of both males and females.
- **Fondling** - is 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 their age or because of their temporary or permanent mental incapacity.

- **Incest** - is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** - is sexual intercourse with a person who is under the statutory age of consent.
- **Robbery** - is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- **Aggravated Assault** - Aggravated Assault is 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** - Burglary is the unlawful entry of a structure to commit a felony or a theft.
- **Motor Vehicle Theft** - Motor Vehicle Theft is the theft or attempted theft of a motor vehicle.
- **Arson** - is 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.

### Definitions of Hate Crimes

A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. Although there are many possible categories of bias, under the Clery Act, only the following eight categories are reported: Race, Religion, Sexual Orientation, Gender, Gender Identity, Ethnicity, National Origin, and Disability.

For Clery Act purposes, Hate Crimes include any of the following offenses that are motivated by bias.

- **Murder and Non-negligent Manslaughter** - is defined as the willful (non-negligent) killing of one human being by another.

- **Sexual Assault** - Any nonconsensual sexual act proscribed by federal, tribal, or state law, including when the victim lacks the capacity to consent.
- **Robbery** - is the taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- **Aggravated Assault** - Aggravated Assault is 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** - Burglary is the unlawful entry of a structure to commit a felony or a theft.
- **Motor Vehicle Theft** - Motor Vehicle Theft is the theft or attempted theft of a motor vehicle.
- **Arson** - is 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.
- **Larceny-Theft** - is the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.
- **Intimidation** - is to unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- **Destruction/Damage/Vandalism of Property** - is 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.

**Violence Against Women Act (VAWA) Offenses**  
VAWA Offenses are Dating Violence, Domestic Violence, Sexual Assault, and Stalking. Sexual assault is included by the FBI as a Criminal Offense.

Domestic Violence, Dating Violence, and Stalking are considered crimes for the purposes of Clery Act reporting.

- **Dating Violence** - is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- **Domestic Violence** - is defined as a felony or misdemeanor crime of violence committed-
  - By a current or former spouse or intimate partner of the victim;
  - By a person with whom the victim shares a child in common;
  - By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
  - By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred;
  - 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** - is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to—
  - Fear for the person's safety or the safety of others; or
  - Suffer substantial emotional distress.

**Arrest and Disciplinary Referrals for Violations of Weapons, Drug Abuse, and Liquor Laws**

- **Arrest**- is defined as persons processed by arrest, citation, or summons.

- **Referred for disciplinary action** - is defined as the referral of any person to any official who initiates a disciplinary action of which a record is established and which may result in the imposition of a sanction.
- **Weapons: Carrying, Possessing, Etc.,** - is defined as the violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.
- **Drug Abuse Violations** - are defined as the violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and the making of narcotic drugs.
- **Liquor Law Violations** - are defined as the violation of state or local laws or ordinances

prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

The number of crimes determined to be unfounded and removed from crime statistics must also be reported.

Furthermore, RSI must provide the following geographic breakdown of the crime statistics:

- On-campus;
- On public property within or immediately adjacent to the campus;
- In or on non-campus buildings or property that our institutions owns or controls.

The number of crimes determined to be unfounded and removed from crime statistics must also be reported.

For offenses of domestic violence, dating violence, and stalking, such statistics shall be compiled in accordance with the definitions used in section 40002(9) of the *Violence Against Woman Act of 1994 (42 U.S.C. 13925(a))*. Such statistics shall not identify victims of crimes or persons accused of crimes.

No crimes have been determined unfounded and removed during this reporting period.





**RSI - 3 Year Historical Crime Data**

Criminal Offenses - On Campus				Criminal Offenses - Public Property			
Criminal offense	Total Occurrences on Campus			Criminal offense	Total Occurrences on Public Property		
	2020	2021	2022		2020	2021	2022
a. Murder/Non-negligent manslaughter	0	0	0	a. Murder/Non-negligent manslaughter	0	0	0
b. Manslaughter by Negligence	0	0	0	b. Manslaughter by Negligence	0	0	0
c. Rape	0	0	0	c. Rape	0	0	0
d. Fondling	0	0	0	d. Fondling	0	0	0
e. Incest	0	0	0	e. Incest	0	0	0
f. Statutory rape	0	0	0	f. Statutory rape	0	0	0
g. Robbery	0	0	0	g. Robbery	0	0	0
h. Aggravated assault	0	0	0	h. Aggravated assault	0	0	0
i. Burglary	0	0	0	i. Burglary	0	0	0
j. Motor vehicle theft	0	0	0	j. Motor vehicle theft	0	0	0
k. Arson	0	0	0	k. Arson	0	0	0

Hate Crimes - On Campus				Hate Crimes - Public Property			
Criminal offense	Total Occurrences on Campus			Criminal offense	Total Occurrences on Public Property		
	2020	2021	2022		2020	2021	2022
a. Murder/ Non-negligent manslaughter	0	0	0	a. Murder/ Non-negligent manslaughter	0	0	0
b. Manslaughter	0	0	0	b. Manslaughter	0	0	0
c. Rape	0	0	0	c. Rape	0	0	0
d. Fondling	0	0	0	d. Fondling	0	0	0
e. Incest	0	0	0	e. Incest	0	0	0
f. Statutory rape	0	0	0	f. Statutory rape	0	0	0
g. Robbery	0	0	0	g. Robbery	0	0	0
h. Aggravated assault	0	0	0	h. Aggravated assault	0	0	0
i. Burglary	0	0	0	i. Burglary	0	0	0
j. Motor vehicle theft	0	0	0	j. Motor vehicle theft	0	0	0
k. Arson	0	0	0	k. Arson	0	0	0
l. Simple assault	0	0	0	l. Simple assault	0	0	0
m. Larceny-theft	0	0	0	m. Larceny-theft	0	0	0
n. Intimidation	0	0	0	n. Intimidation	0	0	0
o. Destruction/damage/Vandalism of property	0	0	0	o. Destruction/damage/Vandalism of property	0	0	0

VAWA Offenses - On Campus				VAWA Offenses - Public Property			
Criminal offense	Total Occurrences on Campus			Criminal offense	Total Occurrences on Public Property		
	2020	2021	2022		2020	2021	2022
a. Domestic violence	0	0	0	a. Domestic violence	0	0	0
b. Dating violence	0	0	0	b. Dating violence	0	0	0
c. Stalking	0	0	0	c. Stalking	0	0	0

Arrests - On Campus				Arrests - Public Property			
Criminal offense	Total Occurrences on Campus			Criminal offense	Total Occurrences on Public Property		
	2020	2021	2022		2020	2021	2022
a. Weapons: carrying, possessing, etc.	0	0	0	a. Weapons: carrying, possessing, etc.	0	0	0
b. Drug abuse violations	0	0	0	b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0	c. Liquor law violations	0	0	0

Disciplinary Actions- On Campus				Disciplinary Actions - Public Property			
Criminal offense	Total Occurrences on Campus			Criminal offense	Total Occurrences on Public Property		
	2020	2021	2022		2020	2021	2022
a. Weapons violations	0	0	0	a. Weapons violations	0	0	0
b. Drug abuse violations	0	0	0	b. Drug abuse violations	0	0	0
c. Liquor law violations	0	0	0	c. Liquor law violations	0	0	0

Unfounded Crimes - On Campus				Unfounded Crimes- Public Property			
Criminal offense	Total Occurrences on Campus			Criminal offense	Total Occurrences on Public Property		
	2020	2021	2022		2020	2021	2022
a. Total unfounded crimes	0	0	0	a. Total unfounded crimes	0	0	0

## Campus Security

### Statement on Campus Police

RSI does not have a campus police department or employ campus police. RSI personnel has no authority to arrest or detain any individual. RSI has no memoranda of understanding (MOU) or any other type of written agreement with any law enforcement agencies for the investigation of alleged criminal offenses. RSI will assist in notifying appropriate law enforcement authorities if a student requests assistance in contacting police. Members of the Campus Community are encouraged to accurately and promptly report all crimes and public safety-related incidents to a CSA, the Phoenix Police Department, or their local police department. Members of the Campus Community should contact the emergency authorities directly if an immediate emergency situation exists.

### Campus Security Procedures for Reporting Incidents

The safety of students, visitors, faculty, and staff is a top priority of RSI. Each student and staff member is responsible for reporting, as soon as possible, any of the witnessed events to the Campus Administration. Campus emergencies are to be reported to the aforementioned individuals, or a student's instructor. A staff person is to report campus emergencies to the supervisor of the department. Additionally, all crimes, arrests, and hate incidents must be reported to the Compliance Department.

RSI encourages anyone who is a victim or witness to a crime to promptly report the incident to the Phoenix Police Department (602) 262-6151, or their local police. Due to police reports being public records under state law, law enforcement agencies cannot hold reports of crimes in confidence. Confidential reports of a crime can be made to Phoenix Silent Witness (480) 948-6377.

The institution does not have pastoral or professional counselors. Therefore, the institution does not have confidential reporting procedures that encourage pastoral and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on

a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. The institution encourages and will provide assistance, if needed, to victims of crimes or offenses to seek out these counseling services.

RSI strongly encourages persons who are victims of a sex offense or that witness a sex offense to report the incident to a CSA voluntarily and on a confidential basis to permit the inclusion of that information in the Institution's annual crime statistics. The institution is required to, and will, keep the identity of victims of sexual violence private in any public report of Clery Act crimes, including this Report. Policies with respect to victims of sex offenses are contained in the Title IX Complaint/Grievance Policy in the school catalog.

RSI encourages students and staff to assume responsibility for their own personal safety and security by taking common-sense precautions. Precautions might include walking to your car at night with a fellow student or asking an RSI maintenance employee for an escort. Another is keeping your car locked and parked in a well-lit area with valuables placed out of sight.

RSI's administrative offices will be open to staff, students, prospective students and their families, guests, and invitees during business hours (Monday through Friday, 9:00 am to 8:00 pm). Students may access the administrative offices after 5:00 pm to make payments, purchase equipment, or to speak with the Student Financial Services Department until 8:00 pm. A Student Advisor is also available for students Monday through Thursday until 8:00 pm, and Friday until 4 pm. The welding lab and student classrooms will be open to staff and students during class hours (Monday through Friday, 7:00 am to 11:45 pm, and Saturday and Sunday 8:00 am to 6:00 pm for makeup time). Emergencies may necessitate changes or alterations to any posted schedule.

All reports are investigated. Campus personnel is responsible for completing crime and accident reports and for responding to emergencies. They are also responsible for enforcing other regulations such



as parking, the use of controlled substances, weapons, and underage drinking.

If you are a victim of domestic violence, dating violence, sexual assault, stalking, or any other crime while on RSI’s campus, you should report this to a CSA or the Phoenix Police Department. Reporting of the above crimes is voluntary and reported on a confidential basis when possible.

In the event of accidents or injuries, other medical emergencies, or crime-related incidents, someone witnessing the incident should notify the nearest instructor or staff member immediately. This procedure does not prohibit or impede the reporting of an emergency directly to the appropriate party (i.e., police, fire, ambulance, hospital, etc.). A school administrator will secure professional emergency care if needed.

As a nonresidential school, RSI expects students to secure normal medical services through a family physician. In the case of serious accidents or illnesses, the school will refer students to the nearest hospital for emergency care and will notify their emergency contacts. Students and/or their families are responsible for the cost of such emergency care.

School officials notify RSI Campus Administration or the local police when someone commits a crime on campus or at school-sponsored events. In case of accidents or injuries, other medical emergencies, or crime-related incidents involving students, visitors, or employees, the reporting staff member must complete and return an incident report forms to the Compliance Department.

School personnel of chartered campus organizations must report criminal incidents committed by students while participating in school-sponsored activities both on and off campuses and properties. These reports must be submitted in writing to the Campus Administration. Students who violate the *Student Code of Conduct* or who commit crimes of a misdemeanor or felonious nature, as defined by the Criminal Code of Arizona, while participating in school-sponsored activities will be subject to a hearing before a duly appointed committee (see *Student Code of Conduct*). The Campus President

will report violations of local, state, and/or federal laws to the appropriate law enforcement officials.

**Statement Regarding Daily Crime Logs**

As RSI does not have an institutional police force or separate security department, it is not required to maintain a Daily Crime Log as defined under *34 CFR 668.46(f)*.

**Statement Regarding Fire Logs**

As RSI does not have an on-campus student housing facility, it is not required to maintain a Fire Log as defined under *34 CFR 668.49(d)*.

**Statement Regarding Missing Student Notifications**

As RSI does not have an on-campus student housing facility, it is not required to maintain a Missing Student Notification procedure as defined under *34 CFR 668.46(h)*.

**Campus Facilities and Security Access**

The Maintenance Department maintains school buildings and grounds with a concern for safety and security. This department inspects campus facilities regularly and promptly makes repairs. Students and employees must notify the Maintenance Department at (602) 275-7133 Ext. 838, or in-person in the Maintenance Office to report any hazard. The Maintenance Department routinely inspects school facilities to review lighting and environmental safety.

Most campus facilities are open to the public during the day and evening hours when classes are in session. Members of the maintenance staff unlock and lock buildings each day. The administrative staff is responsible for securing the facilities if maintenance personnel are not available. When officially closed, all school facilities remain locked and accessible only to authorized employees.

**Timely Warning**

In the event that a situation arises either on or off-campus that constitutes an ongoing or continuing threat, a campus-wide “Timely Warning” will be issued. The timely warning will be issued by the Campus president through electronic mail via the institution’s CampusNexus system and Outlook mail application to students, faculty, and staff or via

campus intercom/paging system. The decision to issue a Timely Warning is made on a case-by-case basis, and the timing of the notification shall be based upon whether the crime is considered a serious or continuing threat and the possible risk of compromising law enforcement efforts.

Some examples of crimes for which a timely warning would be issued are:

- Arson
- Burglary
- Aggravated Assault/Battery
- Criminal Homicide
- Motor Vehicle Theft
- Robbery
- Sex offenses
- Hate Crimes

Anyone with information warranting a Timely Warning should immediately report the circumstances to a CSA. Once the report is received, they will confer with the Campus President to issue a Timely Warning, if necessary.

When a Timely Warning is issued, the warning may include, but is not limited to, the following information:

- Crime type
- Date
- Time
- Location of crime
- Available suspect information
- Possible actions that TWS members can take to avoid the incident.

### **Personal Safety and Crime Prevention**

RSI recognizes the importance of security for all students and staff while on campus property. Furthermore, RSI supports law enforcement agencies and works with them where appropriate to minimize crime. RSI endorses all applicable city, state, and federal laws. Security issues affect all students, visitors, and staff on campus property, which includes the parking lots. RSI does not have campus housing. The Campus Administration will make available information for staff on safety and security measures.

The Campus President serves as security coordinator for the campus. As such, he does not have the authorization to arrest individuals; however, he does work with state and local police and other law enforcement agencies. Their department is responsible for opening and closing the facilities on-campus. Instructors provide information on safety and security precautions for all new students on the first day of training.

Following these safety tips helps reduce the chance of becoming a victim of crime:

- Avoid dark, secluded places when alone.
- Walk with others, making sure to stay in well-lit areas.
- Lock car doors while on campus and keep valuables locked in the automobile trunks and/or out of sight.
- Tell someone where you are going and when you can be expected to return.
- Vary your route and schedule if you exercise outdoors on a regular basis.
- Do not overload yourself with books or other items. Keep your hands free.
- Carry a purse close to your body, preferably in front. If it has a shoulder strap, be prepared to let it go if snatched.
- When confronted by thieves, give them what they want. Do not pursue the thieves. Get a detailed description and call the police immediately.
- Never leave laptop computers, textbooks, cellular telephones, book bags, purses, or other valuables unattended in classrooms, the library, common study areas, or outdoor spaces.
- Head to an area with other people present if a stranger approaches you and you feel concerned or uncomfortable.

RSI will conduct semi-annual safety programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their security and the security of others.



**The Refrigeration School - Phoenix Campus**  
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**Safety Escorts**

Students who would like safety escorts from classes to their vehicles should contact the Maintenance Department at (602) 275-7133 Ext. 838.

## Emergency Procedures

### Emergency Notification and Evacuation Procedures

The Institution has Emergency Notification and Evacuation procedures for alerting the Campus Community about significant emergencies or dangerous situations. These emergency notification procedures will be used whenever there is an immediate threat to the health or safety of members of the Campus Community.

Emergency warnings are used for situations such as:

- Active Shooters
- Explosions
- Hostage situations
- Weather emergencies

For incidents involving an immediate threat, the determination to initiate an emergency notification is made by the Campus President. The nature of the emergency determines the content of the notification.

The Institution is responsible for developing contingency plans and continuity of operations plans for the staff and areas of responsibility in the event of an emergency. The Institution conducts quarterly emergency response exercises, such as field exercises and tests of the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution. CSAs and other employees have received training in responding to critical incidents. When a serious incident occurs that causes an immediate threat to the campus, the first responders to the scene are usually the local police, paramedic, or fire departments and they typically respond and work together to manage the incident. Depending on the nature of the incident, other local, state, or federal agencies could also be involved in responding to the incident.

All members of the Campus Community are notified on an annual basis that they are required to notify the CSAs of any situation or incident on campus that involves a significant emergency or dangerous situation that may involve an immediate or ongoing threat to the health and safety of the Campus Community. The CSAs have the responsibility of

responding to, and summoning the necessary resources, to mitigate, investigate, and document any situation that may cause a significant emergency or dangerous situation. The CSAs have the responsibility to respond to such incidents to determine if the situation does in fact, pose a threat to the Campus Community such that an emergency notification and or Timely Warning or other notification must be issued.

If the CSA(s) confirm(s) that there is an emergency or dangerous situation that poses an immediate threat to the health or safety of some or all members of the Campus Community, the CSA, and other RSI employees, as appropriate, will collaborate to determine the content of the message and will use some or all of the systems described below to communicate the threat to the Campus Community or to the appropriate segment of the community, if the threat is limited to a particular building or segment of the population. The CSA will, without delay and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the judgment of the first responders compromise the efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

The CSA(s) will confirm the emergency or dangerous situation by witnessing the situation, communicating with another RSI official who has witnessed the situation or somehow verifies that an emergency exists. The appropriate segment of the community is defined as the entire Campus Community. The CSA will determine the content of the notification by obtaining enough information about the emergency situation so that the person receiving the notification will have enough timely information to understand the situation and what action to take and will initiate the notification system by an appropriate means determined by the severity of the significant emergency or dangerous situation.

The Institution will disseminate the emergency to the larger community by notifying the local Emergency



services of the dangerous situation on the campus, and the Institution will rely upon the emergency officials to use their professional judgment in regards to notifying the neighboring community outside of the institution.

In the event of a serious incident that poses an immediate threat to members of the Campus Community, the institution has various systems in place for communicating information quickly. Some or all of these methods of communication may be activated in the event of an immediate threat to the Campus Community. These methods of communication may include activation of the fire alarm system, email to the Campus Community and a public announcement system (or megaphone).

Any bomb threat, fire alarm, or notification by emergency services automatically constitutes a threat sufficient to activate the institution's evacuation procedures. In addition, any other threat that could result in bodily harm and could affect any portion of the employees or students may constitute a threat sufficient to activate the evacuation procedures. Upon notification of the need to evacuate, all students, faculty, and staff, should exit their rooms and the building, quickly but orderly, and follow the Emergency Exit guidelines to the predetermined outside areas to wait for further information. The CSAs or their designees will inform the Campus Community when it is okay to reenter the building.

During instances of the need to lock-down the school (i.e., Tornado or Active Shooter), employees and students should take cover immediately and wait to be told everything is clear. If an incident occurs and the buildings or areas around you become unstable, or if the air outdoors becomes dangerous due to toxic or irritating substances, it is usually safer to stay indoors, because leaving the area may expose you to that danger. Thus, to "shelter-in-place" means to make a shelter of the building that you are in until it is safe to go outside.

The institution's evacuation procedure and testing methods are designed to ensure the safety of everyone on campus. Tests will be conducted quarterly and evaluated for effectiveness; these could include: drills, exercises, and follow-through

activities. An evacuation drill is coordinated by the CSAs for all buildings housing classrooms. During these drills, students learn the locations of the emergency exits in the buildings and are provided guidance about the direction they should travel when exiting each facility for short-term building evacuation. During these drills, CSAs will staff the scene and will communicate information to students regarding the developing situation or any evacuation status changes.

The institution's procedures to test the emergency response and evacuation procedures on a quarterly basis include:

1. Drills that may be announced or unannounced;
2. Publicizing its emergency response and evacuation procedures in conjunction with at least one test per the calendar year (Example: Post in a public area the school's evacuation or lockdown procedures); and
3. Documentation for each drill and, with a description of the exercise with date, time, and whether it was announced or unannounced and how it was conducted is kept on file.

The purpose of evacuation drills is to prepare building occupants for an organized evacuation in case of an emergency. At the institution, evacuation drills are used as a way to educate and train occupants on issues specific to their building. During the drill, occupants 'practice' drill procedures and familiarize themselves with the location of exits and the sound of the fire alarm. In addition to educating the occupants of each building about the evacuation procedures during the drills, the process also may provide the institution an opportunity to test for the proper operation of fire alarm system components. Evacuation drills are monitored by the CSAs.

Students receive information about evacuation and shelter-in-place procedures during educational sessions that they participate in throughout the year.

### Evacuation Instructions

In the event of an evacuation order, it is important to follow these guidelines:

1. Everyone is to turn off lab or office equipment that they are using and close all doors.
2. WALK, do not run to the nearest exit.
3. Assist any persons that have special needs along the way
4. Go directly to the designated locations (see designated meeting places listed below)
5. Stay at the designated location and check in with your instructor. Instructors will account for all students using the class rosters. Wait for further instructions. Do Not Leave.
6. DO NOT ATTEMPT TO RE-ENTER THE BUILDING until when and if the all-clear is given.

For the quickest way out of the building, refer to the fire maps on the walls located throughout the building.

### **Designated Meeting Places by Sites**

*Primary Location – 4210 East Washington Street*  
Students are to meet their instructor at the designated locations. Students in the lab and classroom area will meet their Instructor at the Crowne Plaza Hotel, which is located at the North/West corner of the intersection of 44th and Washington Streets.

*Secondary Location – 120 North 44th Street*  
Students are to meet their Instructor on the South side of the front lawn located on the East side of the property, next to the building’s signage. Staff and any students who are in the corporate office (suite #230) at the time of an emergency are to meet on the North side of the front lawn located on the East side of the property, next to the building’s signage.



## Drugs, Alcohol, & Weapons Policies

### Weapons Policy

RSI is committed to providing all employees, students, volunteers, visitors, vendors, and contractors a safe and secure workplace and academic setting by expressly prohibiting the possession of a firearm, weapon, or explosive compound or material on any campus property or within the designated school safety zone, which is defined as being in, on, or within 1,000 feet of the campus or other designated worksites. This policy extends to any school-sanctioned function.

Unless otherwise provided by law, it is unlawful for individuals to carry, possess, or have under their control any firearm, weapon, or unlawful explosive compound while within a school safety zone, a school building, on school property, at a school-sanctioned function, or on a bus or other transportation furnished by the school. Such buildings include any public-owned, public-leased, or public-operated building that houses any educational function.

The following are applicable exemptions to the weapons restrictions:

- Participants in organized sport shooting events or firearm training courses.
- Persons participating in military training programs conducted by the armed forces of the United States or the Arizona Department of Defense.
- Persons participating in law enforcement training conducted by a certified police academy.
- Peace officers, law enforcement officers, prosecuting attorneys, campus police or security officers, and medical examiners employed by the state when acting in the performance of their official duties or travelling to or from their official duties.
- A weapon that is in a locked compartment of a motor vehicle or a locked firearms rack which is on a motor vehicle when that vehicle is being used by an adult over 21 who is not a student attending the school in order to bring or pick up a student at the school.

- Teachers and other school personnel who are otherwise authorized to possess or carry weapons provided the weapon is in a locked compartment of a motor vehicle or in a located container, or locked firearms rack which is on a motor vehicle.

Unless otherwise provided by law, it is an express violation of school policy for any individuals to use, possess, manufacture, distribute, maintain, transport, or receive any of the following on any school campus, on school property, at a school-sanctioned function, or on a bus or other transportation furnished by the school:

- Any firearm whether operable or inoperable as defined by state law, or any facsimile thereof including, but not limited to, paintball guns, BB guns, potato guns, airsoft guns, or any device that propels a projectile of any kind.
- A dangerous weapon, machine gun, sawed-off shotgun or rifle, shotgun, or silencer/suppressor as defined by state law.
- A weapon whether operable or inoperable as defined by state law, or any facsimile thereof including, but not limited to, any knife with a blade that is two or more inches in length (e.g., switchblade, ballistic knife, straight-edge razor or razor blade, any bludgeon-type instrument (e.g., blackjack, bat, or club), any flailing instrument (e.g., nun chuck or fighting chain), stun gun or Taser, or weapon designed to be thrown (e.g., throwing star or oriental dart).
- Any bacteriological weapon, biological weapon, destructive device, detonator, explosive, incendiary, over-pressure device, or poison gas as defined by state law.
- Any explosive compound or material as defined by state law.
- Any hoax device, replica of a destructive device or configuration or explosive materials with the appearance of a destructive device including, but not limited to, fake bombs and packages containing substances

with the appearance of chemical explosives or toxic materials.

Any employee or student who violates the provisions of this weapons policy shall be subject to disciplinary action up to and including dismissal. From a legal perspective, any person who violates this restriction shall be guilty of a felony and upon conviction shall be punished by a fine of up to \$10,000 and/or imprisonment for between two and ten years. Vendors or contractors who violate the provisions of this policy shall be subject to the termination of their business relationship with the school.

**Alcohol & Drug-Free Campus Policy**

In accordance with *the Drug Free Schools and Communities Act of 1989*, RSI implemented a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees. School standards of conduct clearly prohibit the unlawful possession, use, or distribution of alcohol, marijuana, a controlled substance, or other illegal or dangerous drugs on campus or as part of any student-sponsored activities.

School policies prohibit the possession or consumption of alcoholic beverages and illicit drugs on the campuses, in school facilities, or at school-related functions. School policies also prohibit students under the influence of alcohol or nonprescription drugs from appearing on the campuses, at clinical facilities, or at student-related functions and activities. The State of Arizona sets 21 as the minimum age to purchase or possess any alcoholic beverages. The Student Advisors provide information on drug and alcohol policies and procedures during new student orientation, including reviewing and signing the school’s Drug and Alcohol Policy. The staff is provided the same information prior to hiring and continued annually.

As noted in the *Student Code of Conduct*, the school will impose sanctions up to and including dismissal and referral for prosecution for the violation of these standards. RSI assists students with drug- or alcohol-related problems by referring them to appropriate community resources designed to address these problems.

**Federal Drug Legal Sanctions**

**Marijuana (21 U.S.C. §§ 812, 841, 844)**

Marijuana is a Schedule I drug under federal law, and the punishment for manufacturing, distributing, or possessing with the intent to manufacture or distribute it varies based on the quantity of the drug. For trafficking of less than 50 kilograms of marijuana, ten kilograms of hashish, or one kilogram of hashish oil, the maximum penalties are imprisonment for up to five years and a fine of up to \$250,000. Maximum punishments increase in severity for larger quantities of substances and other factors. For the first conviction of possession of marijuana or the distribution of a small amount of marijuana without payment, the maximum sentence is up to one year of imprisonment and/or a fine of \$1,000.

**Other Drug Offenses (21 U.S.C. §§ 812, 841, 844, 844a, 860)**

Federal law prohibits the manufacture, distribution, or possession with the intent to manufacture or distribute, of controlled substances. It also prohibits the creation of counterfeit substances. Punishments for these offenses vary widely, and if an offense occurs within 1,000 feet of a public or private college or university (or other property such as schools, youth centers and public housing facilities), maximum punishments can be doubled, and at least one year of imprisonment must be imposed.

Possession of controlled substances is also illegal, and punishable with imprisonment for up to one year and/or a minimum fine of at least \$1,000. Multiple offenses carry more severe punishments. Civil penalties, with fines of up to \$10,000, can be imposed for possession offenses.

**Arizona State Drug and Alcohol Legal Sanctions**

**Alcohol (Ariz. Rev. Stat. Ann. §§ 4-241, 4-244, 4-246, 13-702, 13-707, 28-1381, 28-1383)**

Arizona prohibits the consumption of alcohol by individuals under the age of 21. It is also unlawful for those under age 21 to operate a motor vehicle while there is any alcohol in their body.

An underage person who misrepresents their age with a written identification to illegally obtain alcohol, or uses a false identification or identification

of another person to enter an establishment that sells alcohol, is guilty of a class one misdemeanor. It is a class three misdemeanor for an underage person to ask another person to illegally provide them alcohol. These offenses carry a fine of at least \$250, as well as potential imprisonment of up to six months.

It is a class 1 misdemeanor for an individual to operate a vehicle while under the influence of alcohol or drugs when even slightly impaired, or when they consumed alcohol before or while driving and have an alcohol concentration of .08 or above within two hours of driving. The offense of aggravated driving under the influence, which results from additional circumstances such as having a third DUI violation in seven years, is a class four felony, which results in imprisonment between one and 3.75 years. Arizona also generally prohibits the consumption of alcohol in public.

**Marijuana** (*Ariz. Rev. Stat. Ann. §§ 13-702, 13-703, 13-3405, 36-2801, 36-2802*)

Qualifying patients (those diagnosed by a physician as having a debilitating medical condition) or their designated caregivers may have 2.5 ounces of marijuana. Even for qualifying patients that may use marijuana for medical purposes, marijuana use in public places is prohibited.

Other than for allowable medical uses, Arizona prohibits the possession, use, sale, production and transportation of marijuana. These marijuana-related offenses result in a minimum fine of \$750 or three times the value of the amount involved in the charge (whichever is greater) but not more than \$150,000. These marijuana-related offenses can also result in imprisonment with ranges from four months to 12.5 years (or more for repeat offenders) that vary depending on the offense and the amount of marijuana. For example, possession or use of marijuana not for sale of less than two pounds results in a class six felony, punishable with between four months to two years of imprisonment.

**Other Drug Offenses** (*Ariz. Rev. Stat. Ann. §§ 13-821, 13-3401-3423*)

Under Arizona law, classifications for drug offenses vary based on the substance, quantity, and whether the offense is possession, use, sale, or some other

violation. In addition to potential imprisonment, which can vary greatly in length, drug offenses can result in fines of \$1,000 for a first offense and at least \$2,000 for an additional offense. Aggravating circumstances related to a drug offense can bring about much more severe penalties. For example, life imprisonment is imposed for convictions for certain serious drug offenses when the offense is part of a pattern of illegal drug-related conduct that constitutes a significant source of the individual's income.

**Alcohol/Drug Use and Substance Abuse**

Much has been written in recent years about the health benefits of moderate alcohol use. Unfortunately, that information has also been viewed by some as permission to continue their ongoing abuse of alcohol. Likewise, while there are valid medical reasons to take legally prescribed drugs, it is not uncommon for an individual to lose control over their use of those medications and in some instance advance to such risk-taking behavior as seeking illegal drugs as a substitute.

Once an addiction begins, it can carry a host of additional issues, including loss of self-control, judgment, motivation, memory, and the ability to learn. People who choose to abuse alcohol and/or drugs run the risk of incurring serious health problems such as high blood pressure, increased risk of cancer, heart disease, hepatitis, cirrhosis, alcoholism, drug addiction, brain damage, and in extreme cases sudden death. Additionally, individuals with substance abuse problems pose a serious risk to themselves and to others when they elect to drive under the influence.

Any student who suspects that they or a friend might have a problem with alcohol or drug use should contact the Student Services Department for assistance.

The Student Services Department schedules alcohol and substance abuse events throughout the year. Notices will be posted on bulletin boards around campus, electronic message boards, and the school website announcing these events.



### **Drug Testing/Background Checks**

Certain employers who hire our graduates require students to complete drug testing and/or criminal background checks prior to allowing students to be hired. RSI has a program whereby students are randomly selected for drug testing. Unless otherwise noted, students are responsible for the costs

associated with drug testing and/or criminal background checks. Based on the hiring company, the results of background checks and/or drug tests may prevent students from completing their programs of study and/or being hired by certain employers.

## Sexual Offence Policies

### Sexual Assault and Other Crimes

It is important for all students, faculty, and staff members to know where to turn for help and what to do if they or someone they know becomes the victim of domestic violence, dating violence, stalking, and sexual assault. Whether the assailants are strangers, acquaintances, close friends, or dates, everyone needs to know how to get necessary treatment, counseling, and other services. Domestic violence, dating violence, stalking, and sexual assault are criminal offenses subject to prosecution under the law. These acts are also violations of the *Student Code of Conduct*.

Studies show that “acquaintance rape” occurs more frequently among school-age students than among any other group. This form of rape is one of the most unrecognized and under-reported crimes because few people identify it as a crime punishable by law.

### Reducing Risk

Steps to take to reduce your risk of being a victim of sex crimes include:

- See the Personal Safety and Crime Prevention section for steps to follow for your own personal safety.
- Consider your alternatives if confronted by a rapist.
- Practice possible responses to situations so that you can recall them, even under the stress of a real encounter.
- Realizing that you could be a victim is the first step in self-protection.
- Use awareness and common sense to avoid potentially dangerous situations.
- Participate in a self-defense training class.

With regard to date rape and acquaintance rape, remember the following precautions:

- Know your own sexual values, expectations, wishes, and intentions, and communicate them clearly and openly.
- Be observant of your acquaintance’s or date’s attitudes toward you.
- Avoid using mood-altering chemicals such as drugs and alcohol. Studies have shown that

being under the influence of alcohol or drugs contributes to increased incidences of date rape.

- Be assertive about your needs and rights.
- Reinforce your verbal “no” with physical resistance, unless you feel this will further endanger you.
- Tell your assailant that he or she is committing a sexual act to which you do not consent and that he or she is breaking the law.

### What to Do If Victimized

You need to remember to take the following steps if someone attacks you:

- Be aware of your capabilities and limitations. Your judgment and thinking will be your best weapons.
- Evaluate the situation for possible avenues of escape.
- Your first concern should be for your safety and survival.
- Use your judgment to do what is necessary to save your life. That may mean making a scene and drawing attention to yourself so that the assailant leaves. It may buy you enough time to escape. This action may mean fighting back. It may mean not physically resisting.
- If you choose not to physically resist the attack, it does not mean that you have asked to be raped. It means that you did what you needed to do to survive.
- Remember—there is no one “right” way to respond. The person under attack is the best judge of which options will work well in that situation.

If someone assaults or attempts to assault you or someone you know, you should take the following steps:

- Get to a safe place as soon as you can.
- Try to preserve all physical evidence. Do not bathe, douche, use the toilet, or change clothing. Preserving evidence may assist in proving that the alleged conduct occurred or



may be helpful in obtaining a police protective order.

- If the attack occurred on campus, contact the Student Services Department at (602) 275-7133.
- If the attack occurred off-campus, immediately contact a local law enforcement agency by dialing 911.
- Get medical attention as soon as possible to determine the presence of physical injury, sexually transmittable diseases, or pregnancy. Medical personal can also obtain evidence to assist in criminal prosecution.

Sex crimes can cause psychological after-effects. Counseling is a good idea, whether or not you think you need it. Remember, sex crimes are never the victim's fault. For assistance, contact the Student Services Department.

The Student Services Department will, upon request, help address any concerns victims might have because of an assault. The school will also assist victims in changing their academic or living situations after the assault if requested and reasonably available. If the assailant is a student, the victim may file a written complaint with the Campus President. Under the *Student Code of Conduct*, the school affords both the accused and the accuser the same rights.

The Student Services Department schedules events on Domestic Violence, Dating Violence, Stalking, and Sexual Assault prevention throughout the year. Notices announcing these events will be posted on bulletin boards around campus, electronic message boards, and the school website.

The Institution strongly advocates that members of the Campus Community and any victim of sexual violence report the incident to police in a timely manner and, if requested to do so by the victim, the Institution will assist the victim in contacting the police. Filing a police report will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. The victim has the right at all times to decline to notify police of the incident.

Where applicable, the victim has the right, and it is the institution's responsibility to honor orders of protection, "no contact" orders, restraining orders, or similar lawful orders issued by a criminal, civil or tribal court, or by the institution.

### **Campus Sex Crimes Prevention Act**

The Campus Sex Crimes Prevention Act amended the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act to require certain convicted sex offenders to notify states of each institution of higher education at which the individual is a student or employee. The act also requires states to make such information available promptly to law enforcement agencies having jurisdiction of the location of the applicable institutions of higher education. The act also specifies that local law enforcement officials must enter this information into appropriate state records or data systems. The act also requires institutions to notify the campus community where they can obtain from law enforcement agencies' information concerning registered sex offenders.

### **Arizona Sex Offender Registry**

The Arizona Department of Public Safety website provides access to an Offender Registry that is maintained by the DPS. Please visit their website at: [www.azdps.gov/services/public/offender](http://www.azdps.gov/services/public/offender).

This information may also be obtained from the U.S. Department of Justice's Office of Sex Offender Sentencing, Monitoring, Apprehending, Registering, and Tracking (SMART) through the Dru Sjodin National Sex Offender Public Website at: [www.nsopw.gov](http://www.nsopw.gov).

### **Responding to Dating Violence, Domestic Violence, Sexual Assault, and Stalking**

RSI will not tolerate dating violence, domestic violence, sexual assault, stalking, or other forms of sexual misconduct. Offenders may be subject to appropriate campus adjudication processes, disciplinary action, and/or criminal proceedings.

These procedures apply to all reports of sex offenses. The institution's CSA(s) and Title IX Coordinator are responsible for receiving and evaluating reports of a sexual offense. Any student, employee, or third



party may file a report of a sexual offense to the CSA or Title IX Coordinator.

Once the CSA and/or Title IX Coordinator receives a report of a sexual offense such as sexual violence, including dating violence, domestic violence, and sexual assault or stalking, the following steps will be followed:

1. The CSA will immediately assess whether the information in the sex offense report warrants a timely warning and if so, will contact the institution's Campus President immediately to execute that procedure. The CSA will immediately provide the reporting party with a copy of these procedures, including the RSI Title IX policy and Title IX grievance procedure as contained in the school catalog. The CSA will immediately contact the Title IX Coordinator to take further action pursuant to the Title IX policy. The CSA will determine if the sex offense is a Clery Act reportable crime and if so, will prepare and maintain an accurate Clery Act crime report for such offense for inclusion in the institution's annual crime statistics. RSI protects the identity of and any personally identifiable information about the victim of the sex offense in any public crime statistics report issued by the institution by requiring the CSA to maintain Clery crime statistics records, whether electronic or hard copy, that exclude or redact the name and personally identifiable information for all victims of sexual assault, dating violence, domestic violence and stalking and by prohibiting the CSA and any other employee from including such information in connection with statistics in this Report or as reported to the U.S. Department of Education.
2. Title IX Coordinator, who has primary authority for investigating sex offenses pursuant to the RSI Title IX policy and Title IX grievance procedure contained in the school catalog, will immediately inform the victim of the institution's Title IX Complaint/Grievance Procedure Policy,

including their right to "interim measures" during the pendency of an investigation including obtaining an order of protection, a no-contact order, restraining order or similar lawful order from the police or RSI; the institution's obligation to protect the identity of the victim in any Clery Act report or in other publicly available recordkeeping and to keep any interim measures provided to the victim to the extent maintaining such confidentiality would not impair the ability of the institution to provide the accommodation or protective measure. The Title IX Coordinator will inform the CSA of the sex offense report without the inclusion of any personally identifiable information for determination of any timely warning and for inclusion in the RSI crime statistics.

3. The institution will provide written notification to members of the Campus Community about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to victims, both within the institution and in the community.
4. The institution will provide written notification to victims within the Campus Community about available options and assistance, including how to request these changes and who to contact at the institution for the following: academic, living, transportation and working situations including protective measures. These accommodations/protective measures are provided if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to local law enforcement.
5. The institution will provide an explanation of the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking.
6. The institution, when a student or employee reports to the institution that the student or

employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off-campus, will provide the student or employee a written explanation of the student's or employee's right and options.

### **Disciplinary Procedures for Dating Violence, Domestic Violence, Sexual Assault, and Stalking**

The procedures for institutional disciplinary actions in cases of an alleged sexual offense such as sexual violence, including dating violence, domestic violence, and sexual assault or stalking, the following steps will be followed and will be applied as appropriate to the institution's Campus Community.

The Institute is committed to providing a prompt, fair, and impartial process from the initial investigation to the final result. The CSA and all other officials involved in the process receive, at a minimum, annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking, and how to conduct an investigation and formal or informal meetings that protects the safety of victims and promotes accountability. At all times during the process, the accuser and accused will be provided the same opportunities to have others present during the proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or during the process. However, the Institute may establish restrictions regarding the extent to which the advisor may participate in the proceedings, as long as the restrictions apply equally to both parties.

A proceeding is a non-criminal resolution of an institutional disciplinary complaint, including, but not limited to, fact-finding investigations and meetings. The type of proceeding will be based on the facts of alleged sexual offense reported.

The institution does not provide for a formal hearing process, but both parties may be assisted by a support person of choice, including an attorney.

In all cases, the CSA will maintain regular, simultaneous communications in writing with both the accuser and accused and provide both parties with equal opportunity to provide information, witness statements, evidence, and other information that may be necessary for the CSA to fully evaluate the alleged offense.

The accuser and accused will be provided timely notice of meetings at which the accuser or accused, or both, may be present, and will be provided with timely and equal access to the accuser, accused and appropriate officials to any information that will be used during the disciplinary process.

The CSA will, barring extenuating circumstance, complete the investigation and make a determination regarding any necessary discipline of accused and remedies to accuser within 60 days of the date that the report is first received by the CSA. The Institute may allow for an extension of that time frame for a good cause with written notice to the accuser and accused of the delay and the reason for the delay.

Any student, employee, or a third party may file a report of a sexual offense to the CSA whose contact information is located within this report. There is no complaint form that needs to be completed. A complaint can be filed in person, by phone, or email.

If the accused is subject to sanctions, the institution shall use the preponderance of evidence standard (meaning that the party presenting the evidence must, by the evidence presented, establish that what he or she is required to prove is more likely to be true than not true) in deciding to initiate formal conduct procedures or not and will use such standard during the disciplinary proceeding arising from an allegation of dating violence, domestic violence, sexual assault, or stalking.

If a disciplinary proceeding is held where a final determination is made regarding dating violence, domestic violence, sexual assault, and Stalking rape, acquaintance, rape, or other sexual offenses the school may impose sanctions as listed in the Student Code of Conduct section of the School Catalog, which includes up to dismissal from the program/institution.

Both parties involved have the right to appeal the determination regarding responsibility or the dismissal of a formal complaint to the Appeals Officer. Notice of intent to appeal must be submitted within fifteen (15) calendar days of the written notification of the determination or dismissal, and will be based on one or more of the following grounds:

1. Procedural irregularity that affected the outcome of the matter.
2. New evidence, which was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter.
3. The Title IX Coordinator(s), Investigator(s), or Hearing Official(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

The written notice of the intent to appeal must provide a written statement challenging the outcome. Both parties will be provided with a copy of the notice of intent to file an appeal and the appeal procedures by the Title IX Coordinator. The non-appealing party may submit a written statement supporting the outcome and/or objecting to the grounds on which the appeal was filed within fifteen (15) calendar days of receipt of the notice of appeal. The Appeals Officer will consider the related documents (such as the investigative report, hearing transcript, determination of responsibility, and prior disciplinary records) but will not consider information that is not relevant, including information about the prior sexual history of the complainant. The Appeals Officer will issue a written decision describing the result of the appeal, the rationale for the result and the grounds on which the appeal was granted or denied. The decision of the Appeals Officer is final and will be issued simultaneously to both the complainant and the respondent, typically within fifteen (15) calendar days of the deadline by which the parties must submit

their written statements, absent extenuating circumstances.

The school will provide simultaneous notification, in writing, to both the accuser and the accused outlining the initial appeals process, any changes to the results due to the appeals process, and when the results of the appellate determination are finalized.

RSI prohibits retaliation by its officers, employees, students, or agents against a person who exercises their rights or responsibilities under any provision of federal or state law, including *Title IX* and the *Campus Sexual Violence Elimination Act*, or this policy.

### Definitions Applicable to Federal Law

**Domestic Violence** – Federal law defines domestic violence as “family violence” any commission of a battery, simple battery, simple assault, assault, stalking, criminal damage to property, unlawful restraint, criminal trespass, or any felony committed between the following persons:

- current or former spouses;
- persons who are parents of the same child;
- parents and children;
- stepparents and stepchildren;
- foster parents and foster children; or
- persons currently or formerly living in the same household.

The definition of family violence expressly excludes a parent’s “reasonable discipline” of a child that takes the form of corporal punishment, restraint, or detention.

**Dating Violence** – Dating violence is defined as the physical, sexual, psychological, or emotional violence within a dating relationship.

**Sexual Assault** – A person commits the offense of sexual battery when he/she intentionally makes physical contact with the intimate parts of the body of another person without the consent of that person.

**Stalking** – A person commits the offense of stalking when he or she follows, places under surveillance, or contacts another person at or about a place or places without the consent of the other person for the purpose of harassing and intimidating the other

person. For the purpose of this article, the terms "computer" and "computer network" shall have the same meaning; the term "contact" shall mean any communication including, without being limited to, communication in person, by telephone, by mail, by broadcast, by computer, by computer network, or by any other electronic device; and the place or places that contact by telephone, mail, broadcast, computer, computer network, or any other electronic device is deemed to occur shall be the place or places where such communication is received.

**Consent** – is when someone agrees, gives permission, or says yes enthusiastically to sexual activity with someone else. Central to the concept of consent is the understanding that every person has a right to control their body and to not be acted upon by someone else in a sexual manner unless he/she gives clear permission to do so. The person initiating the sexual activity is responsible for obtaining permission from the person or persons he/she wants to engage in sexual activity with. Consent is always freely given, and every person involved in a sexual situation must feel that they are able to say “yes” or “no” at any point during sexual activity. Absence of clear permission means you can’t touch someone, not that you can. In most cases, consent should be a clear verbal agreement. However, if a person is seeking consent from someone who cannot communicate verbally, he/she should obtain consent using another agreed-upon method of communication. Non-verbal communication includes sign language, writing or typing messages, gestures, nodding or shaking one’s head, and blinking, to name just a few.

### Definitions Applicable to Arizona State Law

**Domestic Violence** (*Ariz. Rev. Stat. § 13.3601*) – any act that is a dangerous crime against children or one of the following offenses as prescribed in state law: negligent homicide, manslaughter, second degree murder, first degree murder, endangerment, threatening or intimidation, assault, aggravated assault, custodial interference, unlawful imprisonment, kidnapping, sexual assault, unlawful distribution of pictures depicting nudity or specific sexual acts, criminal trespass in the third degree,

criminal trespass in the second degree, criminal trespass in the first degree, criminal damage, interference with judicial proceeding, disorderly conduct, intentional cruelty to animals, intentional interference or prevention of person making an emergency phone call, or use of electronic communication to terrify, intimidate, threaten or harass, harassment, aggravated harassment, stalking, surreptitious photographing, aggravated domestic violence, or child or vulnerable adult abuse, if any of the following applies:

- The relationship between the victim and the defendant is one of marriage or former marriage or of persons residing or having resided in the same household.
- The victim and the defendant have a child in common.
- The victim or the defendant is pregnant by the other party.
- The victim is related to the defendant or the defendant's spouse by blood or court order as a parent, grandparent, child, grandchild, brother or sister or by marriage as a parent-in-law, grandparent-in-law, stepparent, step-grandparent, step-child, step-grandchild, brother-in-law or sister-in-law.
- The victim is a child who resides or has resided in the same household as the defendant and is related by blood to a former spouse of the defendant or to a person who resides or who has resided in the same household as the defendant.
- The relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship. The following factors may be considered in determining whether the relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship: (a) The type of relationship; (b) The length of the relationship; (c) The frequency of the interaction between the victim and the defendant; (d) If the relationship has terminated, the length of time since the termination.



**Dating Violence** – The Arizona Revised Statutes do not define Dating Violence.

**Sexual Assault** (*Ariz. Rev. Stat. § 13-1406*) – A person commits the offense of sexual assault by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person without consent of such person.

**Stalking** (*Ariz. Rev. Stat. § 13-2923*) – A person commits stalking if the person intentionally or knowingly engages in a course of conduct that is directed toward another person and if that conduct causes the victim to:

- Suffer emotional distress or reasonably fear that either: (a) the victim's property will be damaged or destroyed or (b) any of the following will be physically injured: (i) the victim; (ii) the victim's family member, domestic animal or livestock; (iii) a person with whom the victim has or has previously had a romantic or sexual relationship; or (iv) a person who regularly resides in the victim's household or has resided in the victim's household within the six months before the last conduct occurred.
- Reasonably fear death or the death of any of the following: (a) the victim's family member, domestic animal or livestock, (b) a person with whom the victim has or has previously had a romantic or sexual relationship, or (c) a person who regularly resides in the victim's household or has resided in the victim's household within the six months before the last conduct occurred.

**Consent** (*Ariz. Rev. Stat. § 13- 1401(7)*) – “Without consent” includes any of the following:

- The victim is coerced by the immediate use or threatened use of force against a person or property.
- The victim is incapable of consent by reason of mental disorder, mental defect, drugs, alcohol, sleep or any other similar impairment of cognition and such condition is known or should have reasonably been known to the defendant. For the purposes of this subdivision, “mental defect” means the victim is unable to comprehend the distinctively

sexual nature of the conduct or is incapable of understanding or exercising the right to refuse to engage in the conduct with another.

- The victim is intentionally deceived as to the nature of the act.
- The victim is intentionally deceived to erroneously believe that the person is the victim's spouse.

### **How To Be An Active Bystander**

Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it. We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help.

If you or someone else is in immediate danger, dial 9-1-1. This could be when a person is yelling at or being physically abusive towards another, and it is not safe for you to interrupt. Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are OK. Confront and report people who seclude, hit on, try to make out with, or have sex with people who are incapacitated. Speak up when someone discusses plans to take advantage of another person. Believe someone who discloses sexual assault, abusive behavior, or experience with stalking. Refer people to on- or off-campus resources listed in this document for support or assistance.

### **Prevention Efforts**

RSI attempts to foster a safe learning and working environment for all members of the campus community. To accomplish this, RSI considers the educational programming that addresses all aspects of domestic violence, dating violence, sexual assault, and stalking (safety precautions and prevention, crisis management, reporting, medical and counseling services, RSI discipline systems, academic schedules, the campus response to sexual violence, domestic violence, dating violence, and

instances of stalking, and physical surroundings throughout the campus community).

RSI develops educational programs concerning domestic violence, dating violence, sexual assault, and stalking. Involved students, faculty, staff, and community members provide information and promote discussion on interpersonal abuse and violence issues. The school supports educational programs by providing input and personnel to accomplish this task. For additional information about campus educational programs concerning domestic violence, dating violence, sexual assault, and stalking, contact the Student Services Department.

RSI continually reviews and modifies its physical surroundings to enhance security and safety, such as campus lighting, locking procedures, signage, etc. For additional safety information, contact RSI at (602) 275-7133.

### **Risk Reduction Tips**

With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one's risk of sexual assault or harassment.

- Be aware of your surroundings. Knowing where you are and who is around, you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act as you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cash money.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your

surroundings, especially if you are walking alone.

- When you go to a social gathering, go with a group of friends. Arrive together, check-in with each other throughout the evening, and leave together. Knowing where you are and who is around, you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 9-1-1 in most areas of the U.S.).
- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately (local authorities can be reached by calling 9-1-1 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

If you need to get out of an uncomfortable or scary situation, here are some things that you can try:

- Remember that being in this situation is not your fault. You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.
- Be true to yourself. Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what



feels right to you and what you are comfortable with.

- Have a code word with your friends or family so that if you don't feel comfortable, you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
- Lie. If you don't want to hurt the person's feelings, it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
- Try to think of an escape route. How would you try to get out of the room? Where are the doors? Windows? Are there people around

who might be able to help you? Is there an emergency phone nearby?

- If you and/or the other person have been drinking, you can say that you would rather wait until you both have your full judgment before doing anything

### **Ongoing Care**

Students may seek assistance at any time from RSI Student Services Department at no charge. Referrals may be made upon request for relatives, partners, and friends of either the complainant or respondent to various support agencies.

Benefited staff and faculty may seek assistance at any time from any medical facility or the Employee Assistance Program (EAP).



## Revision History

*Current version supersedes all previous versions.*

Ver.	Effective Date	Author	Reason for Change	Training Requirements
<b>Current Version</b>				
01.10	12-05-2023	Cameron Bell, Data Privacy Analyst	Correction due to preliminary audit finding.	Public document, no training required.
<b>Previous Versions</b>				
01.00	10-01-2023	Cameron Bell, Compliance Coordinator	Initial document creation.	Public document, no training required.