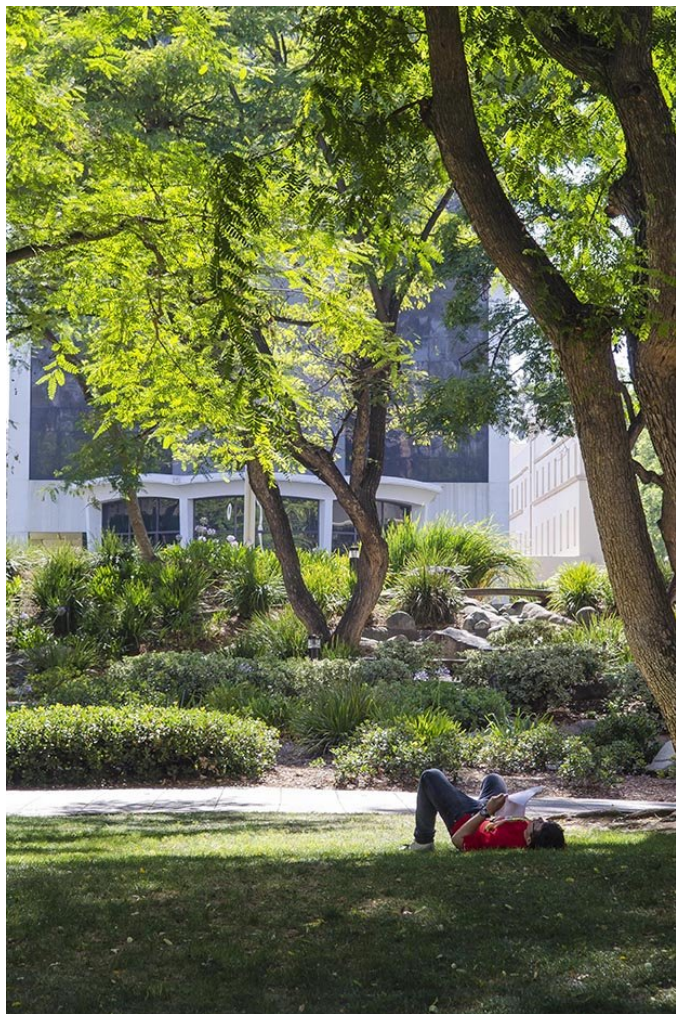


# General Information



## INTRODUCTION

Caltech is a world-renowned science and engineering Institute that marshals some of the world's brightest minds and most innovative tools to address fundamental scientific questions and pressing societal challenges. Caltech's extraordinary faculty and students are expanding our understanding of the universe and inventing the technologies of the future, with research interests from quantum science and engineering to bioinformatics and the nature of life itself, from human behavior and economics to energy and sustainability.

Caltech is small but prizes excellence and ambition. The contributions of Caltech's faculty and alumni have earned national and international recognition, including 47 Nobel Prizes. The Institute founded and manages the Jet Propulsion Laboratory (JPL) for NASA, sending probes to explore the planets of our solar system and quantify changes on our home planet; owns and operates large-scale research facilities such as the Seismological Laboratory and a global network of astronomical observatories, including the Palomar and W. M. Keck Observatories; and cofounded and co-manages LIGO, which, in 2016, observed gravitational waves for the first time.

The Institute has one of the nation's lowest student-to-faculty ratios, with some 300 professorial faculty members offering a rigorous curriculum and access to varied learning opportunities and hands-on research to approximately 1,000 undergraduates and 1,400 graduate students. Caltech is an independent, privately supported institution with a 124-acre campus located in Pasadena, California.

## MISSION

The mission of the California Institute of Technology is to expand human knowledge and benefit society through research integrated with education. We investigate the most challenging, fundamental problems in science and technology in a singularly collegial, interdisciplinary atmosphere, while educating outstanding students to become creative members of society.

## HISTORICAL SKETCH

In September of 1891, Pasadena philanthropist Amos G. Throop (pronounced Troop) established Throop University, the institution that would eventually become Caltech.

Throop University opened its doors with 31 students and a six-member faculty. Throop might have remained simply a good local school had it not been for the arrival in Pasadena of astronomer George Ellery Hale. The first director of the Mount Wilson Observatory, Hale became a member of Throop's board of trustees in 1907 and began molding the school into a first-class institution for engineering and scientific research and education.

Hale would be joined later by chemist Arthur A. Noyes and physicist Robert A. Millikan. By 1920, the school had been renamed the

California Institute of Technology, and the enrollment was nine graduate students and 359 undergraduates, with a faculty of 60; a decade later there were 138 graduate students, 510 undergraduates, and a faculty of 180. At the present time there are some 1,000 undergraduates, 1,400 graduate students, 300 professorial faculty, and more than 600 postdoctoral scholars.

Caltech has more than 25,000 living alumni all over the world, many of them eminent in their fields of engineering, science, law, medicine, academia, entrepreneurship, and more.

Caltech's divisional structure, which began to coalesce in 1926, today comprises the Division of Biology and Biological Engineering (BBE); the Division of Chemistry and Chemical Engineering (CCE); the Division of Engineering and Applied Science (EAS); the Division of Geological and Planetary Sciences (GPS); the Division of the Humanities and Social Sciences (HSS); and the Division of Physics, Mathematics and Astronomy (PMA). To learn more about Caltech's history and the people behind the Institute's success, visit [library.caltech.edu/archives/home](http://library.caltech.edu/archives/home)

## EDUCATION AND RESEARCH

Students at Caltech work toward undergraduate and graduate degrees alongside their intellectual equals in an academic environment that emphasizes interdisciplinary teamwork, critical thinking, mutual support, and a deep understanding of core concepts and principles across fields.

Caltech students, faculty, and postdoctoral scholars are addressing fundamental scientific questions and pressing societal challenges. Together, they are expanding our understanding of the universe, shifting paradigms, launching new fields, and inventing the technologies of the future.

Caltech is home to more than 50 research centers and institutes. Some 90 percent of Caltech undergraduates participate in research during their time here.

### UNDERGRADUATE PROGRAMS AND RESEARCH

Caltech offers undergraduates 26 majors (called "options") and 17 minors across the six academic divisions. The most popular options are computer science, chemical engineering, electrical engineering, mechanical engineering, and physics. Caltech also offers interdisciplinary programs in applied physics, biochemistry, bioengineering, computation and neural systems, control and dynamical systems, environmental science and engineering, geobiology and astrobiology, geochemistry, and planetary astronomy.

The Institute offers the opportunity for qualified students to engage in research early in their careers under the supervision of a faculty member. There are four principal avenues for undergraduate research: the senior thesis, the Summer Undergraduate Research Fellowships (SURF) program, research courses for academic credit, and research for pay under a faculty member's grant or contract.

The senior thesis involves original research under the mentorship of a faculty member, an effort that develops research, writing, and presentation skills that together provide an excellent preparation for future graduate studies and/or professional life.

The SURF program provides continuing undergraduate students the opportunity to work on an individual research project in a tutorial relationship with a mentor, usually a member of the Caltech/JPL research community, but occasionally a faculty member at another college or university. The work is carried out during a 10-week period in the summer, after which SURF students submit a written report describing the project, methods, and results of their work.

Most options offer undergraduate research courses in order to encourage research participation during the academic year; students should consult listings and descriptions of opportunities.

In some circumstances, faculty will hire students to conduct research. Students should discuss this option with a prospective mentor. Students with work-study financial aid should also contact Caltech's Career Achievement, Leadership, and Exploration (CALE) about how to apply funding to research positions.

Learn more about undergraduate programs and research at [sfp.caltech.edu/](http://sfp.caltech.edu/).

## GRADUATE PROGRAMS AND RESEARCH

Students can enroll in Master of Science, Degree of Engineer, Doctor of Philosophy, BS/MS, and MD/PhD degree programs; the majority of graduate students are enrolled in the PhD program.

The academic work of the Institute is organized into six divisions: Biology and Biological Engineering ([bbe.caltech.edu](http://bbe.caltech.edu)); Chemistry and Chemical Engineering ([cce.caltech.edu](http://cce.caltech.edu)); Engineering and Applied Science ([eas.caltech.edu](http://eas.caltech.edu)); Geological and Planetary Sciences ([gps.caltech.edu](http://gps.caltech.edu)); Humanities and Social Sciences ([hss.caltech.edu](http://hss.caltech.edu)); and Physics, Mathematics and Astronomy ([pma.caltech.edu](http://pma.caltech.edu)).

Graduate study at the Institute is divided further into a number of individual graduate options (degree programs), which are supervised by those professors whose interests and research are closely related to the area of the option. Entering graduate students are admitted into one of these options. The most popular options for graduate work are chemistry, physics, electrical engineering, and biology. Learn more at [gradoffice.caltech.edu](http://gradoffice.caltech.edu).

## ACADEMIC PARTNERSHIPS

Caltech maintains an array of external partnerships with other institutions in Southern California. These partnerships provide pre-med students with opportunities to work in area hospitals and train with practicing clinicians; allow students to participate in ROTC through a joint program with USC; and offer a 3/2 dual degree for students from 13 select liberal-arts colleges. Caltech undergraduate students can cross-register at Occidental College and Art Center College of Design, and the Institute maintains relations with research partners such as the Scripps Institution of Oceanography at UCSD. Undergraduate students can also study abroad in Cambridge,

Copenhagen, Edinburgh, London, Paris, Melbourne, or the University of Chicago during their junior or senior years. For graduate students, joint programs between Caltech and both the USC Keck School of Medicine and the UCLA David Geffen School of Medicine grant MD/PhD degrees.

## **FACULTY RESEARCH**

The contributions of Caltech's faculty have earned national and international recognition. Caltech was elected to the Association of American Universities (AAU) in 1934 and remains a research university with "very high" research activity, primarily in STEM fields. Research is central to Caltech, and the Institute manages over \$400 million in sponsored awards annually. Its largest federal funding agencies are the National Aeronautics Space Administration (NASA), National Science Foundation (NSF), Department of Health and Human Services, Department of Defense, and Department of Energy. More than a quarter of Caltech's active and emeritus faculty members are members of the National Academy of Sciences, Engineering, and Medicine and/or are fellows of the American Academy of Arts and Sciences. Caltech receives more invention disclosures and holds more patents per faculty member than any other university in the United States.

## **POSTDOCTORAL AND SENIOR POSTDOCTORAL SCHOLARS**

More than 550 early-career scientists and engineers conduct research at Caltech as postdoctoral scholars. In addition, JPL hosts postdoctoral scholars whose studies cover many aspects of Earth, planetary, astrophysical, and technology research. All scholars work under the supervision of professorial faculty members or JPL researchers.

## **RESEARCH CENTERS AND INSTITUTES**

Research centers and institutes across campus bring together scientists and engineers to collaborate and add innovative and diverse perspectives to tackle society's most pressing challenges. Among those centers and institutes are:

- the Tianqiao and Chrissy Chen Institute for Neuroscience at Caltech, which seeks to deepen our understanding of the brain and how it works;
- the Beckman Institute, which develops methods, instrumentation, and materials for fundamental research in chemistry and biology;
- the Kavli Nanoscience Institute, which advances cross-disciplinary research in the areas of nanoscience and nanotechnology;
- the Donna and Benjamin M. Rosen Bioengineering Center, which encourages intensive, fruitful collaborations between bioengineering researchers;

- the Resnick Sustainability Institute, which fosters advances in energy science and technology through research, education, and communication;
- the Richard N. Merkin Institute for Translational Research

Learn more about Caltech's research centers and institutes at [caltech.edu/research/centers-institutes](https://caltech.edu/research/centers-institutes).

## ON-CAMPUS ACADEMIC RESOURCES

### Center for Teaching, Learning, and Outreach (CTLO)

The Center for Teaching, Learning, and Outreach (CTLO) supports Caltech's multifaceted educational efforts, including the design and instruction of undergraduate and graduate courses and curricula, formal and informal student learning, and educational outreach partnerships with K–12 teachers and students. The CTLO is committed to advancing evidence-based, inclusive practices through our programs and services, and to fostering innovation based on this foundation. CTLO focuses on:

**Instructor Support:** Supporting effective course design and teaching methods for university faculty and teaching assistants (TAs). Topics regularly addressed through individual consultations, training programs, workshops, and courses include in-class techniques, choice and use of instructional technologies, feedback on teaching, and discipline-based educational research.

**Student Learning:** Fostering opportunities for students to grow as teachers, mentors, and leaders. In addition to advising students on teaching and outreach-related projects, CTLO oversees the Caltech Project for Effective Teaching (CPET), a graduate student-led community offering seminars and Certificates of Interest and Practice in University Teaching, and collaborates with the undergraduate Academics and Research Committee (ARC) on course improvements, course ombuds, and other initiatives.

**Educational Outreach:** Helping faculty and students to develop K–12 outreach programs, including collaborations with schools and districts in Pasadena and Greater Los Angeles. CTLO assists faculty on grant proposals with educational components, convenes educational outreach coordinators from across Caltech's divisions, runs signature educational outreach programs for K–12 students and teachers during the summer and year-round, and serves as an interface for partner organizations offering K–12 opportunities at Caltech.

Learn more at [ctlo.caltech.edu](https://ctlo.caltech.edu).

### Hixon Writing Center (HWC)

The Hixon Writing Center (HWC) promotes excellence in writing and communication. The HWC operates on the premise that writing is a mode of discovery and learning as well as a tool for communication, and thus strong writing skills are fundamental to inquiry, learning, and success across disciplines.

The HWC works actively with Caltech students, faculty, and the Caltech community. The HWC offers students the opportunity to meet one-to-one with professional and peer tutors to discuss works-in-progress. These sessions help students accomplish short-term goals while they also promote the acquisition of skills that are valuable for long-term success. HWC staff members are available to consult with Caltech faculty and TAs about best practices for incorporating, designing, and responding to writing assignments in courses across all disciplines. Finally, the HWC sponsors events and creates resources that address varied aspects of academic writing, with a particular focus on academic STEM writing.

The HWC is a part of the Division of the Humanities and Social Sciences, and it is funded in part by a generous donation from Alexander P. and Adelaide F. Hixon. Learn more about current support and programming at [writing.caltech.edu](http://writing.caltech.edu).

### **Caltech Library**

The Caltech Library advances the Institute's mission to expand human knowledge by catalyzing information discovery and sharing. The Library maintains extensive research collections, a variety of study spaces, state-of-the-art knowledge-management platforms, and a user-focused program of instruction and outreach.

The Sherman Fairchild Library (SFL) is the main library on campus. SFL is usually open 7 days a week late into the evening and offers a range of collaborative and private study spaces including five bookable group study rooms. All textbooks assigned for courses are available for short-term use through the Library's Course Reserves service. The Library's interlibrary loan service, DocuServe, is located on the first floor of SFL. Users can obtain books and articles not owned by Caltech Library at no charge and typically within 24 hours.

SFL is complemented by three branch libraries: Humanities and Social Sciences (Dabney), Astrophysics (Cahill), and Geology (North Mudd). Caltech Hall also houses additional collections in its basement, along with two specialized Library locations: the Lookout on the ninth floor, and the TechHub on the first floor. The Lookout is a flexible collaboration and study space with large displays. The TechHub, houses and facilitates the Library's eDevice lending program and is home to the Techlab, the Library's 3-D printing service. Equipment available in the TechHub includes 3-D printers in the Techlab as well as iPads, laptops, Kindles, and electronic kits that can be borrowed for short- or long-term loans.

The Caltech Library hosts the Caltech Collection of Open Digital Archives, or CODA. It consists of several digital repositories including CaltechAUTHORS, for research papers, monographs, and other publications; CaltechTHESIS, for theses and dissertations; and CaltechDATA, for primary research data and computer code.

Visit the Library's website, [library.caltech.edu](http://library.caltech.edu), to access Library collections and services or to request research assistance.

### **Archives and Special Collections**

The Caltech Archives and Special Collections facilitate understanding of Caltech's role in the history of science and technology, and of the research and lives of its faculty, staff, and students. The Archives collect, organize, preserve, exhibit, and make available for research the papers and other materials that document this history, both tangible and virtual. Collections include the personal and professional papers of Caltech faculty and alumni; Caltech records, publications, and websites; scientific instruments and other artifacts; photographs; fine art; and rare books from the Scientific Revolution to the present. These collections are available to both the Caltech community and outside researchers; contact the Archives at 626-395-2704 or [archives@caltech.edu](mailto:archives@caltech.edu) to arrange an appointment. More information, including guides to many collections and digital access to some, can be found at [archives.caltech.edu](http://archives.caltech.edu).

## **EDUCATIONAL PHILOSOPHY & LEARNING OUTCOMES**

Caltech provides an outstanding education that prepares students to become world leaders in science, engineering, academia, industry, and public service. The Institute aims for these educational outcomes:

- Graduates can analyze, synthesize, and communicate ideas.
- Graduates demonstrate integrity, personal and professional responsibility, and respect for others.
- Bachelor of Science graduates can identify, analyze, and solve challenging problems within and across science and engineering disciplines.
- Bachelor of Science graduates can apply their analytic skills to other areas of knowledge and understand issues important in our society.
- Master of Science graduates can apply advanced knowledge in a specialized area in preparation for their professional careers.
- Doctor of Philosophy graduates can independently identify, analyze, and solve fundamental research problems with breadth and depth.

## **JET PROPULSION LABORATORY**

Founded by Caltech faculty and students in 1936 and located six miles from campus on the border between Pasadena and La Cañada Flintridge, the Jet Propulsion Laboratory (JPL), which is managed by Caltech for NASA, is the leading U.S. center for robotic space exploration. JPL's 6,500 employees are tightly connected to the campus research mission and together enable the Institute to push the frontiers of space and Earth science. JPL is currently responsible for operating 39 NASA missions, including the Curiosity and Perseverance Mars rovers, Juno Jupiter orbiter, and the



Sentinel-6/Michael Freilich Earth science mission, all of which are pioneering new approaches for space exploration. Caltech and JPL engage in collaborations and joint appointments of faculty, lecturers, and visitors. Learn more at [jpl.nasa.gov](http://jpl.nasa.gov).

## STUDENT LIFE

### UNDERGRADUATE STUDENT RESIDENCES

Seven of the undergraduate student residences are situated on either side of the Olive Walk near the southeastern end of the campus. The original four—Blacker, Dabney, Fleming, and Ricketts—were built in 1931 from the plans of Mr. Gordon B. Kaufmann, in the Mediterranean style to harmonize with the adjacent Athenaeum. The other three, designed by Smith, Powell and Morgridge, were completed in 1960, and are named Lloyd, Page, and Venerable.

Each of these seven residences is a separate unit with its own dining room and lounge, providing accommodations for between 65 and 100 students, depending on the facility. Each has its own elected officers; a long history of shared governance gives students a great deal of influence over their living environments. Residential life coordinators (RLCs) are specially trained full-time university employees specializing in college student development, community building, counseling, and crisis intervention. The RLCs supervise the resident associates (RAs) on programming and overall student wellness. The RLCs also assist Housing with the management and daily operations of the residences. Each residence has one or more RA, who are typically graduate students. Mail is delivered daily to the student mailboxes. Students should use their mailbox number, California Institute of Technology, Pasadena, CA 91126, to facilitate handling of mail at the campus post office. For more information, please visit [housing.caltech.edu](http://housing.caltech.edu).

#### **Avery House**

Made possible by a gift from trustee R. Stanton Avery, this undergraduate residence and innovative residential complex was designed by Moore, Ruble, Yudell, and completed in September 1996. Located at the north end of the campus, Avery has an RLC, two RAs, two faculty apartments, and rooms for about 136 undergraduates. Its dining facilities, meeting rooms, lounges, and library are designed to encourage informal faculty-student interaction and to attract all members of the campus community to join in this interaction. Avery hosts programs and social events that facilitate involvement between residents and faculty in residence.

### **Bechtel Residence**

Established in the fall of 2018 and located at the northeast edge of campus, the Bechtel Residence is the first residence to open on campus since 1996. Bechtel is named in honor of Caltech life trustee Stephen D. Bechtel, Jr., the founder of the S. D. Bechtel Foundation.

The 95,000-square-foot residence is a multigenerational residence open to all undergraduates with: 211 student bedrooms arranged as singles and in suites; six RA and one RLC apartments; and two faculty-in-residence apartments. Bechtel was intentionally designed to provide the community with the greatest flexibility to maximize space as well as to encourage broader interaction, engagement, and residential life programming among residents. The facility includes three kitchens; eight common areas/study rooms; six laundry rooms; a 400-seat dining hall and servery; and support spaces.

### **Summer Housing**

Caltech will extend a License Contract to those individuals who satisfy the following criteria: (1) they have been approved by the Housing Office and the Undergraduate Dean's Office; (2) they are eligible to enroll for the upcoming Fall Term by no later than the June UASH meeting; and (3) they are in good standing with both the Bursar's Office and the Institute overall. Individuals must satisfy this criteria for the duration of the License Contract. If a Caltech student becomes ineligible to enroll, or is no longer in good standing with the Bursar's Office, or in good standing with the Institute, or in good standing with their Institute-approved summer program, their License Contract will be automatically revoked. UASH meeting dates and petition deadlines can be found at [registrar.caltech.edu/current-students/uash](http://registrar.caltech.edu/current-students/uash).

## **STUDENT RESOURCES AND ACTIVITIES**

### **Hameetman Center**

The Hameetman Center, which opened in 2019, is a new campus center built on the site of the former Winnett Student Center. The Hameetman Center replaces Winnett as Caltech's central community gathering place. The 24,000-square-foot two-story center is named in honor of the Hameetman Foundation and Caltech trustee Fred Hameetman (BS '62) and his wife, Joyce, who provided the initial funding to initiate the design of the reimagined campus hub. It features a large public lounge, an expanded Red Door Marketplace, the Caltech Store, music rehearsal facilities, student club rooms, a multipurpose room, and a conference room. The rehearsal facility is made possible thanks to a gift from Emeritus Professor of Theoretical Physics Steven Frautschi and his wife, Mie.

### **Student Experience**

The Office of Student Experience (OSE) has responsibility for the oversight of Caltech's residential programs, including programs carried out in the undergraduate houses, graduate student residences, and the Bechtel and Marks-Braun communities. The ORE works collaboratively with the Residential Life Coordinators, Resident

Associates, the Interhouse Committee, and other groups to ensure that student leaders in all our residential communities are trained and that there are programs in place to support their development. This is part of the shared governance that is central to the Caltech residential experience. The residence experience also includes member of the faculty who live in the undergraduate residences. The Faculty in Residence (FIR) Team establishes an academic life and culture in Bechtel and Avery House. FIRs bridge the classroom experience by hosting regular conversations over dinner and develop specialized academic programming, which can include: extracurricular activities, tours and excursions, cooperative community service projects, special events, and guest speaker programs.

All residences and houses, including all their activities and programs, are expected to comply with Institute policies, Student Affairs policies, and the Caltech Code of Conduct. Potential Policy or Code of Conduct violations by a house or residence will be referred to the Caltech Routing committee. If the Routing Committee determines that the incident(s) is part of a Residential or House program or activity, it will be referred to ORE for further action. In this case, the Assistant Vice President for Student Affairs and Residential Experience (AVP) or designee, will either (a) manage the situation directly with the community so the concerns can be addressed, or (b) initiate an investigation into the incident. If an investigation is conducted, the investigators will report their findings to the AVP who will make a decision concerning whether any violations occurred and any consequences that may be imposed. The decision of the AVP may be appealed to the Vice President for Student Affairs within 10 days of the decision.

During the investigation, the AVP can suspend activities of the house or residence until further notice if deemed necessary for the health, safety, or the other benefit of the community. A range of outcomes may be considered as consequences to the house or residence if the group is found to have engaged in a policy violation. Possible sanctions including community education and/or suspension of the activity or event. Examples of events that warrant a response include an unregistered event or party, mistreatment of members, and hazing. If the potential situation also includes a potential policy violation involving an individual student(s), the student(s) will be referred to the appropriate Dean's office and may be subject to disciplinary action.

### **The Student Activities Center**

The SAC is located in the basement of the south undergraduate housing complex and is open for student use 24 hours a day. The SAC provides office space for the officers of the undergraduate student government, working space for student publications, rehearsal space for musical activities, and space for many other student-oriented functions.

Whether students are interested in music, publications, student government, gaming, photography, or simply finding a room for their group to meet in, the SAC will probably have what is needed. The

center also houses the South House laundry room and has several club rooms, a small library, a shop, and a movie screening room—most are open 24 hours.

### **Faculty-Student Relations**

Faculty-student coordination and cooperation with regard to campus affairs are secured through the presence of students on faculty committees, by faculty-student conferences, and by other mechanisms.

### **First-Year Advisers**

Each member of the first-year class is assigned a faculty adviser and is a member of a small advising group. The adviser follows the first-year student's progress and provides advice on any questions or problems that the student may have.

### **Option Advisers**

Each member of the three undergraduate upper classes is assigned an option adviser, a faculty member in the option in which the student is enrolled. The adviser takes an interest in the student's selection of courses and progress toward a degree, and, eventually, in assisting the student toward satisfactory placement in industry or in graduate school. Normally, the association between student and adviser is established before the beginning of the sophomore year and continues through graduation.

### **Athletics, Physical Education, & Recreation (APER)**

Caltech supports an extensive program of competitive athletics. As a member of NCAA Division III and the Southern California Intercollegiate Athletic Conference, Caltech participates in intercollegiate competition in 20 sports—10 each for men and women. All teams compete during a regular season, with many also competing or qualifying for the conference tournament in their respective sport. Individual scholar-athletes and teams distinguishing themselves can earn the privilege of participating in NCAA regional and national championships.

Caltech also sponsors vigorous club sports programs and intramural competition. Club sports include Ultimate Frisbee, volleyball, badminton and soccer. Intramural competitions are contested by residence house teams in several sports, including soccer, dodgeball, kickball, Ultimate Frisbee, basketball, volleyball, and floorball. Approximately 25 percent of Caltech undergraduates participate in intercollegiate athletics and over 80 percent participate in some form of organized athletic competition each year.

Outdoor athletic facilities include a brand-new turf mixed-use baseball and soccer field, a second natural grass mixed-use field, an all-weather running track, eight tennis courts, and two 25-yard, eight-lane swimming pools. Indoor facilities include two full-size gymnasiums; four racquetball courts, two squash courts; a 5,000-square-foot weight room, satellite weight room and more than 55 pieces of cardio-respiratory equipment, including treadmills, exercise bikes and ellipticals; and a large multipurpose room for

dance/aerobics, martial arts and a variety of group fitness courses.

The department is also responsible for management of Caltech's recreation programs and physical education curriculum.

More information can be found at [gocaltech.com](http://gocaltech.com).

### **Interhouse Activities**

The president of each undergraduate house represents that house on the Interhouse Committee (IHC), which helps to handle matters affecting the houses, in conjunction with staff from Student Affairs. Members of the IHC are expected to be enrolled and in good standing, both academically (eligible, and not on probation) and disciplinarily (not on probation), during their tenure in office. The IHC works in conjunction with the APER department to conduct intramural competitions as described above, and conducts its own Discobolus Trophy competition, in which a house may challenge the house holding the trophy to a mutually agreed upon contest.

### **ASCIT**

The undergraduate student body forms the membership of a corporation known as the Associated Students of the California Institute of Technology, Inc., or ASCIT. Governed by a board of directors consisting of six elected officers, it is involved in many aspects of student life; oversees publication of *The Tech*, our undergraduate student newspaper; the Big T yearbook; a literary magazine called Totem; and the Little t, which provides lots of helpful information to incoming students. A directory, along with other student information, such as campus positions, links to the Interhouse Committee (IHC) and Academics and Research Committee (ARC), and other helpful information is available online at [donut.caltech.edu](http://donut.caltech.edu).

Besides overseeing student publications and coordinating activities and policies, the ASCIT Board of Directors administers the corporation's finances. ASCIT sponsors a wide variety of special-interest clubs and programs, working closely with Student Activities and Programs part of the Office of Student Experience. The student government is active in campus affairs. The student members of standing faculty committee ensure that undergraduate opinion is considered seriously. Excellent informal relations between students and faculty and between students and administration promote discussion of mutual concern and goodwill. Student-faculty conferences are held every other year and serve to promote communication mainly around academic topics.

### **Graduate Student Council**

The Graduate Student Council (GSC) is the student government for Caltech graduate students. It is the mission of the GSC to maximize the quality of life for the graduate student community at Caltech. The GSC Board of Directors interacts with the Institute's administrative bodies and is formed of subcommittees dedicated to academic support, advocating graduate student issues, sharing student news, and organizing social events.

## Student Leadership Expectations

Graduate and undergraduate student leaders who are in either elected or appointed positions must be enrolled and in good standing with the Institute.

## Honor System

The Honor Code, embodied in the phrase “No member shall take unfair advantage of any other member of the Caltech community,” is the fundamental principle of conduct for all students and extends to all phases of campus life, including scholastic and extracurricular activities, relations among students, and relations between students and faculty. The Honor System is the most important tradition of the undergraduate student body. The Board of Control (Board), which is composed of elected student representatives, is charged with monitoring the academic Honor System for undergraduates, investigating course work violations, and making recommendations to the dean of undergraduate students. The purpose, composition, duties, and procedures of the Board, as well as the roles and responsibilities of the deans, faculty, vice president for student affairs, complainants (students reporting suspected violations), respondents (those against whom an allegation of an academic Honor System violation is made), witnesses, and other participants in the process, are set forth in Article XIII of the Associated Students of the California Institute of Technology bylaws.

The Conduct Review Committee, composed of students, faculty, and staff, hears cases involving non-academic Honor Code and Institute policy violations for undergraduate students, and also makes recommendations to the dean. At their discretion, the dean of undergraduate students, or their designee, may directly handle a matter also involving the Honor System, the Code of Conduct, and Institute Policies for undergraduate students. The Honor Code Handbook, a resource for undergraduate students, is available online at [deans.caltech.edu/HonorCode](https://deans.caltech.edu/HonorCode).

The Honor System is also an important part of graduate student life. The dean of graduate studies is responsible for reviewing and making decisions concerning alleged Honor Code violations with respect to course-work. The Graduate Honor Council (GHC) serves as a consultative resource to the dean. At their discretion, the dean of graduate studies may request that the GHC investigate and hear a case, and provide its recommendations to the dean for final review and decision. All Members of the Graduate Honor Council must be in good standing with the Office of Graduate Studies and must attend a formal training before they may serve on a case. Examples of Honor Code violations include, but are not limited to, plagiarism, violations of the collaboration policy in a class, and/or using resources that were strictly prohibited for homework and/or exams. Incidents that are not handled by the dean of graduate studies include accusations of research misconduct, which are handled by the Office of Research Compliance; grade disputes, which are handled by the office of the provost. Institute Policy violations are handled by the office of the dean of graduate studies or the appropriate administrative

organization.

### **Student Body Publications**

The publications of the student body include a weekly paper, *The California Tech*; an undergraduate research journal, *CURJ*; a literary magazine, *Totem*; a student handbook, the *Little t*, which gives a survey of student activities and organizations and serves as a campus directory; a yearbook, *Big T*; an online undergraduate research opportunities handbook, *UROH*; and Caltech Letters, an online campus publication designed to let students talk about their research and their viewpoints on science with the broader world. These publications, staffed entirely by students, provide an opportunity for interested students to obtain valuable experience in creative writing, photography, artwork, reporting and editing, advertising, and business management.

### **Performing and Visual Arts**

The Institute provides directors and facilities for choirs, concert band, jazz band, symphony orchestra, numerous chamber music ensembles, guitar classes, a theater program, ceramics and studio arts classes. These activities are centered in the Music and Theater Arts houses on Hill Avenue along the eastern edge of campus.

### **Student Clubs**

All student clubs must be officially recognized in order to be in and remain in good standing with the Institute. To become officially recognized, the club must annually apply for recognition. You will find details regarding this process outlined in the Student Club Handbook, which is available on the Office of Student Experience website ([ose.caltech.edu](http://ose.caltech.edu)).

Once the club is officially recognized, it may plan on maintaining that recognition for the duration of the current academic year. The details of how to remain in good standing with the Institute are outlined in detail within the Student Club Handbook. These details include club oversight, privileges, responsibilities, finances, and other very important information. A recognized club will receive the following privileges: the ability to recruit members; advertise events; secure funding; conduct officer elections; provide trainings and use Institute facilities for meetings and events. Additional, key elements of club recognition include but are not limited to, having an advisor, an appropriate purpose, and a leadership infrastructure. Note that only recognized clubs will be allowed to participate in the annual Club Fair.

Clubs at Caltech are expected to follow Institute policy, Student Affairs policies, and the Caltech Code of Conduct. Potential policy or Code of Conduct violations by a club or in connection with a club event will be referred to the assistant vice president for student affairs and residential experience (AVP) or their designee, will either (a) manage the issue with the club through an appropriate Institute response, or (b) initiate an investigation into the incident. If an investigation is conducted, the investigators will report their findings to the AVP who will make a decision concerning whether any violations

occurred and any consequences that may be imposed. The decision of the AVP may be appealed to the vice president for student affairs within 10 days of the decision.

During the investigation, the AVP may suspend the club's recognition and planned activities, if deemed necessary, for the health, safety, or other benefit of the community. A range of outcomes may be considered as consequences to the club if the group is found to have engaged in a policy violation. Possible sanctions examples include education, suspension of some or all of the group's privileges, or loss of their recognition status with the Institute. If the potential situation also includes a potential policy violation involving an individual student(s), the student(s) will be referred to the appropriate Dean's office and may be subject to disciplinary action.

### **Caltech Center for Inclusion & Diversity (CCID)**

The Caltech Center for Inclusion & Diversity (CCID) mission is to provide education, advocacy, and allyship in order to increase institutional and personal capacity for diversity and ensure a community committed to equity and inclusive excellence. We create and implement campus-wide initiatives and programs that will increase the knowledge, skills, and attitudes for all members of the Caltech community to thrive in a diverse world.

*Awareness and Education.* We are committed to building the capacity for cultural competencies, skills, and action by designing workshops and trainings appropriate for all constituents on campus. We value consistent assessment and formative feedback to facilitate sustainable and lasting change.

*Advocacy through Collaboration.* We actively engage with the Caltech community to promote and provide access to information and resources that help achieve our academic and personal goals. The CCID provides programs and services to meet the specific needs of racially underrepresented groups, women, all sexual and gender identities (LGBTQ+), underserved, and ally communities on campus.

*Allyship.* We create spaces and skill-building opportunities for all members of the community to engage with issues related to their multiple identities. We provide resources and promote an environment that is supportive for all.

If you are interested in getting involved with CCID, please check the center website: [ccid.caltech.edu](http://ccid.caltech.edu).

### **Caltech Y**

The Caltech Y is a student-driven nonprofit organization on campus. Founded by students for students, the Y challenges the Caltech community to see the world with a broader perspective and a deeper understanding of social issues. Y programs focused on community service and activism, outdoor adventures, social activities, and cultural events encourage students to become active participants in the world. With the help of Y staff, student leaders plan and lead events, trips, and initiatives on campus and beyond. Some of the many Y programs include the Rise tutoring program, the Y hike in the California Sierras, Alternative Spring Break, Make-a-Difference Day, World Fest, the



Student Activism Speaker Series, and the D.C. Science Policy Trip. The Y also provides services to the Caltech community, such as low-cost audio visual and camping equipment rentals, discounted tickets, and much more. For more information about student planning meetings, email [caltechy@caltech.edu](mailto:caltechy@caltech.edu) or check out our website at [caltechy.org](http://caltechy.org). Follow us on Facebook at [facebook.com/caltechy](https://facebook.com/caltechy) and Instagram at [instagram.com/caltechy](https://instagram.com/caltechy).

### **Religious Observation**

Caltech has a quiet room for prayer, mediation, quiet reflection and religious observation. The quiet room is located in the Hameetman Student Center. For information about religious clubs, see the Student Clubs website at [ore.caltech.edu](http://ore.caltech.edu).

### **Special Meals**

If you have a dietary restriction that requires a special request, please contact Caltech Dining Services at [dining@caltech.edu](mailto:dining@caltech.edu). If your restriction rises to the level of a disability, please visit the Caltech Accessibility Services for Students (CASS) website at [cass.caltech.edu](http://cass.caltech.edu) to request accommodation.

### **Registration for Student Sponsored Events**

Student events, including parties, activities, and programs that are hosted by a house or residence, are a privilege at Caltech and are part of the social framework of the Institute, but must be conducted in a safe and legally compliant manner. We expect the student body to follow laws, polices, guidelines for events, use common sense, and good judgement. All events all events must be registered; for additional information and to complete your Student Event Registration online, visit [spa.caltech.edu](http://spa.caltech.edu).

### **Student Auxiliary Services**

The Student Auxiliary Services, Gift & Technology Store ([caltechstore.caltech.edu](http://caltechstore.caltech.edu)) is located on the first floor of the Hameetman Center. Established in the 2018–2019 academic year with a lead gift from The Hameetman Foundation, the Hameetman Center (formerly the Winnett Student Center) is now renamed in the Foundation's and Fred Hameetman (BS '62) and his wife, Joyce's honor. Owned and operated by the Institute, the store serves the students, faculty, and staff, carrying a stock of Caltech authors' books, insignia merchandise, gift items, school supplies, computer hardware, and accessories that support Caltech's educational and research mission. Also located on the first floor of the Hameetman Center is the redesigned Red Door Marketplace that offers freshly brewed coffee and tea, full menu, and bakery items.

# STUDENT WELLNESS SERVICES

## GENERAL INFORMATION

Student Wellness Services is committed to supporting the health and emotional well-being of Caltech students. Through individualized treatment planning, consultation, and outreach, we provide direct services and community-level interventions to improve student wellness and allow students to focus on their pursuit of academic success and holistic development. All enrolled students, regardless of insurance coverage, are eligible for basic medical and psychological care, crisis counseling, and occupational therapy at Student Wellness Services, through payment of the health fee. Students who require specialty or longer-term care beyond the scope of what Student Wellness Services provides will be referred to community providers using their health insurance; costs associated with this care are the responsibility of the student. A full description of the range of services and programs offered by Student Wellness Services can be found at [wellness.caltech.edu](http://wellness.caltech.edu).

## HEALTH FORMS

Matriculating and matriculated students are required to submit entrance health forms that include medical and immunization history. Information regarding immunization requirements and the completion of the health forms are posted on the [Student Wellness Services website](#). Additional immunization requirements may be adopted by the Institute as necessary. Matriculating students will receive access to the Student Health Portal to enable secure online upload of the forms. Health forms must be received in accordance with the dates and deadlines established by Student Wellness Services and set forth on the [Student Wellness Services website](#). Failure to meet these requirements will result in a registration hold, withdrawal from registered classes, and the inability to register for future classes until submitted health forms are complete and fully compliant with Student Wellness Services requirements.

## STUDENT HEALTH INSURANCE

Students have the option to waive the Caltech student insurance plan during the waiver period each year, provided they show proof of adequate alternative coverage. Students will be automatically enrolled in the Caltech plan if a waiver is not submitted. The Caltech Anthem plan provides coverage (with deductible and copay) for most hospital and surgical costs, as well as the cost of outpatient treatment for injury, illness, and psychotherapy. Students must be enrolled in order to maintain eligibility for coverage. Students on an approved medical leave can continue coverage for up to one year; the cost of the plan premiums will be the responsibility of the student. Complete coverage and exclusion details can be found here: [hr.caltech.edu/studentbenefits](http://hr.caltech.edu/studentbenefits). If the Caltech plan has been waived, students are advised to ensure that their alternative coverage provides access to medical and mental health providers close to campus.

# CALTECH ACCESSIBILITY SERVICES FOR STUDENTS (CASS)

## GENERAL INFORMATION

Caltech Accessibility Services for Students (CASS) seeks to provide students with disabilities with equal access to all Institute programs, activities and services. Caltech is committed to maintaining a diverse academic community, and welcoming individuals with a broad spectrum of talents and experiences to its campus and programs. Students with disabilities, actively participating in all aspects of the Caltech experience, are an essential part of that diversity.

CASS will make every reasonable effort to provide academic adjustments and other reasonable accommodations to otherwise qualified students with known disabilities, including temporary conditions, consistent with Caltech's obligations under applicable law; including the Americans with Disabilities Act (ADA) of 1990, and Section 504 of the Rehabilitation Act of 1973.

CASS will maintain the confidentiality of all student records as required by law, and only shares necessary information with faculty, staff, and housing when given a student's consent. Disability accommodations will not appear on a student's transcript.

Students may visit the CASS website at [cass.caltech.edu](http://cass.caltech.edu) for more information about the process of registering for disability accommodations and documentation guidelines. Completed CASS applications may take up to 30 days to process, so students are encouraged to submit applications in a timely manner.

## CALTECH CARE TEAM

### GENERAL INFORMATION

The CARE Team is a multidisciplinary group of professional staff from key areas of the Institute. Each member brings knowledge and expertise in their field, including mental health, crisis intervention, student development, staff consultation, campus security, academic support, and residential life. The CARE Team also collaborates with many other entities across campus including athletics, the Equity and Title IX Office, the Caltech Center for Inclusion & Diversity, Student Faculty Programs, International Student Programs, Career Advising and Experiential Learning, and the academic divisions.

The CARE Team connects students with resources and support. Through early identification of academic difficulties, social concerns, behavioral disruptions, and health issues, the CARE Team can partner with students to create individualized plans to help mitigate crises and promote success. The behaviors listed below, especially when more than one are present, may be signs of distress:

- Mood or behavior changes

- Changes in personal hygiene
- Social withdrawal
- Excessive absences from class or lab
- Persistent disinterest or disengagement in work
- Escalated substance use
- Talking about death, dying, or suicide
- Disruptive and/or aggressive behavior
- Threatening language or social media postings

The CARE Team will collaborate with the referring party to create a support plan, which may include outreach, academic or personal counseling, referral to campus support services, and other relevant resources.

Referrals to the CARE Team can be made at:  
[caltechcares.caltech.edu](http://caltechcares.caltech.edu).

## **CAREER ACHIEVEMENT, LEADERSHIP, AND EXPLORATION (CALE)**

### **GENERAL INFORMATION**

Career Achievement, Leadership, and Exploration (CALE) aims to support students, postdocs, and recent alumni in their pursuit of a fulfilling career, including career pathways within, or at the intersection of, science, engineering, academia, industry, and public service.

CALE offers a myriad of programs and services thoughtfully designed with the goal of meeting the career and professional development needs of Caltech students and postdocs, a group that is highly technical, often ambitious, and concurrently engaged in rigorous time-intensive academic and research programs. Importantly, CALE, in partnership with the academic divisions, has adopted a hub-and-spoke model for career services. CALE acts as the central hub, overseeing core services such as employer relations and career coaching while working closely with the academic divisions to develop and maintain joint, targeted programs. This model allows for both independent and embedded programming within the academic divisions, providing for a stronger bridge between traditional coursework and a meaningful career, whether that career be in academia, industry, or the public sector. Joint programs run by CALE and an academic division(s) are open to all Caltech students, postdocs, and recent alumni regardless of option.

CALE takes a holistic approach to student development and career education, partnering closely with faculty, student and postdoc leadership, Student Wellness Services, the Hixon Writing Center, the Caltech Alumni Association, the Caltech Center for Inclusion & Diversity, Student Faculty Programs, International Student Programs, the Office of Student Experience, the Center for Teaching, Learning, and Outreach, and the Caltech Y, in order to provide relevant and timely professional development opportunities and programming.

## **CAREER SERVICES AND EMPLOYER RELATIONS**

CALE develops and maintains robust relationships with potential employers in areas of particular interest to Caltech students, postdocs, and recent alumni, such as science, engineering, technology, finance, consulting, and the public sector. Through on-campus and virtual recruiting programs, CALE supports employer-student engagement. CALE maintains a platform through which approved employers are able to post appropriate job and internship opportunities, view the profiles and resumes of participating students, postdocs, and alumni, and schedule information sessions and interviews. CALE hosts a diverse range of companies who send representatives to campus to talk to Caltech students and postdocs about full-time employment and internship opportunities through career fairs, information sessions, and on-campus interviews. CALE and the academic divisions, through joint programs, host employers for events such as industry days, tech talks, employer office hours, and dinners for eight. CALE is also responsible for developing and enforcing recruiting guidelines, protecting the interests of students and postdocs, while respecting the needs of employers.

## **CAREER COACHING, MENTORSHIP, AND EDUCATION**

CALE offers programs and services targeted at each stage of the career development cycle including career exploration, job and internship search strategies and preparation, graduate and professional school preparation and application processes, career planning, and further professional development. Students, postdocs, and recent alumni can schedule individual appointments for career coaching, document review, and mock interviews; participate in workshops focused on skill building; and attend networking events. Career and vocational interest tests can be taken on the recommendation of a career coach. CALE runs peer and alumni mentoring programs in addition to employing professional career coaches. Peer and alumni mentors provide additional perspectives and are a complementary resource available to students and postdocs.

CALE partners with the academic divisions to offer curricular education and opportunities. CALE assists with the organization and management of career related courses as well as arranging for guest speakers and supporting career related curriculum design.

CALE provides advice on applying to Ph.D., master's, and professional programs in the sciences or applied sciences, engineering, economics, medicine, public health, environmental sciences, business, law, and other fields. Workshops and individual advising are available on the graduate school admissions process, essay writing, and related topics. Students planning to apply to graduate or professional school are encouraged to plan ahead and to utilize the resources of CALE in making and implementing choices related to graduate studies.

## PRE-HEALTH ADVISING

Students planning to apply to medical, dental, veterinary, or pharmaceutical graduate school have access to a wide range of advising services through CALE. Students can obtain relevant medical research experience through the Caltech summer preceptorship program, which has placements with hospitals in the LA area. The pre-health adviser is available to work with students throughout the process from their first year to graduation. CALE works closely with the academic divisions and option advisers to support availability and alignment of academic coursework with medical school requirements across multiple options.

## ON-CAMPUS EMPLOYMENT AND WORK-STUDY

On-campus employers including those within the academic divisions are encouraged to make use of CALE's job platform in order to advertise and recruit student employees. (See also [Student Employment](#))

## CALTECH ALUMNI ASSOCIATION

The Caltech Alumni Association (CAA) exists to ensure the personal, professional, and intellectual success and well-being of the more than 25,800 Caltech alumni around the world. Caltech Alumni advance humanity through active participation in Caltech and in the communities where they live, work, and play. Together, CAA and Techers champion education, science, and technology, using their skills, experiences, training, and education for the benefit of their communities and the world. Among CAA's programs and services are Alumni Weekend and Reunions, Seminar Day, Tables for Techers, Techer Alumni Tours, Distinguished Alumni Awards, Chang Prize, the Alumni Portal, and more. CAA publishes *Techer* alumni magazine as well as news and feature content at [www.alumni.caltech.edu](http://www.alumni.caltech.edu).

## INTERNATIONAL STUDENT PROGRAMS

As the definitive immigration resource for international students, International Student Programs (ISP) is responsible for advising students on all immigration-related matters, such as visa acquisition, employment authorization, extensions of stay, and more. In addition, ISP provides programs that assist international students and their dependents in adjusting to life in the United States. ISP plans and promotes events that celebrate international education and cultures of the world, address cross-cultural adjustment, and provide opportunities for international students to establish a sense of community at Caltech. Prior to the fall term, ISP hosts International Student Orientation to provide an introduction to academic and social life at Caltech and in the United States. All incoming international students are required to participate. Please contact ISP at [isp@caltech.edu](mailto:isp@caltech.edu) for more information on current programs, or visit ISP

## AUDITING COURSES

Persons affiliated with the Institute may audit courses if they obtain the consent of the instructor in charge of the course, and the dean of undergraduate students or dean of graduate studies, as appropriate, and pay the required fee (contact the Bursar's Office for audit fee). The fees are nonrefundable.

Auditing forms may be obtained in the Registrar's Office.

Regularly enrolled students and members of the faculty are not charged for auditing. Auditing forms are not required, but the instructor's consent is necessary in all cases. No grades for auditors are reported to the Registrar's Office, and no official record is kept of the work done.

## GRADES AND GRADING

All permanent grades recorded for first-year students during the first and second terms they are enrolled will be either P, indicating "passed," or F, indicating "failed." The temporary grade of I ("incomplete") may be used as it is for other students. The temporary grade of E may be given to first-year students as described below for other students. It may also be used in a continuing course if the performance of the first-year student concerned is not significantly below the current passing level, and if the student is maintaining a steady and substantial improvement; an E given for this reason will be automatically changed to a P if the first-year student earns a P for the following term, and will change to an F if the student receives an F for the following term. The grade may not be used in this way for two successive terms nor for the last term of the course.

If a first-quarter or second-quarter first-year student is enrolled in a course in which the instructor gives letter grades, the registrar will record P for all passing grades. No grades given to a first-year student during the first and second quarter in which they are enrolled will be used in computing the cumulative grade-point average.

For all students beyond the first and second quarters of their first year (as a first-year student), graduate and undergraduate, letter grades will ordinarily be used to indicate the character of the student's work: A, excellent; B, good; C, satisfactory; D, poor; E, conditional; F, failed; I, incomplete. P may also be used as described below under Pass/Fail Grading. In addition, grades of A+ and A-, B+ and B-, C+ and C-, and D+ may be used. In any situation in which no grade is reported, the grade shall be assumed to be F.

*Failed.* Means that no credit will be recorded for the course. The units, however, count in computing the student's grade-point average, unless the course was taken on a pass/fail basis. The student may register to repeat the subject in a subsequent term and receive credit without regard to the previous grade, the new grade and units being counted as for any other course, but the original F and units for the

course remain on the record. Grades other than E, I, and W are assumed to be based on work completed and evaluated at the time of grade submission.

## E AND I GRADES

*E Grades.* At their discretion, instructors may give students who have not completed their work for a course by the end of the term a grade of E. The grade E indicates deficiencies that may be made up without repeating the course. If the instructor does not specify a date on the grade report sheet for completion of the work, students receiving an E will have until Add Day of the following term to complete their work for that course. Instructors may, however, require the work for the course to be completed by an earlier date. In addition, students should be aware that E grades can impact ability to meet eligibility requirements. If an E grade impacts a student's academic standing, the grade may be due by the first day of classes. See section Scholastic Requirements for additional information.

If a student receives an E and does not complete the work by the date specified by the instructor or by Add Day (or a different date specified by the instructor), the grade will be changed to an F. Adequate time must be afforded to instructors to grade the work and to submit the final grade to the registrar.

It is the responsibility of a student receiving an E to confirm that the registrar has recorded the terms for satisfying the completion of the work in the course.

With the written permission of the instructor, a student may extend the E grade past Add Day of the following term, but doing so will cause an additional E grade to be registered. Each additional extension of the E will be until the date specified by the instructor or until Add Day of the following term, but in each case will require the written permission of the instructor and the registering of an additional E grade.

*E Count Limitations.* After an undergraduate student has been awarded the grade of E six times, they are not eligible to receive E grades in any subsequent term. A petition for an E in a subsequent term may be approved by the Undergraduate Academic Standards and Honors (UASH) Committee in an exceptional case. Such a petition requires the support of the instructor and the dean or associate dean of undergraduate students.

*I Grades.* The grade I is given only in case of unexpected sickness or other emergency, occurring near the end of the term, that impedes the completion of the work in the class. An I grade is not intended to allow students to make up missed work from the majority of the term. If a student has not completed the majority of the work, they are not eligible for an incomplete and they will be advised to late drop the class or take a leave. It is given at the discretion of the instructor, after approval by the dean or associate dean of students or the dean of graduate studies. If a student is seeking an I grade due to a severe exacerbation or onset of a disability that occurred near the end of the term, they should contact Caltech Accessibility Services for Students (CASS) at [cass@caltech.edu](mailto:cass@caltech.edu).



The time period within which the grade of I is to be made up should be indicated on the grade sheet, or students receiving an I will have until Add Day of the following term to complete their work for the course. In addition, students should be aware that I grades can impact ability to meet eligibility requirements. If an I grade impacts a student's academic standing, the grade may be due by the first day of classes. See section Scholastic Requirements for additional information.

Students receiving grades of E or I should consult with their instructors, and one of the deans, at the time of issue regarding the work required and the time allowed. This time should, in most cases, coincide with the date fixed in the calendar for removal of conditions and incompletes (Add Day), and in fact if no other time is specified, this date will be assumed. However, except under extraordinary circumstances, the time for the completion of the work will not be extended beyond one year after the date in which the grade of E or I was given. In the absence of an earlier deadline, an E will turn into an F one year after the date on which the E was given, and an I grade will turn into a W (standing for "withdrawn") one year after the date on which the I grade was given. Waiving of this one year rule is done in only the most exceptional of circumstances and requires the agreement, before that one year anniversary, of the dean of undergraduate students, chair of UASH, and executive officer of the department in which the course was taken.

Grades of E and I shall not be considered in calculating a student's grade-point average.

## **PETITIONS AND EXCEPTIONS**

Once recorded, a grade will only be changed on the basis of error. Such a change may be made only with the approval of the Undergraduate Academic Standards and Honors Committee or of the Graduate Studies Committee, whichever has jurisdiction.

Petitions by undergraduate students for late drops (i.e., requests to drop a course after Drop Day) will be considered by the UASH Committee, but will only be approved if circumstances beyond the student's control prevented them from dropping a course or courses by the posted deadline. Such petitions must be submitted before the end of the term following the term when the course was taken, or within the first term of return, if the student is on leave in the term following the term when the course was taken. If approved, a W will be recorded on the student's transcript in place of a grade for that course. W's will not be included in the computation of the student's grade-point average. Courses will be expunged from the student's record only in exceptional circumstances, at the discretion of the UASH Committee.

Petitions from graduating seniors submitted later than the first UASH meeting following graduation (which normally takes place shortly after graduation) will not be accepted for consideration, except to correct an error by the Institute.

## GRADE-POINT AVERAGE

Grade-point average is computed by dividing the total number of credits earned in a term or an academic year by the total number of units taken in the corresponding period. Units for which a grade of F has been received are counted, even though the course may have subsequently been repeated. Grades of P or F obtained in courses graded on a pass/fail basis are not included in computing grade-point average.

Each course at the Institute is assigned a number of units corresponding to the total number of hours per week devoted to that subject, including classwork, laboratory, and the normal outside preparation. Credits are awarded as shown in the table below.

| No. of Units | A+ | A  | A- | B+ | B  | B- | C+ | C  | C- | D+ | D  | F |
|--------------|----|----|----|----|----|----|----|----|----|----|----|---|
| 1            | 4  | 4  | 4  | 3  | 3  | 3  | 2  | 2  | 2  | 1  | 1  | 0 |
| 2            | 9  | 8  | 7  | 7  | 6  | 5  | 5  | 4  | 3  | 3  | 2  | 0 |
| 3            | 13 | 12 | 11 | 10 | 9  | 8  | 7  | 6  | 5  | 4  | 3  | 0 |
| 4            | 17 | 16 | 15 | 13 | 12 | 11 | 9  | 8  | 7  | 5  | 4  | 0 |
| 5            | 22 | 20 | 18 | 17 | 15 | 13 | 12 | 10 | 8  | 7  | 5  | 0 |
| 6            | 26 | 24 | 22 | 20 | 18 | 16 | 14 | 12 | 10 | 8  | 6  | 0 |
| 7            | 30 | 28 | 26 | 23 | 21 | 19 | 16 | 14 | 12 | 9  | 7  | 0 |
| 8            | 35 | 32 | 29 | 27 | 24 | 21 | 19 | 16 | 13 | 11 | 8  | 0 |
| 9            | 39 | 36 | 33 | 30 | 27 | 24 | 21 | 18 | 15 | 12 | 9  | 0 |
| 10           | 43 | 40 | 37 | 33 | 30 | 27 | 23 | 20 | 17 | 13 | 10 | 0 |
| 11           | 48 | 44 | 40 | 37 | 33 | 29 | 26 | 22 | 18 | 15 | 11 | 0 |
| 12           | 52 | 48 | 44 | 40 | 36 | 32 | 28 | 24 | 20 | 16 | 12 | 0 |
| 13           | 56 | 52 | 48 | 43 | 39 | 35 | 30 | 26 | 22 | 17 | 13 | 0 |
| 14           | 61 | 56 | 51 | 47 | 42 | 37 | 33 | 28 | 23 | 19 | 14 | 0 |
| 15           | 65 | 60 | 55 | 50 | 45 | 40 | 35 | 30 | 25 | 20 | 15 | 0 |

### Pass/Fail Grading, the following regulations apply

- First-quarter and second-quarter first-year students receive pass/fail grades in all courses by virtue of their classification as first-year students by an admissions committee or, for students whose status after the first year is uncertain, by the Undergraduate Academic Standards and Honors Committee.

- All other students, undergraduate and graduate, in courses with numbers under 200 will receive letter grades unless the course is designated “graded pass/fail” or unless, when it is allowed, the student submits a change to the course’s grading scheme on or before Drop Day.
- In courses with numbers 200 or greater that are not designated either “graded pass/fail” or “letter grades only,” the instructor may decide separately for each student what class of grades to use.
- All research courses shall be designated “graded pass/fail.” All reading courses, seminar courses, or other courses that do not have a formal class structure shall be designated “graded pass/fail” unless the option secures an exemption from the Curriculum Committee or the Graduate Studies Committee and from the Faculty Board.
- A grade on the pass/fail system should be P if it would have been a D or better on the letter grade system. (Note that there is no D–grade.) The standards of failure in courses in which only pass/fail grades are used should be the same as they would be if the course were letter graded.
- Any instructor may, at their discretion, specify prior to registration that their course, if not classified by the above regulations, is to be graded on a “letter grades only” basis or is to be graded pass/fail only, subject to possible review by the responsible option. The registrar must be notified of such specification two weeks before the beginning of registration. (Note: If the grading scheme is changed during the term, it is changed for everyone.)
- Each term, any student may select, subject to requirements imposed by the student’s option, two elective courses in which they are to be graded on a pass/fail basis if the course is not designated as “letter grades only” and is not specifically required for the degree in their option. To make this election, a student must submit a change to the course’s grading scheme in REGIS, or submit a written request to the Registrar’s Office, on or before Drop Day. This election may be reversed or reinstated at any time before the deadline. Students must resubmit their schedule in REGIS after all changes, and the pass/fail election must be approved by the student’s adviser. The instructor must allow any eligible student to make this election.
- Of the units offered to satisfy the requirements for the Bachelor of Science degree, no more than 90 may be in courses graded pass/fail because of the student’s election (this does not include those courses taken in the first two terms during an undergraduate’s first year (as a first-year student) or those designated pass/fail by the instructor, option, or curriculum committee).
- The Institute has approved changes to the Core Curriculum for the incoming class entering 2024. If you are interested, the details may be found in [Appendix A](#) .

## **PROCEDURES FOR RESOLVING DISPUTES OVER GRADING**

At Caltech, the instructor has full responsibility for assigning grades to students enrolled in a course. On occasion, a student may not understand how a grade was determined and may seek further information. The student should first meet with the instructor or teaching assistant to discuss the grade. If after doing so the student believes the grade is unjustified or capricious, the following procedures are available.

Before the end of the term following the term when the grade was issued, the student should contact the academic mediator, appointed by the provost, who will work with the student and instructor to resolve the problem. If the mediation effort is unsatisfactory to the student, they may request a formal review by an appropriate executive officer or academic officer. The executive officer will review the case and report the decision in writing to the student. If the executive officer decides that a change of grade is warranted, or if the student requests a further appeal, these shall be requested of the division chair. At the discretion of the division chair, a committee may be appointed to review the case. The committee members should interview everyone involved in the case (the student, the course instructor, the teaching assistant, and anyone else with relevant information), and make a written recommendation to the division chair. Only the division chair can authorize the registrar to enter a new grade in the student's transcript.

## **NOTICES AND AGREEMENTS**

### **ACADEMIC RECORDS OF VETERANS**

The Institute maintains a written record of a student's previous education. This is part of the student's official transcript, and included on this is a summary of any prior college-level education. A true copy of a transcript of college-level work at other institutions is maintained as part of the student's record. The amount of credit granted for prior training is indicated on the student's official transcript and, where this results in the shortening of a required training period in the case of a veteran, the Veterans Administration is notified.

The Institute's official transcript for each student shows the progress that student is making at the Institute. There is a record of each course enrolled in each term with a grade recorded for the course. The total number of units earned is kept so that the record will show continued progress toward the degree sought. The final grades are recorded at the end of each term of the school year, and the accumulative permanent record has on it grades for all subjects taken at the Institute. No student is allowed to enroll repeatedly in a course and withdraw without penalty. If a student enrolls in a course, they are expected to complete the course or receive a failing grade unless they withdraw from the course prior to the deadline for dropping courses. All students must maintain a minimum load equivalent to 12 quarter hours each term; no student may drop courses that would bring them

below this level of effort. At any time when the student falls below the required number of units, fails to receive satisfactory grades, or engages in unsatisfactory conduct, the record is marked to indicate this, and the student is forbidden to continue at the Institute.

The grading system of the Institute is A+ (excellent) to F (failed). An A+ is equivalent to 4.3 and an F to 0.0. A student must maintain a grade-point average of 1.9 in any term in order to be able to enroll in a successive term at the Institute. A minimum 1.9 overall grade-point average is required for graduation. A student who drops below the required average (1.9 for a given term) is dismissed and must petition for reinstatement. A student may be reinstated by the Undergraduate Academic Standards and Honors Committee and, if so, is required to earn a 1.9 GPA during the immediately following term. The Veterans Administration is notified when a veteran is academically dismissed or is making unsatisfactory progress toward a degree. Since the Institute requires all students to carry a minimum full load that corresponds to 12 quarter hours each term, any student who finishes a term in good standing is considered to have made satisfactory progress. If a student withdraws from a course before the final date for withdrawal, no grade is given in that course. The time spent in school counts, however, and the student may be considered to have not made satisfactory progress in the event of such withdrawal.

In order to withdraw from any course, a student must drop the course in REGIS or submit a written request to the Registrar's Office. The instructor should maintain the date on which the student was last in official attendance in that course. If a student reenrolls in that course and successfully completes it, that fact will be noted on their official transcript.

### **VETERANS BENEFITS AND TRANSITION ACT OF 2018 (SECTION 103)**

Caltech adheres to the requirements of and complies with the Veterans Benefits and Transition Act of 2018, specifically S2248 PL 115-407 Section 103. This provision was effective August 1, 2019 for any students who are considered "a covered individual" using "Chapter 33: Post 9/11 GI Bill®" benefits or any participants in "Chapter 31: Vocational Rehabilitation and Employment Program" benefits at a public, private for-profit, or not-for-profit institution regarding unpaid tuition and fees.

Caltech permits any covered individual to attend or participate in courses during the period beginning on the date on which the individual provides to the educational institution a certificate of eligibility for entitlement to educational assistance under chapter 31 or 33 of this title.

In accordance with S2248 PL 115-407 Section 103 Caltech will not impose any penalty, including the assessment of late fees, the denial of access to classes, libraries, or other Institute facilities, or the requirement that a covered individual borrow additional funds, on any covered individual because of the individual's inability to meet their financial obligations to the institution due to the delayed disbursement of a payment to be provided by the Secretary under chapter 31 or 33

of this title.

GI Bill® is a registered trademark of the U.S. Department of Veterans Affairs (VA). More information about education benefits offered by VA is available at the official U.S. government Web site at [www.benefits.va.gov/gibill](http://www.benefits.va.gov/gibill).

## **ACCESS TO STUDENT RECORDS**

The Institute maintains educational records for each student that include name, address, student identification number (including Social Security number), information on parents, guardian, and spouse, general information on academic status at the Institute, previous school data, results of standardized admissions examinations, courses previously taken or being taken, credits, grades, as well as other educational records. Applicants for financial aid have an additional file holding those records. The Family Education Rights and Privacy Act (FERPA) and Caltech policy afford students certain rights as well as establish limitations with respect to student educational records. These rights and limitations are as follows:

1. Caltech permits disclosure of educational records, without consent of the student, to Institute officials with legitimate educational interests in them. An Institute official is a person employed by the Institute in an administrative, supervisory, academic or research, or support-staff position (including security personnel and health and diversity center staff), a person or company with whom the Institute has contracted (such as an attorney, auditor, consultants, contractors, or collection agent), a person serving on the Board of Trustees, or a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another Institute official in performing their tasks. An Institute official has a legitimate educational interest if they need to review an educational record in order to fulfill their professional responsibility. They are available to the registrar, provost, president, general counsel, vice president for development and institute relations, vice president for student affairs, dean of graduate studies, dean of undergraduate students, director of financial aid, and faculty of the Institute and their respective staffs for the normal academic and business purposes of the Institute. Records involving financial aid are maintained by the director of financial aid, and are available to the director and staff, to the dean of graduate studies and staff, to the Faculty Committee on Scholarships and Financial Aid, and to the Faculty Committee on Graduate Study, for the purpose of granting and administering the Institute's financial aid program. Except as authorized by federal or state law or regulation, none of these education records nor any personally-identifiable information contained therein, other than directory information (see below), may be made available to anyone else, other than the student, without the consent of the student. Where the student consents to disclosure of personally-identifiable information from the student's education records and Caltech chooses to disclose such information, if the student so requests, the Institute will provide the student with a copy of the records disclosed. The Institute will maintain a record of each request for access to and each disclosure of

personally-identifiable information from the education records of a student, as required by applicable federal law or regulation.

2. Students are allowed access to their educational records as follows: A student may inspect and review their academic transcript during normal working hours. To inspect and review other records, the student must provide a written request to the registrar or to the director of financial aid or to the dean of graduate studies or to the dean of undergraduate students, or their designees, as appropriate. A mutually-convenient time will be arranged within 45 days after receipt of the request for the student to inspect and review the records in their file. At that time the student may examine all educational records in the file with the exception of those specifically exempted by Part 99 of Title 34 of the Code of Federal Regulations. If circumstances effectively prevent the student from exercising their right to review their education records, the Institute will make other arrangements. If a student believes the educational records relating to the student contain information that is inaccurate, misleading, or in violation of the student's rights of privacy, the student may ask the Institute to amend the record. The Institute will decide whether to amend the records as requested within a reasonable time after receiving the request. If the registrar, or the director of financial aid, or the dean of graduate studies, or the dean of undergraduate students, or their designees, decide not to amend the record as requested, the student will be informed of the decision and of their right to a hearing. The student will have, on request, an opportunity for a hearing to challenge the content of the records on the grounds that the information contained in the records is inaccurate, misleading or in violation of the privacy rights of the student. To request a hearing, the student must submit a written request to the vice president for student affairs or their designee. The vice president for student affairs or their designee will schedule such a hearing within a reasonable time after receipt of the request and will notify the student at a time reasonably in advance of the hearing of its date, time, and place. The student will be afforded a full and fair opportunity to present evidence relevant to the issues raised and may be assisted or represented by individuals of their choice at their own expense, including an attorney. The decision of the vice president or designee will be in writing, will be rendered within a reasonable time after the conclusion of the hearing, and will be final. This decision will be based solely upon the evidence presented at the hearing and will include a summary of the evidence and of the reasons for the decision. If, as a result of the hearing, the Institute decides that the information is inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the Institute will amend the record accordingly, and inform the student of the amendment in writing. However, if, as a result of the hearing, the Institute decides that the information is not inaccurate, misleading, or otherwise in violation of the privacy rights of a student, it will inform the student of the right to place in the educational records a statement commenting on the information in the records and/or setting forth any reasons for disagreeing with the decision of the Institute. If the Institute places a statement in the education records of the student, the Institute will maintain the

statement with the contested part of the record for as long as the record is maintained and will disclose the statement whenever it discloses the portion of the record to which the statement relates.

3. The Institute considers the following to be directory information: a student's name, UID, addresses (permanent, campus and local/off-campus, and email), associated telephone listings, ID photograph, date and place of birth, major field of study, year in school, current enrollment status, expected date of graduation, name of academic adviser, participation in officially recognized activities and sports, weight and height if a member of an athletic team, dates of attendance, degrees and awards received, thesis title, hometown, and most recently attended educational agency or institution. Directory information may be made available to requestors at the Institute's discretion. Any student may, however, have part or all of this information withheld by notifying the registrar in writing. That information will then be withheld for the balance of that academic year. If the information is to be withheld in subsequent years, new requests must be filed.

4. A student will not be required to waive any rights regarding access to educational records. However, a student may voluntarily waive in writing right of access to confidential statements made by third parties respecting admission to educational agencies or institutions, applications for employment, or the receipt of an honor or honorary recognition. In case of waiver, the confidential statements will be used solely for the purposes for which they were specifically intended, and the student will, upon request, be notified of the names of all persons making such confidential statements. If a student should desire to waive right of access, may contact the registrar for more information.

5. The Institute reserves the right to destroy from time to time any and all educational records that it maintains on a student, except to the extent that the law requires their maintenance for a longer period of time. However, where access to records has been requested, no destruction of those records will be allowed to take place until such access has been granted or denied.

6. Students who believe their rights under FERPA may have been violated may file a complaint with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington D.C. 20202-4605.

### **Transcripts of Records**

A student, or former student, may request that official transcripts of their records be forwarded to designated institutions or individuals. Requests should be filed at the Registrar's Office at least five days before the date on which the transcripts are to be mailed.



## **PARENT, GUARDIAN, AND EMERGENCY CONTACT NOTIFICATION POLICY**

Caltech understands and supports a student's right to confidentiality regarding educational records<sup>1</sup> as well as matters related to a student's experience at the Institute. Most communications from Caltech regarding academics, health and safety, advising, enrollment, and policies are directed only to students. However, the Institute does encourage students to share important information with their parent(s) or guardian. Subject to the allowable exceptions under FERPA, there may be circumstances under which a Caltech administrator makes the determination that notification to parent(s) or a guardian is indicated, and notification may be made without a student's consent. In most cases, when a Caltech administrator determines that involving parent(s) or guardian is necessary, the student will be given an opportunity to make contact in advance of the administrator's communication. Administrators will consider any relevant information which may indicate that notification to parent(s) or guardian may not be appropriate based on individual circumstances. The Institute expects all students to designate an emergency contact who is a parent or guardian or other family member who may be notified in order to address a health or safety emergency, and who is in a position to make decisions on the student's behalf in the case of a medical emergency. An alternate emergency contact also may be identified for other purposes.

Situations that may warrant the involvement of a student's, parent(s), guardian, or emergency contact may include, but are not limited to:

### ***1. Concerns about a student under the age of 18.***

Caltech administrators will initiate communication with the parent(s) or guardian of a minor student in the cases described below, as well as any other concerns about a minor student that may benefit from collaboration with the student's support system.

### ***2. Change in enrollment or status of an undergraduate student.***

A change in the enrollment status of an undergraduate student may occur as a result of disciplinary action, unsatisfactory academic progress, or other factors. If an undergraduate student is separated from the Institute, the parent(s) or guardian will be notified by mail at the permanent address on file.

### ***3. Medical emergencies.***

State law prohibits health care professionals from disclosing medical information to the parents or guardian of a student without the student's explicit consent. In the event a student is incapacitated, unable to communicate, or otherwise cannot make decisions on their own behalf, the Institute will first cooperate with medical providers and then notify the emergency contact, parent(s) or guardian on file as soon as possible.

#### **4. Unexplained absence from campus.**

Caltech has established a policy to assist in locating Caltech students living in Caltech campus housing when Caltech has determined a student to be missing. The key components of this policy are as follows:

- *Designation of Confidential Contact.* Students have the option of identifying an individual to be contacted by Caltech within 24 hours after the time the student has been determined to be missing (missing person contact). This information will be accessible only to authorized campus officials and may not be disclosed except to law enforcement personnel in a missing person's investigation. If a student chooses not to provide a confidential contact and is deemed to be missing, Caltech will notify the student's emergency contact or parent.
- *Reporting and Investigation.* Any individual who believes a student living in on campus housing may be missing should immediately contact Caltech Campus Security. Once Caltech receives a missing student report, Security will notify the Vice President for Student Affairs, the Deans, the AVP for Student Affairs and Residential Experience and the Director of Housing. Upon notification that any student may be missing, Caltech will initiate an investigation. If a student is determined to have been missing for twenty-four (24) hours and has not returned to campus, Caltech will notify the appropriate law enforcement agency and initiate other notifications as provided below.
- *Notification Procedures.* A student's missing person contact will be notified within 24 hours of a determination by Caltech that the student is missing. If no missing person contact has been designated, the student's emergency contact will be notified. If the student is under 18 years of age and not an emancipated individual, Caltech is also required to notify a custodial parent or guardian within 24 hours of the determination that the student is missing.

#### **5. Significant disruption to the campus community.**

The emergency contact, parent(s) or guardian of a student may be notified if the student is behaving in a way that is substantially disruptive to the campus community, there is reason to believe the student is at risk of harming themselves or others, or is placed under arrest or charged with a crime related to conduct on campus.

#### **6. Repeated or flagrant violations of the Substance Abuse Policy.**

Caltech administrators may contact parent(s) or guardian if a student under the age of 21 is found responsible for serious or repeated violations of Institute policy related to the possession, use or distribution of alcohol or drugs. Consideration in these situations will be given to the following conditions: the violation involved harm or threat of harm to self, others or property; the violation involved an arrest in which the student was taken into custody; the violation resulted in or could result in the student being suspended and/or

removed from an Institute residence; the student has shown a pattern of violations; the student required urgent medical intervention as a result of consumption of alcohol and/or drugs.

### **7. Student death.**

In the event of a student death, Caltech administrators will cooperate with law enforcement, the coroner, medical personnel, and any other relevant officials who will provide official notification to the deceased student's next of kin.

There may be additional, unforeseen circumstances when we believe it is in the best interest of the student to notify a parent or guardian. We reserve the right to act in such cases on our own best judgment, framed within the approach to emergency contact and parental/guardian notification stated above.

<sup>1</sup>*The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99)*

## **ACCREDITATIONS AND AUTHORIZATIONS**

The California Institute of Technology is accredited by the WASC Senior College and University Commission (WSCUC), 985 Atlantic Ave., Ste. 100, Alameda, CA 94501; (510) 748-9001. In addition, the Institute is authorized by the California State Department of Education, Office of Private Postsecondary Education, to operate as a private postsecondary educational institution and, by the same agency, to train veterans in the programs of the Veterans Administration.

The Engineering Accreditation Commission of ABET, Inc. (111 Market Place, Suite 1050, Baltimore, MD 21202-4012; 410-347-7700), has accredited Caltech's B.S. program in mechanical engineering. Further, the Committee on Professional Training of the American Chemical Society has approved Caltech's B.S. program in chemistry.

The documents describing these accreditations and authorizations are on file and may be inspected in the Registrar's Office and the Provost's Office; the office of the Division of Engineering and Applied Science also has the documentation for ABET.

## **STUDENT PROBLEM RESOLUTION PROCESS**

Caltech provides a variety of routes, most of them informal, by which students may bring complaints, which do not fall within the jurisdiction of other Policies or the Honor System, for consideration and resolution. For example, in academic matters, students may begin with faculty-student conversations that may extend to the deans, the option representatives, the division chairs, the registrar, or to various committees having faculty and student members. Non-academic matters can be dealt with informally by student leaders, resident associates, residential life coordinators, deans, and other student affairs offices. The Graduate Student Council (GSC) and the Associated Students of the California Institute of Technology (ASCIT) may become involved in some complaints, and sometimes ad hoc groups are formed to make recommendations.

The Problem-Resolution Process (Process) is intended to deal with complaints by currently enrolled students for which reasonable efforts

by the available informal routes have not led to an acceptable resolution.

The first step in this Process is for the student to consult with the appropriate deans. One of the deans will then determine if the issue falls under this Process and, if appropriate, may appoint a facilitator to help resolve the issue. If the student's issue involves a decision or action of a dean, the vice president for student affairs or designee may appoint a facilitator to help resolve the issue.

A facilitator will assist the student in trying to work out the problem. If the student is not satisfied with the results, the student may file a written notice of appeal to the vice president for student affairs or their designee. The decision of the vice president or designee is final.

If a student has a complaint about Caltech's compliance with academic program quality and accrediting standards that they believe warrants further attention after exhausting the steps outlined above, they may contact the WASC Senior College and University Commission (WSCUC) at [www.wscuc.org/comments](http://www.wscuc.org/comments). WASC is the academic accrediting body for Caltech. An individual may contact the Bureau for Private Postsecondary Education (BPPE) for review of a complaint. BPPE may be contacted at 2535 Capitol Oaks Drive, Suite 400, Sacramento, CA 95833, website: [www.bppe.ca.gov](http://www.bppe.ca.gov); telephone: (916) 431-6959; fax: (916) 263-1897. Prospective students may contact WASC or the BPPE with complaints as well.

## **STUDENT PATENT AND COMPUTER SOFTWARE AGREEMENT**

The California Institute of Technology (Caltech) has a responsibility to see that inventions and copyrightable materials (including software) developed in connection with Caltech be used for the public benefit, and be consistent with Caltech's contractual obligations. In view of the patent and copyright policies of Caltech in force on this date and as may from time to time be amended, and my use of and access to Caltech facilities and equipment, I agree to the following:

Caltech retains all rights in inventions and computer software I generate as a student at the Caltech campus, Jet Propulsion Laboratory (JPL), and other facilities owned or managed by Caltech, with the following exceptions:

1. When I generate copyrightable computer software or other written work at Caltech in connection with my enrollment in Caltech's educational program, such as in course work, homework, theses and publications, I understand that I will retain ownership of copyrights to these works, and I hereby grant to Caltech an irrevocable royalty-free nonexclusive license to use such computer software and written work for educational and research purposes, including the right to grant sublicenses. If the work is generated at JPL or any Caltech owned or managed facility, I also hereby grant to the United States Government ("Government") a royalty-free, nonexclusive license to use such computer software and written work for purposes for or on behalf of the Government, to the extent Caltech or the Government requires such a license.

2. When I make inventions, write computer software or other written work entirely on my own time, without using Caltech's equipment or facilities (other than incidental use of electronic information resources as is permitted under Caltech policy), and without using Caltech funds, I retain ownership of those inventions, software and written work.

I agree to assign, and hereby do assign, to Caltech all inventions and copyrightable materials that I develop with the use of funds administered by Caltech, or in the course of my duties at or for Caltech, including JPL, or with use of other facilities owned or managed by Caltech, apart from those for which I retain rights under numbered paragraphs 1 and 2 of this agreement, and all copyrights, patent applications and patents relating to those inventions and copyrightable materials.

I agree to execute all papers required to apply for, obtain, maintain, issue and enforce the assigned copyright registrations, patents and applications; and to provide reasonable assistance regarding those copyrights, patents and patent applications, including testifying in any related patent office proceeding, dispute or litigation. Expenses for the copyrights and patent applications, and for the assistance set forth in the preceding sentence, shall be borne entirely by Caltech.

I agree to notify Caltech promptly of all such assigned inventions or copyrightable materials.

I understand that if Caltech receives funds from the licensing of the assigned copyrightable materials or patents in excess of unreimbursed expenses associated with obtaining, maintaining and enforcing those copyrights and patents, I will share in these funds according to the established Caltech policy, procedures and practice in effect on the date that the patent application is filed or the computer software is completed, in the same manner as a member of the academic staff and employees.

I agree to notify Caltech of any funding of which I am aware that may have supported an assigned invention described in the preceding paragraphs. This is to ensure Caltech's compliance with its obligations, including the provisions of the Federal Bayh-Dole Act and implementing regulations. For work done at JPL, I agree to have all scientific and technical publications reviewed, pursuant to JPL policy, prior to public release to ensure compliance with U.S. export control laws.

I understand that Caltech relies on this agreement when it enters into contracts with others and obligates itself with respect to inventions and computer software developed at Caltech.

Revised 03-23-2015

## **STUDENT RETENTION AND PERSISTENCE RATES**

Most undergraduates enter Caltech at the first-year level. Of the 225 first-year students enrolled during the 2020-21 academic year, 223 reenrolled in the first term of the 2021-22 academic year and are progressing, yielding a persistence rate\* of 99 percent after all allowable exclusions. Of the 241 first-year students enrolled during the 2014-15 academic year, 223 graduated by June 2021, yielding a graduation rate for this group of 93 percent after allowable exclusions.

At the graduate level, most students enter Caltech to pursue either the degree of Master of Science or Doctor of Philosophy or, occasionally, both. Of the 238 entering graduate students enrolled in a Ph.D. program during the 2020-21 academic year, 229 reenrolled in the first term of the 2020-21 academic year and are making satisfactory academic progress, resulting in a persistence rate\* of 96 percent. Of the 7 entering graduate students enrolled in M.S. programs during the 2020-21 academic year, 2 earned a terminal M.S. degree within one year and one completed the M.S. degree and continued in the Ph.D. program.

## **STUDENT EVENTS**

Caltech is committed to providing its students, faculty and staff with an environment that promotes safe and responsible social interaction. Caltech recognizes that student activities are an important part of campus life. Students are required to follow Event Planning Procedures: [spa.caltech.edu](https://spa.caltech.edu).

# **CODE OF CONDUCT**

## **THE CALTECH COMMUNITY'S STATEMENT ON ETHICAL CONDUCT**

We are all part of the Caltech community whether we are located on campus, at JPL, at observatories or anywhere else in the universe. As members of the Caltech community, we expect that each of us will embody the high standards that have gained Caltech its worldwide reputation. In 2012, members representing the Caltech community began a conversation on ethical conduct. These discussions focused on the overarching values of our community. As a result of these discussions, we describe, in detail, these values in 11 short statements.

### ***1. Strive for Excellence***

- We commit to excellence in all things in process as well as outcomes, knowing that only the process is truly under our control.
- Responsibility and accountability are the hallmarks of our community.

### ***2. Act with Integrity***

- We uphold integrity in all we do.
- We hold ourselves accountable for the outcomes of our actions.

### ***3. Encourage Open, Honest, and Respectful Discourse***

- We encourage open, honest, and respectful discourse from and between all members of the community, regardless of position, length of service, or role.
- We treat one another with civility.

#### ***4. Respect and Promote Freedom of Inquiry***

- We encourage curiosity in research, scholarship, and exploration, and we create the conditions where inquiry can flourish.

#### ***5. Foster a Supportive and Diverse Community***

- Every member of the Caltech community treats one another with dignity and respect.
- We value different perspectives, opinions, and ideas.
- We enable one another's excellence.
- We support the health and wellness of all community members.

#### ***6. Commit to Education***

- The opportunity for excellence in education exists at all levels and in formal and informal ways that benefit students, employees, and members of our community.
- We are committed to being great educators—as leaders, mentors, and friends—not only of our students, but also of our community, our peers and colleagues, and ourselves.

#### ***7. Conduct Work Responsibly***

- We fulfill the obligations of our role.
- We are responsible stewards of the Institute resources entrusted to us, including the environment, equipment and facilities, money and people.
- We respect the environment and are conscious of our impact.

#### ***8. Protect the Interests of Those Who Place Their Trust in Us***

- We are forthright with our students, their parents, employees, managers, and people who rely on us for leadership and accountability at all levels.
- We hold ourselves to the highest standards of integrity in peer reviews, scientific evaluations, and recommendations.
- We represent ourselves accurately and factually to our peers, sponsors, and the general public.
- We are open and honest in all our dealings with the government, external agencies, taxpayers, and donors.
- We honor our obligations to donors and sponsors.

#### ***9. Provide and Maintain a Safe Environment for Learning and Working***

- We create, provide, and maintain a safe environment for ourselves and for others.
- We foster the physical, mental, and emotional well-being of our community.

#### ***10. Obey the Law and Comply with Institutional Policies***

- We are scrupulous in all business dealings.
- We are truthful, forthright and accurate when preparing all books, records, documents, reports, and publications.
- We adhere to local, state, and federal laws and regulations.
- We deal honestly with government in all matters.

### 11. Represent Caltech

- We represent Caltech whether we are based on campus, at JPL, our observatories, or anywhere else in the world.
- We are ambassadors and advocates, embodying the high standards that we set for ourselves and to which we are held by others.
- We are committed to the Institute and its mission recognizing that our actions as individuals reflect on Caltech.

As members of the Caltech community, we embrace the letter and the spirit of these principles. Each member is personally responsible for incorporating these principles into their own actions and is encouraged to speak up if they, in good faith, believe the Institute or any individual is falling short of living up to them. We are proud of Caltech and to share the community's commitment to these values.

## INSTITUTE POLICIES

### ACCEPTABLE USE OF ELECTRONIC INFORMATION AND COMPUTING RESOURCES

Caltech provides electronic information and computing resources (including, but not limited to, computers, computer accounts and services, networks, software, electronic mail services, electronic information sources, video and voice services, servers, websites, mobile devices, and related services) to assist members of the Caltech community in the pursuit of education and research. This policy, in conjunction with other applicable Caltech policies, sets forth the acceptable use of all electronic information resources owned or managed by Caltech (including those operated by third parties for Caltech, such as accounts or other computing services issued by third-party services for Caltech) (collectively, "**Caltech IT resources**") and describes the rights and responsibilities of Caltech and faculty, staff, students, and other members of or visitors to the Caltech community with respect to the use of these resources.

Caltech IT resources are intended to be used to carry out the legitimate business of Caltech, although some incidental personal use is permitted. Faculty, staff, students, and other members of or visitors to the Caltech community ("users") who use Caltech's electronic information resources should be guided by the Caltech Code of Conduct. Passwords and other authentication mechanisms or devices issued to users are for their use only and are not to be shared with others. Users assume responsibility for the appropriate use of Caltech IT resources and agree to comply with all relevant Caltech policies and all applicable local, state, and federal laws. Examples of inappropriate or unauthorized use of Caltech IT resources include:

- sending a communication or using electronic information resources, including websites and social media sites to illegally discriminate against, harass, defame, or threaten individuals or



organizations;

- sending communications that are threatening or that may constitute stalking under Caltech’s policies regarding Violence Prevention or Sex- and Gender-Based Misconduct policies;
- engaging in illegal conduct or conduct that violates Caltech policy;
- destruction of, damage to, or malicious tampering with equipment, software, or data belonging to Caltech or to others;
- disruption, interception, or unauthorized monitoring of electronic communications;
- interference with use of Caltech systems;
- bypassing or otherwise tampering with computer security systems;
- unauthorized use of accounts, access codes, or identification numbers;
- use that intentionally impedes the legitimate computing activities of others;
- use for commercial purposes;
- use for cryptocurrency mining or any other personal profit-generating activities;
- use for political or lobbying activity that jeopardizes Caltech’s tax-exempt status and violates Caltech policy;
- violation of third-party intellectual property rights, including rights protected under patent, trademark, and copyright laws;
- for example, downloading, posting, or sharing copyrighted materials, or any other unauthorized use or distribution of copyrighted materials;
- violation of software license terms;
- unauthorized use of Caltech’s trademarks;
- unauthorized disclosure of proprietary or confidential information;
- violations of privacy;
- academic dishonesty;
- sending social media chain mail, spam, or other junk messages;
- fraudulent activity using Caltech IT resources;
- downloading, viewing, and/or sharing of materials in violation of Caltech’s policies regarding Unlawful Harassment and Sex- and Gender-Based Misconduct ;
- unauthorized intrusion into computer systems;
- unauthorized security testing or scanning of Caltech IT resources or of another entity;
- sending communications that attempt to hide the identity of the sender or represent the sender as someone else;
- altering or disabling security devices or security configurations on IT assets; or
- encrypting data or systems using cryptography that has not been reviewed and approved by Caltech.

Caltech will apply this policy consistent with applicable requirements under the laws and regulations governing Caltech’s operations. This policy will not be construed or applied in a manner that improperly interferes with employees’ rights under the National

## Labor Relations Act.

Caltech IT resources are Caltech property or licensed by Caltech for Caltech's use. Users of Caltech IT resources should not have an expectation of privacy with respect to their use of these resources or any of the data, files, or other records generated by, stored, or maintained on them.

For cybersecurity and other lawful purposes, Caltech may collect, store, and analyze information on both of the following: (1) any and all use of Caltech's electronic information resources and (2) any data or communications transmitted to or from, received or printed from, or created, stored, accessed, or recorded on Caltech's electronic information resources. This is true regardless of the labeling of the data, the use of encryption, the deletion of the data or communications, or any other factor.

Users of Caltech computing resources and information should understand the sensitivity level of the resources under their control and provide appropriate protection to both systems and data. Password capabilities and other authentication measures are provided to users in order to safeguard electronic messages, data, files, and other records (including computer files and records, electronic mail, and voicemail) from unauthorized use. These safeguards are not intended to provide confidentiality from Caltech monitoring with respect to personal messages or files stored on electronic information resources owned or managed by Caltech.

While Caltech does not routinely examine the content of electronic mail messages or otherwise monitor individual usage, it does routinely monitor the normal operation of computing and networking resources, including network activity patterns, system logs, general and individual usage patterns, and other indicia necessary to ensure the integrity and stability of its electronic information resources.

Caltech will investigate suspected abuse, misuse, or compromise of its resources, systems, and services. Any user found to have violated this policy may be subject to disciplinary action, up to and including loss of administrative rights or network/system access, termination of employment, student expulsion, or being permanently excluded from Caltech-controlled premises.

Caltech retains the right to inspect, review, or retain the content of electronic messages or other data, files, or records generated, stored, or maintained on Caltech IT resources at any time without prior notification. Any such action will be taken for reasons Caltech, within its discretion, deems to be legitimate. These legitimate reasons may include, but are not limited to, responding to lawful subpoenas or court orders; investigating misconduct (including research misconduct); determining compliance with Caltech policies and the law; and locating electronic messages, data, files, or other records related to these purposes. Users must therefore understand that any electronic messages, data, files, and other records generated by, stored, or maintained on Caltech IT resources may be electronically accessed, reconstructed, or retrieved by Caltech even after they have been deleted.

Caltech personnel who wish to access the content of electronic mail, data, files, or other records generated, stored, or maintained by any user must request authorization as follows: (1) from the provost for any situations that require access to electronic material associated with faculty and other academic personnel; (2) from the vice president for administration and chief financial officer for staff and postdoctoral scholars at campus or the JPL director for human resources for employees and postdoctoral scholars at JPL; (3) from the vice president for student affairs for students; or (4) from the general counsel for the purposes of complying with legal processes and requirements or to preserve user electronic information for possible subsequent access in accordance with this policy. In all cases, the Office of the General Counsel should be consulted prior to deciding on whether to grant access. In the case of a time-critical matter, if the authorizing official is unavailable for a timely response, the general counsel may authorize access. Users of Caltech IT resources are advised that some authorizations already have been granted. For example, the Caltech information security team has certain authority to monitor Caltech IT resources for cybersecurity purposes.

In conclusion, the use of Caltech electronic information resources is a privilege, not a right, and Caltech may revoke this privilege or decline to extend this privilege at any time.

Suspected illegal acts involving Caltech electronic information resources may be reported to governmental authorities and may result in prosecution by those authorities. Any questions concerning the appropriate use of any of Caltech's electronic information resources or relevant Caltech policies should be directed to the provost, the general counsel, the chief information officer, the associate vice president for human resources, the JPL director for human resources, the dean of undergraduate students, or the dean of graduate studies.

Report any suspected security incident or violation via email ([security@caltech.edu](mailto:security@caltech.edu)) or, at JPL, by calling the JPL Helpdesk (4-HELP) or via email ([abuse@jpl.nasa.gov](mailto:abuse@jpl.nasa.gov)).

**Related Policies:**

- [Nondiscrimination and Equal Employment Opportunity Policy](#)
- [Sex- and Gender-Based Misconduct Policy](#)
- [Unlawful Harassment and Abusive Conduct Policy](#)
- [IMSS Security Policies](#)
- [Caltech Network Policy](#)
- [Confidentiality of Private Information Policy](#)
- [Vulnerability Scan Policy](#)
- [DMCA Infringement Policy](#)
- [Safeguarding Export Controlled Data Policy](#)
- [Email Policies](#)

## COMPLIANCE WITH EXPORT LAWS AND REGULATIONS

The mission of the California Institute of Technology is to expand human knowledge and benefit society through research integrated with education. We investigate the most challenging, fundamental problems in science and technology in a singularly collegial, interdisciplinary atmosphere, while educating outstanding students to become creative members of society.

Export control laws and regulations as referred to in this Policy include a number of federal laws and regulations that impact an export or import transaction such as those of the Departments of State, Commerce, Treasury, Defense, Energy and U.S. Customs. These laws have existed for many years. Events around the world, however, have pushed national security concerns to the forefront. The U.S. government has responded to global security concerns by tightening the export control regulations that govern the transfer of U.S. strategic technology for national security and foreign policy reasons and in furtherance of US economic objectives. Moreover, Presidential National Security Directives mandate the establishment of research security programs to protect against foreign government interference to address intellectual property theft, malign foreign talent programs, and to protect critical technologies that can be used by adversaries in ways that can jeopardize our national security.

The export control laws are intended to control the transfer of sensitive information or goods to individuals, entities or countries of concern. The laws impose restrictions dependent on the type of information or goods and the identity of the foreign person or entity. The regulations contain a fundamental research exclusion and specific university exemptions that allow most of the research activities being performed at U.S. universities to be carried out without the need of export licenses or other restrictions, subject to certain conditions.

The National Policy on Transfer of Scientific, Technical and Engineering Information, i.e., Presidential National Security Decision Directive 189 (NSDD 189) recognizes the important contributions that U.S. universities make in science and engineering that allow our nation to remain innovative and competitive. This National Policy provides the framework for the fundamental research exclusion. NSDD 189 defines fundamental research as:

*Basic and applied research in science and engineering where the resulting information is to be shared broadly within the scientific community, as distinguished from proprietary research and from industrial development, design, production, and product utilization, the results of which ordinarily are restricted for proprietary or national security reasons.*

The fundamental research exclusion applies to basic and applied research in science and engineering performed by universities, so long as that research is carried out openly and without restrictions on publication or access to or dissemination of the research results.

The fundamental research exclusion applies only to research conducted in the United States. This exclusion allows most of the activities conducted at Caltech to be performed without the need for

an export license. However, there are certain activities and information that are not covered by the fundamental research exclusion and remain subject to the export control laws and regulations.

Caltech is an institution of higher learning conducting fundamental research in science and engineering. The exclusion allows most of the activities conducted in the United States to be performed without the need for an export license. While the fundamental research exclusion applies to much of the research carried out at Caltech, there are, nonetheless, certain activities and information that are not covered by the fundamental research exclusion and remain subject to the export control laws and regulations.

Examples of activities not covered by the fundamental research exclusion are:

- Receipt of third-party export-controlled information which requires that appropriate measures be taken to ensure that the information is properly safeguarded;
- Under certain conditions, disclosure of specific information and the provision of specific types of services to foreign persons (e.g., individuals who are not U.S. citizens, legal permanent residents, or U.S. legal entities) inside the United States (“deemed exports”);
- Engagement in specific activities with persons and entities while traveling abroad, even if the information relied upon is publicly available;
- The export of controlled items and information outside the United States including hardware, software, biological and chemical materials, and technical data; and
- Financial transactions or other dealings involving prohibited parties or sanctioned countries.

The export control laws and regulations apply to covered research activities regardless of whether they are unfunded or funded, e.g., by government contract or grant.

The export control laws are administered by the U.S. Department of Commerce through its Export Administration Regulations (EAR – dual-use items), the U.S. Department of State through its International Traffic in Arms Regulations (ITAR – space and military items), and the U.S. Department of Treasury through its Office of Foreign Assets Control (OFAC – economic and trade sanctions). These laws control the conditions under which certain information, technologies, and commodities can be transmitted overseas to anyone, including U.S. citizens, or to a foreign person on U.S. soil. Caltech is committed to complying fully with these federal laws and regulations.

Caltech takes its commitment to openness in research very seriously. Caltech’s policy, as set forth in the Faculty Handbook, does not allow acceptance of any agreement, including a government contract or grant, that impinges on Caltech’s ability to freely publish and otherwise disseminate the results of its research. The transfer of export-controlled information or items requires added levels of security, safeguarding responsibilities and, in some instances, government authorization. For these reasons, research activities in which students will be provided with export-controlled technology (including technical data, software or items) with ITAR or high EAR

(e.g., 500- and 600-series Export Control Classification Number\*) controls or licensing requirements, must be formally approved by the Office of the Provost.

\* Export Control Classification Numbers (ECCNs) are described on the Department of Commerce's website here: <https://www.bis.doc.gov/index.php/licensing/commerce-control-list-classification/export-control-classification-number-eccn>

Caltech has an established Export Compliance Office and has an appointed Director for Export Compliance who also functions as Caltech's Empowered Official. The Empowered Official is the person who has legal authority to sign export control license applications and other requests for export approval on behalf of Caltech and is the person responsible for developing and implementing export compliance programs, campus procedures, awareness and training programs for faculty and staff.

All faculty and staff must comply fully with all applicable export control laws and regulations. (The Jet Propulsion Laboratory, a federally funded research and development center, has a separate Export Compliance Policy.) Noncompliance may result in violations that can subject both the individual and Caltech to civil sanctions and criminal penalties.

It is the responsibility of Caltech faculty and staff to ensure Caltech's compliance with this policy and all related Caltech procedures.

The Director for Export Compliance has been designated as the primary contact for export control issues. For more information or for questions, please contact:

Adilia F. Koch, Director for Export Compliance, (626) 395-4469, [adilia.koch@caltech.edu](mailto:adilia.koch@caltech.edu) or the Export Compliance Office staff at (626) 395-2641 or [export@caltech.edu](mailto:export@caltech.edu).

\* Export Control Classification Numbers (ECCNs) are described on the Department of Commerce's website here: <https://www.bis.doc.gov/index.php/licensing/commerce-control-list-classification/export-control-classification-number-eccn>

## CONFLICTS OF INTEREST POLICY

### 1.0 Policy

The mission of Caltech is to expand human knowledge and benefit society through research integrated with education. In pursuit of this mission, Caltech adheres to its Code of Conduct and strives for the highest level of integrity and public confidence. Caltech's integrity rests on the personal integrity of each of us who is called upon to act on behalf of Caltech. Caltech, including JPL, is committed to ensuring that decisions made on its behalf reflect the highest ethical standards and that its research and instruction remain a rigorous and open inquiry, unencumbered by conflicts of interest, real or perceived, that might affect the sound judgment of its trustees, officers, senior management, faculty, students, postdoctoral scholars, staff, JPL

employees, and visitors. Each of us, therefore, is responsible for identifying and resolving conflicts between personal and institutional interests. We each must act in the best interests of Caltech and refrain from taking part in any transaction where we do not believe in good faith that we can act impartially.

Personal and Institutional conflicts of interest may affect Caltech's trustees, officers, faculty, postdoctoral scholars, students, staff, JPL employees, and visitors. A personal conflict of interest is a situation that may compromise an individual's personal judgment and ability to remain objective in carrying out Caltech business due to a relationship that directly or indirectly affects the interest of the individual or a family member.

Institutional conflicts of interest differ from personal conflicts of interest. An institutional conflict of interest arises when the research, teaching, outreach, or other activities of Caltech may be compromised because of a financial, business or other interest held by Caltech that may affect, or appear to affect, research, teaching, outreach, or other Caltech activities in question.

Caltech has established its conflict of interest policies and procedures that apply to all Caltech employees, including faculty, to ensure compliance with Caltech's ethical standards as well as with the laws, rules, and regulations that govern Institute activities, while fostering and sustaining an environment of openness and integrity.

## **2.0 Personal Conflicts of Interest**

Each situation that presents an actual or potential for conflict of interest must be fully disclosed to Caltech and avoided or adequately managed or eliminated before moving forward. Conflicts of interest also include conflicts of commitment, which are situations in which outside activities, either paid or unpaid, interfere with an employee's primary obligation and commitment to Caltech. While everyone should take care to avoid conflicts of commitment, there are special considerations, including required disclosures of outside activities, affiliations and appointments, that may apply to those performing federally-sponsored research at Caltech. Federal agency and private research sponsors have an interest in ensuring that researchers supported on their awards devote appropriate personal time and effort to funded research activities and that their specific dedicated time and effort is not diverted to other activities. The Division Chairs and the Office of Research Compliance at Campus and the Ethics Office at JPL serve as resources to researchers who have questions concerning whether particular outside activities they are considering may pose a conflict of commitment; Faculty, postdocs, visiting researchers, staff, and JPL employees are required to comply with this policy and must complete Caltech's Financial Interest and Commitment Disclosure Form within 30 days of hire and on an annual basis. Changes or additions to responses on the form must be submitted within 30 days of acquiring a new interest, or beginning an activity, or any change in interests or activities previously disclosed.

In academic research, the term conflict of interest refers especially to situations in which financial or other personal considerations may

compromise, or may have the appearance of compromising, an investigator's professional judgment in conducting or reporting research. Biases can affect collection, analysis, and interpretation of data, hiring of employees, procurement of materials, sharing of results, choice of protocol, and the use of statistical methods. Conflicts of interest can affect all scholarly fields.

The broad principles in this policy encompass a variety of situations, many of which do not fall into patterns for which specific guidelines may be established. Conflicts of interest inevitably arise from time to time in everyday business life; some may appear to be inconsequential or may even be advantageous to Caltech. It is important, however, that all employees make timely and accurate disclosure of covered financial interests and outside activities. Each employee should apply their sense of integrity and common sense to disclose any circumstances that are, may become, or may give the appearance of a possible conflict of interest. Supplementing this broad policy statement are the following rules to be observed on specific matters:

2.1 Each employee has a duty to act in the best interest of Caltech and avoid actions that would call into question the integrity of the employee or Caltech.

2.2 An employee who has directly or through family or business connections, a material interest in suppliers of goods or services, or an interest in entities doing business or seeking to do business with Caltech, should not act on behalf of Caltech in any transaction involving that interest. No employee should participate in the evaluation, selection, award, or administration of a contract or other agreement with any entity with whom employment or potential employment or other business arrangement is occurring or being considered.

2.3 An employee should avoid outside activities involving obligations that may conflict or appear to conflict with Caltech interests, including its interest in the employee's full- or part-time services (i.e., a conflict of commitment). Outside activities requiring disclosure include, but are not limited to, paid or unpaid directorships, external academic appointments, editorial positions, service on advisory boards, consulting or similar arrangements, and other outside employment. Campus staff and JPL employees and postdoctoral scholars are required to obtain approval prior to engaging in outside activities. Campus staff and postdoctoral scholars must complete the [Request for Outside Activity](#) form as required in [Personnel Memorandum PM 9-3](#). JPL Employees and JPL postdoctoral scholars should submit outside activity requests electronically and may contact the JPL Ethics Office for assistance.

2.4 To avoid the appearance of a conflict of interest, an employee should provide full disclosure of any business or financial enterprise or activity in which they are involved that might influence, or appear to influence, their official decisions or actions on Caltech matters. .

2.5 An employee should refrain from personal activities that include, but are not limited to, the purchase or sale of securities, real property, or other goods or services in which they could use or might appear to



have the opportunity to use, for personal gain, confidential information or special knowledge gained as a result of their relationship with Caltech.

2.6 Employees should refrain from the unauthorized disclosure of nonpublic information they have access to as a result of their position at Caltech and must not use nonpublic information accessed through the performance of a sponsored contract or other agreement for personal gain.

2.7 No employee should make unauthorized use of Caltech resources for their personal benefit or for the benefit of any other person. Incidental personal use of resources is authorized by Caltech. See [Acceptable Use of Electronic Information and Computing Resources Policy](#), and JPL Rules for requirements on incidental use and activities at JPL.

2.8 It is sound practice to discourage gifts and favors from persons or organizations with whom Caltech has a business relationship or with whom a business relationship is being considered. Personal gifts and gratuities with more than nominal value should be tactfully declined or returned to the offeror to avoid any appearance or suggestion of improper influence. Any employee involved in awarding or administering contracts or other agreements funded with Federal or other government funds should keep in mind that applicable laws contain prohibitions against soliciting or accepting gratuities, favors, or anything of monetary value from contractors or potential contractors. See the JPL Gifts and Gratuities policy for additional guidance on gifts at JPL.

2.9 Any employee doing business on behalf of Caltech with specific vendors should refrain from going on leisure trips with representatives of those vendors. Such trips are not appropriate, even when a staff employee pays a fee to the vendor to participate in such trips.

2.10 No employee should act in any Institute matter involving a member of their family or an individual with whom they have a similar relationship (family member), including, but not limited to, matters affecting a family members' employment or evaluation or advancement at Caltech. Family members include an employee's parents, grandparents, spouse, domestic partner, children, brothers, sisters, in-laws, an individual with whom the employee has a significant personal relationship, and an individual who is a member of the employee's household, or who cohabitates with the employee. The employment of Relatives as that term is defined in [Personnel Memorandum \(PM 9\)](#), is subject to the conditions and restrictions described in [PM 9](#), including the requirement to complete the Nepotism Evaluation process whenever a relative of an employee is considered for employment in the same organization as the employee.

In addition to making required disclosures, any employee who believes that they have other financial interests or activities that may conflict with these rules or otherwise create a conflict of interest, should make an appropriate disclosure. You may also report concerns about possible conflicts of interest on the part of others by calling the Campus Hotline at (626) 395-8787 or submitting a [hotline form](#). JPL employees should may also report concerns using the JPL Ethics Help

line at (866) 405-7536. Further direction for JPL employees is available by reviewing Laboratory policies and requirements and seeking guidance and/or reporting conflict of interest concerns by contacting the JPL Ethics Office at (818) 354-6338 or email at [Ethics-Office@jpl.nasa.gov](mailto:Ethics-Office@jpl.nasa.gov).

### **3.0 Additional Faculty Responsibilities**

It is acknowledged that, in their wider roles as academicians and professionals, the faculty may be subject to conflicts of interest and commitment that are not within the scope of a policy that is designed to address conflicts of interest in the employer-employee setting. For example, this policy is not designed to address conflicts that may be encountered in service to a professional society or peer review of journal submissions or of research grant applications. Other activities not covered by this policy are best handled within the ethical guidelines established by the Faculty Handbook. Faculty members must be aware of potential conflicts to ensure an open and productive environment for research and teaching. Conflicts of interest may arise when faculty members have the opportunity to influence Caltech's business decisions or when outside relationships may or may appear to compromise the integrity of decisions made as teachers and researchers. A faculty member's general commitment to Caltech requires that members perform their responsibilities to Caltech and appropriately use their own judgment in deciding whether to engage in a variety of extramural activities, within the confines set forth in the Faculty Handbook and any obligations prescribed by research sponsors. As a result, Caltech relies on its faculty to be alert to the possible effects of outside activities and financial interests on the integrity of their decisions and on their ability to fulfill their obligations to Caltech and to federal and private research sponsors. Accordingly, in addition to the conflict rules set forth above, the following guidance is provided for faculty:

3.1 Disclosure is imperative if the faculty member directs students in a research area and, as a result, the faculty member intends to realize financial gain. An example is a research area within the ambit of a business in which the faculty member has a significant ownership interest or is employed by or acts as a consultant for the business. Any involvement of undergraduates, graduate students, or postdoctoral scholars in the outside professional activities of the faculty member directing the student's or postdoc's research must be reviewed by the Office of Research Compliance and specifically approved, in advance, by the division chair and vice provost. The student or postdoctoral scholar must also sign the written disclosure to signify understanding of the issues involved.

3.2 Disclosure is mandatory if the faculty member has a significant interest in a business under circumstances that link the fortunes of the business to the faculty member's research.

3.3 Disclosure is mandatory if the faculty member is to receive sponsored support for research from a business for which the faculty member is a consultant, or in which the faculty member has a significant financial interest.

#### **4.0 Conflict of Interest Requirements Imposed by Federal Sponsors**

Certain Federal sponsors have issued specific rules regarding the disclosure of significant financial interests, the management of financial conflicts of interest and conflicts of commitment, the disclosure of all resources made available to a researcher in support of their research, and all academic and industry roles and appointments. Such disclosures, and consideration by Caltech of their implications for research integrity, are a condition for submitting proposals and accepting awards of financial support from these agencies. Members of the Caltech community proposing or working on any activity funded by a federal sponsor are required to comply with Caltech's Policy and Procedures for Managing Conflict of Interest Requirements Imposed by Federal Sponsors, and other sponsor disclosure requirements. The Office of Research Compliance at Campus and the Ethics Office at JPL should be consulted whenever researchers have questions concerning whether and how certain information should be disclosed in connection with the submission of proposals for federal funding and during the lifecycle of an award.

#### **5.0 Institutional Conflicts of Interest Policy**

Caltech has many legitimate interests that may at times conflict. Management of institutional conflicts of interest is by its very nature more complex than that of personal conflicts of interest. External relationships with sponsors and supporters of the institution, the local community's acceptance of economic development activities, the institution's obligations as a charitable organization receiving preferential tax treatment, and the institution's perception of its teaching, research, and academic missions all impact how potential conflicts of interest are managed. The examples and issues presented below do not necessarily constitute unacceptable conflicts of interest. Each case must be judged on the facts and merits of the relationship with an eye to what reasonable individuals outside Caltech might consider to be an unacceptable conflict of interest. Any activity, financial or operational, that may bring into question Caltech's reputation, integrity, or objectivity should be considered for possible conflicts of interest. The following are examples of potential situations that may give rise to institutional conflicts of interest:

5.1 Significant gifts to Caltech from a commercial sponsor of research may raise questions about the influence of the company on Caltech's research programs and how they are managed. Similar concerns arise when individual companies sponsor research or provide significant consulting income to a significant number of faculty members within a single academic division. Particular attention should be given to identifying and managing potential conflicts arising when a company sponsors research involving human participants and Caltech has a financial or business interest in the company.

5.2 Gifts or the promise of gifts, in exchange for favorable terms on a technology license or a first look at intellectual property may also pose a problem.

5.3 The acquisition of goods and services for Caltech represents a large portion of Caltech's expenditures. Purchasing goods and

services from companies that sponsor research at Caltech, or who are licensees of Institute technology, may raise issues similar to those raised by large gifts from commercial sponsors.

5.4 A potential institutional conflict of interest exists simply by Caltech having a license agreement with, or an equity position in, a company sponsoring a faculty member's research. In these situations, there may be, or may appear to be, a bias to accept terms and conditions that would facilitate the company's success.

If you identify a situation that may pose an institutional conflict of interest, you should report the situation to either the vice president for administration and chief financial officer or to the provost on campus or to the associate director for business at JPL. You may also make a report by calling the Campus Hotline at [\(626\) 395-8787](tel:626-395-8787) or submitting a [hotline form](#), calling the JPL Ethics Office at [\(818\) 354-6338](tel:818-354-6338).

## **DISABILITY AND REASONABLE ACCOMMODATION**

### **1.0 Policy**

It is Caltech's policy to comply fully with the Americans with Disabilities Act (ADA), the Rehabilitation Act, the Pregnant Workers Fair Act, and other applicable federal and state laws to ensure equal opportunity for otherwise qualified individuals with disabilities, including disabled veterans, as well as known limitations related to pregnancy, childbirth, or related medical conditions (pregnancy related conditions). Caltech does not discriminate based on physical or mental disabilities or pregnancy and is committed to ensuring that there is no unlawful discrimination or harassment in any of its academic or employment programs, services, activities, or in any terms and conditions of employment.

As required by law, Caltech will make reasonable accommodations to otherwise qualified individuals with known disabilities, including students, faculty, postdoctoral scholars, staff, volunteers, interns, and job applicants, to ensure equal employment opportunities and equal access to Caltech educational programs, services, activities, and facilities unless doing so would constitute an undue hardship or a fundamental alteration. Caltech also will provide reasonable accommodations to employees with pregnancy-related conditions consistent with federal and state law.

Caltech also, as appropriate, will conduct a fair, timely, and thorough investigation into complaints within the scope of this policy to determine what occurred and take reasonable steps to remedy the effects of any discrimination and prevent recurrence of the behavior. Caltech provides all parties with appropriate due process and reaches reasonable conclusions based on the evidence collected. Caltech takes appropriate action, including disciplinary measures, when warranted.

## 2.0 ADA Coordinators

The following individuals have been designated to coordinate Caltech's efforts to comply with and carry out its responsibilities under applicable disability laws and Caltech policy (ADA coordinators). Individuals who believe they have been discriminated against based on their disability or who wish to request an accommodation should contact the appropriate Caltech ADA coordinator.

*ADA Coordinator for Undergraduate and Graduate Students:*

Sean Cutting, (626) 395-2961

Accessibility Services Specialist

*ADA Coordinator for Faculty:*

Stacey Scoville, (626) 395-6320

Administrator, Office of the Provost

*ADA Coordinators for Staff, Postdoctoral Scholars, Volunteers, and Interns at Campus:*

Ofelia Velazquez-Perez, (626) 395-3819

Director, Employee and Organizational Development

Taynora Lee, (626) 395-5740

Associate Director, Disability and Leave Administration

*ADA Coordinators for Employees, Volunteers, and Interns at JPL:*

Cynthia Ordenez, (818) 354-3595

Human Resources Representative

Xochipilli Castro, (818) 354-3513

Human Resources Representative

Leslie Hernandez, (626) 630-2151

Human Resources Manager, Leaves and Accommodations

## 3.0 Reasonable Accommodations

Caltech will provide reasonable accommodations that are appropriate and consistent with legal requirements. In evaluating requests for accommodations, Caltech will engage in a timely and good-faith interactive process with the requesting individual to determine what, if any, accommodations should be provided. Caltech has the right to request documentation supporting an accommodation request, including documentation of the disability when the disability or the need for accommodation is not obvious.

## 4.0 Right to File a Grievance

An individual who believes they have been the subject of disability discrimination may file a grievance. In addition, after engaging in the interactive process and after Caltech has determined whether a reasonable accommodation is available, an individual requesting an accommodation who disagrees with the decision may file a grievance under the [Disability and Reasonable Accommodation Grievance Procedures](#).

## 5.0 Right to File Complaint with Outside Agency

Employees and applicants may also file a complaint with the U.S. Equal Employment Opportunity Commission, the California Civil Rights Department and the U.S. Department of Labor, Office of Federal Contract Compliance Programs, or the U.S. Department of Education, Office for Civil Rights. Students may file complaints with the U.S. Department of Education Office for Civil Rights at [\(415\) 486-5555](tel:4154865555) (or [OCR.SanFrancisco@ed.gov](mailto:OCR.SanFrancisco@ed.gov)) or [\(800\) 421-3481](tel:8004213481) (or [OCR@ed.gov](mailto:OCR@ed.gov)). Complaints may also be directed to the Bureau for Private Postsecondary Education at <https://bppe.ca.gov/>.

### Related Policies and Procedures:

- [Nondiscrimination and Equal Employment Opportunity Policy](#)
- [Unlawful Harassment and Abusive Conduct Policy](#)
- [Procedures for Complaints of Unlawful Discrimination, Harassment and Retaliation](#)
- [Disability and Reasonable Accommodation Grievance Procedures](#)

## ENVIRONMENTAL HEALTH, AND SAFETY

### 1.0 Policy

Caltech is committed to conducting activities in a manner that promotes the safety and health of faculty, staff, postdoctoral scholars, students, and visitors; applies sound practices in environmental stewardship; and minimizes risk to Caltech property. Activities at Caltech are to be conducted in accordance with the following guiding principles:

- The responsibility for implementing and maintaining a safe environment rests on all faculty, staff, postdoctoral scholars, students, and visitors at Caltech.
- Faculty, supervisors, and managers are responsible for establishing good environmental health and safety practices in their laboratories, classrooms, and workplaces and for providing safe equipment and facilities for faculty, staff, postdoctoral scholars, students, and visitors.
- All faculty, staff, postdoctoral scholars, students, and visitors are expected to keep themselves informed of conditions affecting their health and safety, participate in safety training, follow proper environmental, health and safety policies and procedures, and report accidents and potentially unsafe or illegal conditions or practices promptly to their supervisor or manager or other appropriate office.
- Caltech activities must comply with all applicable federal, state, and local environmental, health and safety laws and regulations.

## **2.0 Roles and Responsibilities**

Caltech has the responsibility to establish environmental, health and safety policies and procedures, and provide resources to ensure compliance with environmental and safety laws.

All managers and supervisors, both academic and administrative, at campus and JPL, are responsible for conducting operations in accordance with all applicable laws and regulations and Caltech policies, practices, and programs.

Caltech performs these functions through the following committees and administrative and management structure:

### ***2.1 Institute Environmental Health and Safety Committee***

Caltech's Institute Environmental Health and Safety Committee ("IEHSC") is responsible for recommending campus wide environmental, health and safety policies to the president.

The IEHSC is responsible for making recommendations regarding the allocation of Institute resources so as to maintain environmental (e.g., air emissions, soil contamination, water discharges, hazardous waste management) and workplace health and safety compliance. In addition, the committee monitors developments through the campus Environmental Health, and Safety Office to ensure that Institute policies are observed, remain current, and are consistent with the anticipated changes in regulatory requirements.

### ***2.2 Campus Environmental Health, and Safety Office***

The Environmental Health, and Safety Office ("EH&S"), which reports to the associate vice president for facilities, is responsible for providing technical, regulatory, and related advisory services to the campus community. EH&S works in partnership with the academic divisions and administrative departments to develop and implement safety programs that provide technical guidance and training support relevant to the operations of the laboratories and workplace, are practical to carry out, and comply with the law. This includes general orientation in prudent laboratory practices, emergency response procedures, occupational safety, and familiarity with Institute environmental, health and safety policies and procedures. EH&S also initiates site reviews to assess potential hazards and determine effective controls, and coordinates hazardous waste training and hazardous waste disposal. EH&S, working closely with the Office of the General Counsel, reviews legislation, recommends policies, provides regulatory agencies with required data and reports, and investigates and reports environmental, health and safety incidents.

### ***2.3 Campus Division Chairs and Department Heads***

The Caltech campus consists of divisions conducting research and educational activities, and administrative departments supporting the operations of Caltech. It is the responsibility of each division chair and department head to ensure that their units conduct operations in accordance with applicable laws and regulations and implement Caltech's environmental, health and safety policies and procedures. Division chairs and department heads maintain responsibility for

day-to-day management and implementation of their environmental, health and safety programs.

Division chairs and department heads may designate an individual with the authority to implement, manage, and enforce environmental, health and safety compliance programs within the division or administrative office. With guidance and assistance from EH&S, the responsible individual (i.e., the division chair, department head or their designee) shall manage the environmental, health and safety activities in the division or department.

#### ***2.4 JPL Office of Safety and Mission Success***

The Office of Safety and Mission Success at JPL (“JPL OSMS”) establishes and leads the Environmental, Health and Safety and Mission Assurance Programs for projects, programs and major tasks. JPL OSMS appropriately manages risks and enhances the probability of mission safety and success. In this capacity, JPL OSMS is an independent organization, reporting directly to the JPL director. JPL OSMS continually assesses risk and provides infrastructure to ensure that JPL maintains compliance with the JPL Prime Contract and applicable federal, state, and local environmental, health and safety requirements. JPL OSMS applies knowledge, innovation, and independence to achieve successful missions that inspire the world while safeguarding JPL’s people, assets and reputation.

#### ***2.5 JPL Environmental, Health and Safety Program Management***

The JPL Occupational Safety Program Office, the JPL System Safety Program Office, and the JPL Environmental Affairs Program Office are chartered with establishing and leading programs related to occupational safety, systems safety, and environmental compliance, respectively, and are tasked with appropriately sharing in the management of risks and enhancing the probability of mission safety and success. These JPL program offices, working closely with the Office of the General Counsel, review legislation, recommend policies, provide regulatory agencies with required data and reports, and investigate and report environmental, health and safety incidents. Each of the environmental, health and safety program management offices has office-specific policies that are detailed in JPL Rules!

#### ***2.6 Campus and JPL Manager and Supervisor Responsibilities***

Managers are responsible for ensuring that areas under their management have adequate resources for environmental, health and safety programs, practices and equipment. Managers are also responsible to ensure that those areas under their management are in compliance with Caltech’s environmental, health and safety policies, practices, and programs.

Supervisors, including principal investigators (“PIs”), with guidance and assistance from the environmental, health and safety offices listed above, are responsible for implementing environmental, health and safety policies, practices, and programs, ensuring that workplaces, including laboratories and equipment, are safe and well-maintained, training and informing employees, students, and visitors about



workplace-specific hazards and safety procedures, providing personal protective equipment, correcting violations, investigating incidents and complaints, overseeing proper storage and disposal of hazardous materials, enforcing policies (including appropriately disciplining employees and students who violate environmental and safety requirements), and appropriately documenting training, activities and processes.

Faculty are responsible for the safety of work undertaken in their laboratories. Faculty members may designate a qualified individual, known as a Safety Coordinator, and empower that individual to assist in the day-to-day safety activities within their research groups, however faculty members remain fully responsible for the safe conduct of work in their laboratories.

### **2.7 All faculty, staff and students**

All faculty, staff, postdoctoral scholars, and students at campus and JPL are responsible for:

- Keeping themselves informed of conditions affecting their health and safety,
- Participating in safety training programs as required by the governing organization's policy and their supervisors,
- Performing work in a safe and prudent manner,
- Adhering to health and safety practices in their workplaces, classrooms, and laboratories, and
- Advising of or reporting potentially unsafe practices, illegal activities or serious hazards in the workplace, classroom or laboratory, and cooperatively participating in the investigation and/or remediation of any incidents.

The success of Caltech's environmental, health and safety management activities requires the active involvement of individuals through participation in training, compliance with established environmental, health and safety procedures, and reporting hazards and potential violations.

It is the responsibility of all faculty, staff, postdoctoral scholars, and students at Caltech to disclose fully any activity that may result in a violation of environmental, health or safety laws or regulations, and to cooperatively participate in the investigation and remediation of any incidents.

### **2.8 Visitors and Contractors**

Visitors and those who do business with Caltech either at Campus or JPL, such as contractors, consultants and vendors, are responsible for performing their work in a manner that protects Caltech from environmental, health and safety risks, and complies with all applicable federal, state, and local laws and regulations and all applicable environmental, health and safety policies, practices and programs.

### 3.0 Reporting

In matters of actual or potential regulatory enforcement action, investigations, or employee complaints, the appropriate environmental, health and safety office will work closely with the Office of the General Counsel to coordinate Caltech's response to external regulatory agencies concerned with workplace health, safety, and environmental compliance.

Any questions or concerns regarding compliance should be brought to the attention of the appropriate manager or supervisor, or to the appropriate environmental, health and safety office. Alternatively, concerns can be raised with the appropriate division chair or vice president at campus, or the OSMS director at JPL. In addition, concerns can be raised anonymously for campus through the anonymous hotline [\(626\) 395-8787](tel:626-395-8787) or [\(888\) 395-8787](tel:888-395-8787) or online at [Caltech Hotline](#) or, for JPL, through the JPL OSPO 24-hour Immediate Mishap and Close Call Reporting line (IMACC) [\(818\) 354-2141](tel:818-354-2141), or the [Occupational Safety Program Office \(OSPO\)](#).

### 4.0 Sanctions

All faculty, staff, postdoctoral scholars, and students should be vigilant in complying with all environmental, health and safety requirements, and to properly conduct their activities at Caltech.

Local, state, and federal laws and regulations establish civil and criminal penalties for violations of environmental, health and safety laws and regulations, including substantial fines and possible imprisonment.

Caltech views compliance with all laws, regulations, and Institute guidelines as conditions of employment. Individuals who violate this policy may be subject to disciplinary action up to and including termination of employment, student expulsion, or being permanently excluded from Caltech-controlled premises.

## NONDISCRIMINATION AND EQUAL EMPLOYMENT OPPORTUNITY

### 1.0 Policy

Caltech is committed to equal opportunity for all persons. It prohibits discrimination and harassment in employment based on the following protected characteristics (unlawful discrimination and harassment):

- Race (includes hair texture and protective hairstyle, as well as ethnicity)
- Color
- Religion (includes religious dress and grooming practices)
- Sex/gender (includes pregnancy, childbirth, breastfeeding, and/or related medical conditions)
- Gender identity and gender expression
- Sexual orientation
- Marital status

- Medical condition (genetic characteristics, cancer, or a record or history of cancer)
- Military or veteran status
- National origin (includes language use and possession of a driver's license issued to persons unable to prove that their presence in the United States is authorized under federal law)
- Ancestry (includes caste)
- Disability (mental and physical, including HIV/AIDS, cancer, and genetic characteristics)
- Genetic information
- Request for family care leave
- Request for leave for a serious health condition
- Request for Pregnancy Disability Leave
- Domestic violence victim status
- Age (over 40)
- Criminal background as required under the Fair Chance Act
- Any other factor protected by federal, state, or local law
- Association with an individual who is in one of the foregoing protected characteristics
- Reproductive health care decision-making

It is the policy of Caltech to provide a work and academic environment free of discrimination as required by federal and state law. Discrimination is different treatment based on protected characteristic listed above and/or applying policies and practices that have an adverse impact on individuals based on protected characteristics. Harassment on the basis of any legally protected characteristic is a form of discrimination and is likewise prohibited by this policy. The law prohibits discrimination by co-workers and third parties as well as supervisors and managers. Interns, volunteers, and persons performing services under a contract with Caltech are also covered by this policy. Caltech will take all reasonable steps to eliminate discrimination and harassment in its work and academic environment. Complaints concerning sex- and gender-based discrimination and harassment and sexual misconduct are governed by the [Sex- and Gender-Based Misconduct Policy](#).

Caltech is an equal employment opportunity and affirmative action employer, and will, whenever possible, actively recruit and include for employment members of underrepresented minority groups, women, protected veterans, or individuals with disabled veteran status, and otherwise qualified persons with disabilities. Caltech will hire, transfer, recruit, train, and promote based on the qualifications of the individual to ensure equal consideration and fair treatment of all. All other employment actions, such as work assignments, appointments, compensation, evaluations, training, benefits, layoffs, and terminations are governed by this policy. Personnel actions will be reviewed to ensure adherence to this policy.

Individuals who violate this policy may be subject to disciplinary action up to and including termination of employment, student expulsion, or being permanently banned from Caltech premises.

## 2.0 Responsible Administrators

Caltech's associate vice president for human resources and JPL's director for human resources have been assigned to direct the establishment of and to monitor the implementation of personnel procedures to guide our affirmative action programs. They will have responsibility to review and update the affirmative action plans annually, including responsibility for the audit and reporting system. A notice explaining Caltech's policies will remain posted.

In addition, Caltech has designated equal opportunity coordinators (EO coordinators) who are responsible for assisting with and coordinating the education and compliance efforts relating to equal opportunity and nondiscrimination laws and Caltech policies. The following individuals have been designated as equal employment opportunity coordinators: EO coordinators; the provost is the coordinator for faculty; the assistant vice president for human resources is the coordinator for campus staff, including campus postdocs, and volunteers; the associate deans of students are the coordinators for undergraduate students and interns; the dean of graduate studies is the coordinator for graduate students and interns; and the director for human resources at the Jet Propulsion Laboratory is the coordinator for employees, postdocs, interns, and volunteers assigned there. The assistant vice president for equity and equity investigations, who manages the Equity and Title IX Office, has been designated as Caltech's Title IX coordinator. The contact number is [\(626\) 395-3132](tel:626-395-3132), email: [equity@caltech.edu](mailto:equity@caltech.edu), or the office in Room 205, Center for Student Services. The Title IX coordinator is supported by four deputy coordinators for faculty, staff, and students, and employees at the Jet Propulsion Laboratory (JPL). Further information is available on the website of the [Equity and Title IX Office](#).

Managers and supervisors are responsible for monitoring decisions regarding personnel actions to ensure that these decisions are based solely on factors other than protected characteristics and on legitimate, nondiscriminatory job requirements for the position in question and the reasonableness of any necessary accommodations for persons with a disability.

## 3.0 Reporting Concerns and Complaints

Individuals who become aware of, witness, or experience conduct they believe to be in violation of this policy are urged to contact any of the above-mentioned coordinators, the Caltech Equity and Title IX Office, or JPL Employee Relations Group immediately.

In addition, concerns may be reported anonymously to any of the anonymous reporting options listed below. Complaints will be investigated promptly, in accordance with the Procedures for Complaints of Unlawful Discrimination, Harassment and Retaliation ("Unlawful Harassment Procedures"). Confidentiality will be maintained to the extent possible.

Any employee in a supervisory role, including faculty, must promptly report all alleged harassment, discrimination, sex- and gender-based misconduct, and retaliation, regardless of its alleged severity or frequency, to the Equity and Title IX Office at campus or

Human Resources at JPL, which will provide guidance and advice. In addition, other employees qualifying as responsible employees under the Sex- and Gender-Based Misconduct Policy, Reporting Concerns and Complaints, II, 6.2, must promptly report any instance of prohibited conduct, as defined in Prohibited Conduct, III, Sections 15.0 and 16.0, to the Equity and Title IX Office or the Deputy Title IX coordinator for JPL, as appropriate.

#### **4.0 Anonymous Reporting**

Caltech provides the following resources for anonymous reporting:

- Campus Hotline : (626) 395-8787 or (888) 395-8787
- Equity and Title IX Office Online Report a Concern Form (complete anonymously): Online Report Form | Equity and Title IX Office (caltech.edu)
- JPL Ethics Hotline: (818) 354-9999
- JPL Protective Services Division's Workplace Violence Hotline: (818) 393-2851
- For either Campus or JPL by submitting a compliance Hotline Contact Form

A report is considered anonymous if the reporting party does not share their name or contact information. If a reporting party chooses to provide their name or contact information they will receive information about support resources, reporting options, and notification of an investigation, if an investigation is pursued.

#### **5.0 Reporting to Outside Agencies**

In addition, employees who believe they have been subject to unlawful harassment or

discrimination have the right to file a complaint with the federal Equal Employment Opportunity Commission or the California Department of Fair Employment and Housing California Civil Rights Department, which have the authority to remedy violations. Employees, students, and others participating in Caltech's educational programs and activities may file complaints with the U.S. Department of Education Office for Civil Rights at (415) 486-5555 ([orocr.sanfrancisco@ed.gov](mailto:orocr.sanfrancisco@ed.gov)) or (800) 421-3481 (or [OCR@ed.gov](mailto:OCR@ed.gov)). Complaints may also be directed to the Bureau for Private Postsecondary Education at <http://bppe.ca.gov>.

#### **6.0 Investigation of Complaints**

Caltech will conduct a fair, timely, and thorough investigation into complaints within the scope of this policy to determine what occurred and take reasonable steps to remedy the effects of any discrimination and prevent recurrence of the behavior. Caltech provides all parties with appropriate due process and reaches appropriate conclusions based on the evidence collected. Caltech takes appropriate action, including disciplinary measures, up to and including termination, student expulsion, or being permanently banned from Caltech premises, when warranted.

## 7.0 Policy against Retaliation

No one may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by this policy or the related procedures, or because the individual has made a report or complaint, testified, assisted, participated, or refused to participate in any manner in any action or process under this policy or the related procedures. Intimidation, threats, coercion, or discrimination for the purpose of interfering with any right under this policy or the related procedures constitutes retaliation. The rights and privileges secured under this policy and the related procedures include but are not limited to: (i) filing or assisting in the filing of a complaint or report of a suspected violation of this policy; (ii) opposing any act or practice made unlawful by any federal, state or local laws requiring equal opportunity; (iii) participating, assisting, or otherwise cooperating in an investigation, compliance review, hearing, or any other activity related to a violation of this policy or administration of any federal, state, or local law requiring equal opportunity; and/or (iv) exercising any legal right protected by federal, state, or local law requiring equal opportunity.

The following actions do not constitute retaliation: the exercise of rights protected under applicable law or Caltech's charging an individual with a policy violation for making a materially false statement in bad faith in the course of a resolution process. A determination that a respondent was or was not responsible for alleged misconduct alone is not sufficient to conclude that any party made a materially false statement in bad faith.

Complaints of retaliation will be addressed under the Procedures for Complaints of Unlawful Discrimination, Harassment, and Retaliation.

## 8.0 Informational Resources

Information on equal employment opportunity and nondiscrimination, as well as copies of Caltech's Nondiscrimination and Equal Employment Opportunity, Unlawful Discrimination, Harassment and Retaliation, Sex- and Gender-Based Misconduct, and Violence Prevention policies are available from Caltech's Title IX coordinator and deputy coordinators, Human Resources, Student Affairs and deans' offices, the Center for Inclusion & Diversity, resident associates, the Staff and Faculty Consultation Center, Employee & Organizational Development at Campus, and Employee Relations and the Human Resources Business Partners at JPL. The policies, available at the links below, are published in the Caltech Catalog and on the following Caltech websites: [Caltech Human Resources](#), [JPL Human Resources](#), [Equity and Title IX Office](#), and [Student Affairs](#).

## 9.0 Caltech's Commitment to Equal Opportunity and Nondiscrimination

To ensure equal employment opportunity and nondiscrimination, each member of the Caltech community must understand the importance of this policy and their responsibilities to contribute to its success. The president of Caltech fully supports Caltech's equal opportunity and affirmative action policies.

### Related Policies and Procedures:

- [Unlawful Harassment and Abusive Conduct Policy](#)
- [Procedures for Complaints of Unlawful Discrimination, Harassment and Retaliation](#)
- [Sex- and Gender-Based Misconduct Policy](#)
- [Procedures for Complaints of Sexual Misconduct Under Title IX and the California Education Code](#)
- [Disability and Reasonable Accommodation Policy](#)

## SEX- AND GENDER-BASED MISCONDUCT

### SECTION I: INTRODUCTION

#### 1.0 Policy

All members of the Caltech community have the right to be treated, and the responsibility to treat others, with dignity and respect. These principles are fundamental to the educational and intellectual mission of Caltech. It is the policy of Caltech to provide a work and academic environment free of discrimination, harassment, sexual misconduct, and retaliation. Caltech will not tolerate such conduct and is committed to educating the community in ways to prevent its occurrence.

As defined in this policy, sex- and gender-based discrimination, sexual and gender-based harassment, and sexual misconduct, including sexual assault, sexual battery (i.e., nonconsensual sexual contact), dating and domestic violence, sexual exploitation, and stalking constitute prohibited conduct and violate this policy. Such conduct generally violates Title VII of the Civil Rights Act of 1964, as amended; Title IX of the Education Code; and/or California law.

All individuals are protected against prohibited conduct (defined below in Section III) regardless of gender. For the purposes of this policy, the term "gender" is broadly defined, encompassing sex, sexual orientation, gender identity, and gender expression. Prohibited conduct can be committed by individuals of any gender and can occur between or among individuals of the same gender or different genders, strangers, or acquaintances as well as people involved in intimate or sexual relationships.

Caltech also prohibits retaliation against an individual who reports, submits a complaint, or otherwise participates in good faith in any matter related to this policy.

Caltech will take prompt and equitable action upon receiving a report of prohibited conduct to determine what occurred and will take steps to stop and remedy the effects of any such conduct and prevent its recurrence. Caltech provides all parties with appropriate due

process and will take appropriate action, including disciplinary measures, when warranted, up to and including termination of employment or changes to student enrollment status, including expulsion.

Any reference in this policy to a Caltech administrator is understood to include not only that administrator but also their designee.

## 2.0 Scope

This policy applies to all current students, faculty, supervisory and nonsupervisory staff, postdoctoral scholars, volunteers, interns, vendors, independent contractors, persons performing services under contract with the Institute, visitors, and any other individuals who are regularly or temporarily employed, studying, living, visiting, or otherwise participating in Caltech's educational programs or activities ("covered persons"). The requirement not to discriminate in Caltech's educational programs or activities also extends to admissions and employment. Inquiries about the application to Caltech of Title IX and its implementing regulations may be referred to the Title IX Coordinator.

This policy applies, when both parties are covered persons, to (a) prohibited conduct occurring on Institute-controlled property, at Institute-sponsored events, in Institute programs or activities, or Institute-owned or controlled residential facilities, regardless of location; (b) prohibited conduct occurring on property or at events controlled or sponsored by Institute-affiliated organizations including student organizations, regardless of location; (c) prohibited conduct occurring off campus, in any location or context, when the occurrence of such alleged conduct could contribute to a hostile educational environment or otherwise interfere with a student's access to education; or (d) prohibited conduct occurring outside of Caltech's educational programs or activities, whether they occurred on or off campus, if, based on the allegations, there is any reason to believe that the incident could contribute to a hostile educational environment or otherwise interfere with a student's access to education.

Organizations affiliated with the Institute or that use Caltech property or resources in connection with their activities also are prohibited from engaging in prohibited conduct.

This policy also applies at the Jet Propulsion Laboratory (JPL).

Members of the Caltech community are encouraged to promptly report prohibited conduct to Caltech or consult with a confidential resource (see Appendix: Support Resources), regardless of where the incident occurred or who committed it. Supervisory employees and other Responsible Employees are required to promptly report prohibited conduct. An individual who has experienced sexual misconduct is encouraged to immediately seek assistance from a medical provider and report the incident to local law enforcement, which the confidential Campus Sexual Violence Advocate can coordinate and facilitate. Reports to Caltech and law enforcement may be pursued simultaneously.

Even if Caltech does not have jurisdiction under this policy over the person accused of prohibited conduct, or the allegations reported,



Caltech will take prompt action, as warranted and appropriate, to provide for the safety and well-being of the individual reporting and the campus community, including taking reasonable steps to stop and remedy the effects of the prohibited conduct and to prevent recurrence of the behavior.

### **3.0 Retaliation**

Retaliation against any member of the Caltech community at any point in time for making a good-faith report of prohibited conduct or participating or refusing to participate in any manner in an investigation, proceeding, or hearing conducted by Caltech, or a state or federal agency is strictly prohibited. Retaliation is defined as overt or covert acts of reprisal, interference, discrimination, intimidation, or harassment against an individual or group for exercising their rights under Title IX or other federal and state laws. Threats of retaliatory action also constitute retaliation. Retaliation violates this policy and is unlawful.

Retaliation does not include charging an individual with a code of conduct violation for making a materially false statement in bad faith during the course of an investigation, proceeding, or hearing related to this policy, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

The following are examples of conduct that may constitute retaliation:

- A faculty or staff supervisor suspects and assigns blame for an anonymous report to the Equity and Title IX Office and gives the suspected reporter undesirable work or lab assignments, or a lesser recommendation or salary increase than the suspected reporter merits based on their actual work.
- A faculty or staff supervisor refuses to continue to work with a student, subordinate, or colleague who has reported a concern about them to the Equity and Title IX Office.
- A student spreads false information around the House about a fellow student who has reported a concern about them or a friend to the Equity and Title IX Office.
- A student gets other students to engage in “blackballing” or socially ostracizing behavior against a student who was called as a witness in a Title IX investigation where the respondent was a friend of the student organizing the blackballing.
- A staff supervisor requires an employee who raised concerns with them about differential treatment between men and women on the team to track their weekly time on assignments, but no one else is required to track their time, and there is no prior employment history to support the necessity of tracking time.

Caltech will take steps to prevent retaliation and will take prompt and appropriate corrective action to stop and remedy its effects if retaliation occurs. Caltech will involve senior academic, administrative, and Student Affairs leadership, as required, to prevent and remedy

retaliation. Individuals who violate Caltech's policy prohibiting retaliation may be subject to disciplinary action up to and including termination of employment, student expulsion or being permanently excluded from Caltech controlled-premises.

#### **4.0 Preservation of Evidence of Prohibited Conduct**

Prohibited conduct, as defined in this policy, may also be a crime. Individuals who have experienced sexual violence are urged to seek medical treatment as soon as possible. Sexual assault forensic exams (or rape kit tests) are available free of charge at multiple local medical centers (see the Appendix: Support Resources chart at the end of this policy) and facilitate both evidence preservation and any necessary medical treatment. Evidence preservation is important in case an individual would like to file a report with law enforcement, pursue civil litigation, or obtain a protective order. If an individual chooses to receive a forensic exam, they should avoid showering, bathing, douching, eating, drinking, washing their hands, or brushing their teeth until after the medical examination. Exams should be performed within 72 hours of the incident. Individuals should save all clothing worn at the time of the assault. Each item of clothing should be placed in a separate paper bag, not a plastic bag. Individuals who have experienced sexual violence are strongly encouraged to preserve all physical and electronic evidence.

Examples of physical evidence may include clothing, bedding, contraceptives, letters, and notes. Any such items relating to an incident of prohibited conduct should be preserved.

Electronic evidence relating to any type of incident of prohibited conduct, such as texts, emails, photos, and social media posts, should be preserved.

Once an individual reports a concern or receives notification of their involvement in a report or complaint under this policy, whether as a respondent or witness, they are required to preserve any physical or electronic evidence they have. An intentional failure to preserve such evidence may be grounds for disciplinary action.

#### **5.0 Emergency Notifications and Timely Warnings**

In the event of a dangerous situation on campus that has involved an immediate threat to the health or safety of students or employees, Caltech will issue an emergency notification consistent with its emergency notification procedures. In the event that Caltech believes that there is a serious or continuing threat to the campus community, Caltech will issue a timely warning consistent with its timely warning procedures. Emergency notifications and timely warnings do not disclose the name of the victim.

#### *SECTION II: REPORTING CONCERNS AND COMPLAINTS*

## 6.0 Reporting to Caltech

Any person may report prohibited conduct, whether or not the person reporting is the person alleged to be the victim of the alleged prohibited conduct. They may make their report in person, by mail, by telephone, by electronic mail, or by any other means that results in the Title IX Coordinator receiving their verbal or written report. They may also use the [Report Form](#) on the Equity and Title IX Office website, which can be submitted anonymously by not filling in the contact information. The Report Form is also available from the Equity and Title IX Office and at [equity.caltech.edu](http://equity.caltech.edu). A member of the Caltech community who wishes to report prohibited conduct should do so as soon as possible after the incident, although reports may be made at any time.

Anyone who witnesses, experiences, or is otherwise aware of conduct that the individual believes to be in violation of this policy, including retaliation, is urged to contact Caltech immediately. Individuals are encouraged to report to the Title IX Coordinator or a deputy coordinator. Any employee in a supervisory role, including faculty, must promptly report all alleged sexual harassment, sex and gender-based misconduct, and retaliation, regardless of its alleged severity or frequency, to the Title IX Coordinator at campus or Deputy Title IX Coordinator for JPL, who will provide guidance and advice. In addition, other employees qualifying as Responsible Employees under 6.2 below must promptly report any instance of prohibited conduct to the Title IX Coordinator or the Deputy Title IX Coordinator for JPL, as appropriate.

If a member of the Caltech community would like support and guidance in reporting prohibited conduct, they may contact the Title IX Coordinator or a deputy coordinator, one of the deans or associate deans, the director of employee and organizational development in Human Resources, or the JPL section manager of talent management or Human Resources Business Partners at JPL. They may also contact any of the EEO coordinators identified in the [Nondiscrimination and Equal Employment Opportunity Policy](#).

Caltech is committed to protecting the privacy of all individuals involved in a report of prohibited conduct. All administrators involved in responding to a report of prohibited conduct understand the importance of properly safeguarding private information. Caltech will make every effort to protect individuals' privacy interests consistent with Caltech's obligation to address reports made to Caltech.

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

### **6.1 Title IX Coordinator**

The Title IX Coordinator is responsible for coordinating Caltech's compliance with Title IX and for Caltech's overall response to prohibited conduct falling under Title IX. The Title IX Coordinator oversees the implementation and application of this policy and the related procedures to ensure the prompt and equitable resolution of complaints and the consistent treatment of the parties involved. In doing so, the Title IX Coordinator oversees all Title IX-covered and other sex- and gender-based misconduct complaints, monitors outcomes, identifies and addresses any patterns of systemic problems that arise, and assesses effects on the campus climate.

The names and contact information for the Title IX Coordinator and Deputy Title IX Coordinators are provided in the Procedures for Complaints of Sexual Misconduct Under Title IX and the California Education Code.

### **6.2 Responsible Employees**

If an individual discloses prohibited conduct to any Responsible Employee, or if a Responsible Employee through any person or means, whether directly or indirectly, becomes aware of prohibited conduct, as defined below in III: Prohibited Conduct, Sections 15.0 and 16.0, they must report to the Title IX Coordinator all relevant details about the alleged conduct.

A Responsible Employee is broadly defined to mean an employee who has the authority to take action to redress sexual harassment or provide supportive measures to students, or who has the duty to report sexual harassment to an appropriate school official who has that authority.

At Campus, the following are Responsible Employees:

- Title IX Coordinator, deputy coordinators for faculty, students, and staff, and associated staff in the Equity and Title IX Office
- All faculty members, teachers, instructors, and lecturers
- All deans and associate deans
- All Housing and Student Affairs directors and coordinators, including Residential Life Coordinators
- Resident Associates while performing the duties of employment
- Staff members with a supervisory or managerial role, whom Caltech has not designated as confidential resources
- Security officers
- All Athletics directors, coordinators, and coaches at all levels
- Employee Relations consultants
- Coaches of any student athletic or academic team or activity (e.g., employees who are club advisors, music coaches, etc.)
- Graduate student instructors, while performing the duties of employment
- Laboratory directors, coordinators, or principal investigators
- Internship or externship directors or coordinators
- Study-abroad program directors or coordinators

At Campus, the term Responsible Employee does not include the licensed therapists in the Staff and Faculty Consultation Center and the Student Wellness Counseling Services, the Campus Sexual Violence Advocate, and the staff in Caltech's Center for Diversity and Inclusion, who have been designated by Caltech as confidential resources. These individuals are not required to report prohibited conduct to the Title IX Coordinator unless required by law to do so. However, these individuals shall inform each person who provides the individual with information regarding sexual harassment of the person's ability to report to a Responsible Employee and direct the person to those specific reporting resources.

At JPL, the following are Responsible Employees:

- Deputy Title IX Coordinator for JPL and associated staff
- Supervisors and managers
- Employee Relations representatives
- Education Office staff
- Chief Scientist Office staff

At JPL, the term "Responsible Employee" does not include licensed therapists in JPL's Employee Assistance Program provided through Empathia.

In addition, under the Unlawful Harassment and Abusive Conduct Policy, any employee in a supervisory role, including faculty, must promptly report all alleged harassment, discrimination, and retaliation, regardless of its alleged severity or frequency, to the Equity and Title IX Office at Campus or Human Resources at JPL, which will provide guidance and advice.

### **6.3 Anonymous Reporting**

Caltech provides the following resources for anonymous reporting:

Campus Hotline (626) 395-8787 or (888) 395-8787

JPL Ethics Hotline (818) 354-9999

JPL Protective Services Division's Workplace Violence Hotline (818) 393-2851

For either Campus or JPL, by submitting a compliance Hotline Contact Form

You may also use the Report Form on the Equity and Title IX Office website, which can be submitted anonymously by not filling in the contact information.

A report is considered anonymous if the reporting party does not share their name or contact information. If a reporting party chooses to provide their name or contact information they will receive information about support resources, reporting options, and notification of an investigation, if an investigation is pursued.

#### **6.4 Notification of Law Enforcement**

Individuals who have experienced sexual assault, stalking, sexual exploitation, or domestic relationship, or dating violence are encouraged to notify local law enforcement. Caltech will provide assistance in notifying law enforcement if the individual so chooses. If the complainant chooses to notify law enforcement, they may seek the assistance of the Equity and Title IX Office. The Equity and Title IX Office is available to facilitate the contact with law enforcement and the scheduling of a meeting, if the complainant chooses to make a report. An individual who has experienced sexual violence also has the right to decline to notify law enforcement or Caltech.

Caltech makes the following mandated reports of sexual misconduct to law enforcement: (a) incidents of sexual assault or sexual battery of a minor, as defined by California law; and (b) summary reports of incidents of sexual assault or sexual battery, under California Education Code Section 67383; however, Caltech will not report identifying information about the complainant without the complainant's consent after being notified of their right to have personally identifying information withheld. If the complainant does not consent to be identified, personally identifying information about the respondent also will not be provided.

Individuals may also engage with the confidential Campus Sexual Violence Advocate (see Appendix: On-Campus Mental Health and Emotional Support Resources), who can facilitate a report to law enforcement.

#### **Pasadena Police Department**

Call 911 for Emergency Response

Non-Emergency Response: [\(626\) 744-4241](tel:6267444241)

207 N. Garfield Ave., Pasadena, CA 91101

#### **7.0 Reports Involving Minors**

Every member of the Caltech community who knows of or reasonably suspects child abuse or neglect, including any prohibited conduct involving a minor, has a personal responsibility to report the suspected child abuse or neglect to [Caltech Security](#) or the [JPL Protective Services Division](#) immediately.

Caltech employees who are mandated reporters have additional, legally required reporting obligations, including reporting immediately to the LA County Office of Child Protection and/or the local police department. See [Mandated Reporter Guidelines](#) and the [Violence Prevention Policy](#) for more information.

#### **8.0 False Reports**

Caltech expects its members to act with honesty, sincerity, and good faith in reporting concerns under this policy. Caltech will not tolerate intentional false reporting of information, allegations, or evidence. A good faith complaint that is not substantiated by a preponderance of the evidence after an investigation is not considered a false report.

However, when a complainant or third party is found to have intentionally fabricated or knowingly misrepresented information, allegations, or evidence, or otherwise to have acted with an intent to

deceive or mislead in any of their dealings relating to Caltech's administration of this policy, they may be subject to disciplinary action up to and including termination of employment, student expulsion, or being permanently excluded from Caltech-controlled premises.

### **9.0 Privacy**

Caltech will maintain the privacy of all individuals involved in a report of prohibited conduct to the extent practicable. All Caltech employees who are involved in the Institute's receipt of the report and the response, including the Title IX Coordinator, deputy coordinators, and investigators, receive training about respecting and safeguarding private information. Throughout the process, every effort is made to protect the privacy interests of all individuals involved in a manner consistent with the need for a thorough review and administration of the matter.

Privacy generally means that information related to a report of prohibited conduct will only be shared with those individuals who have a "need to know." The determination of who has a "need to know" is within the discretion of the Title IX Coordinator. These individuals are required to treat the information and respect the privacy of all individuals involved appropriately.

No meetings or conversations that take place under this policy, the Procedures for Complaints of Sexual Misconduct, or the Procedures for Complaints of Unlawful Discrimination, Harassment, and Retaliation may be audio- or visually recorded by anyone. The only exception to this rule is that the Equity and Title IX Office, in compliance with Title IX, will record the hearing conducted under the Title IX Complaint Procedures in order to provide a verbatim record of the hearing. These recordings will be maintained by the Equity and Title IX Office.

### **10.0 Requests for Confidentiality or that Complaint Not Be Pursued**

With respect to allegations of prohibited conduct under this policy, the Title IX Coordinator and deputy coordinators make every effort to respect the concerns and goals of complainants, as well as their capacity to make independent choices regarding resolution options for addressing their complaints under this policy and the Procedures for Complaints of Sexual Misconduct Under Title IX and California Education Code.

In instances where a complainant requests that their name not be used, that Caltech not pursue any action against the respondent, including an investigation, or that no disciplinary action be taken, Caltech will seriously consider the request but weigh the request against Caltech's responsibilities, including under applicable laws, to take action to provide a safe, nonthreatening, and nondiscriminatory environment for all community members, including the complainant. The Title IX Coordinator will discuss with the complainant the reasons for their requests and attempt to address the underlying concerns, such as taking steps to prevent retaliation.

Where the complainant remains committed to the requests mentioned above, and the prohibited conduct falls under Section 15.0

below, the Title IX Coordinator will weigh the request against factors that may lead the Title IX Coordinator to take action on behalf of Caltech, which may be contrary to the wishes of the complainant, including potentially disclosing the complainant's name and/or proceeding to an investigation, to protect the health and safety of the complainant and the Caltech community. The factors considered are within the discretion of the Title IX Coordinator and include, but are not limited to, the nature and seriousness of the alleged conduct, whether the allegations are contested, the involvement of multiple respondents, the existence of multiple or prior reports of misconduct against the respondent, whether there was a weapon, physical restraints, battery, or other violence involved, whether the use of alcohol or drugs to induce vulnerability to sexual activity without consent was allegedly involved, whether there is evidence of a pattern of conduct, the presence of other circumstances that suggest there is a significant risk that the respondent will commit further acts of prohibited conduct, the age of a complainant, whether the respondent is a faculty or staff member with oversight of students, whether there is a power imbalance between the complainant and respondent, whether the complainant believes that the complainant will be less safe if the complainant's name is disclosed or an investigation is conducted, and whether Caltech is able to conduct a thorough investigation and obtain relevant evidence in the absence of the complainant's cooperation. Where the complainant remains committed to the requests above, and the prohibited conduct does not fall under Section 15.0, but only under 16.0 and/or 17.0, the Title IX Coordinator may elect to pursue action on Caltech's behalf without considering these factors.

If Caltech determines that it can honor the student's request for confidentiality, it shall still take reasonable steps to respond to the complaint, consistent with the request, to limit the effects of the alleged prohibited conduct and prevent its recurrence without initiating formal action against the alleged respondent or revealing the identity of the complainant. These steps may include increased monitoring, supervision, or security at locations or activities where the alleged misconduct occurred; providing additional training and education materials for students and employees; or conducting climate surveys regarding sexual violence. The Institute shall also take immediate steps to provide for the safety of the complainant while keeping the complainant's identity confidential as appropriate. These steps may include changing living arrangements or course schedules, assignments, or tests. The complainant shall be notified that the steps Caltech will take to respond to the complaint will be limited by the request for confidentiality.

If Caltech determines that it must disclose the complainant's identity to the respondent or proceed with an investigation, it shall inform the complainant prior to making this disclosure or initiating the investigation. The complainant is not required to participate in the ensuing process. Caltech shall also take immediate steps to provide for the safety of the complainant where appropriate. In the event the complainant requests that Caltech inform the respondent that the



student asked Caltech not to investigate or seek discipline, Caltech shall honor this request.

If the complaint includes allegations that may constitute a possible crime, the Title IX Coordinator will notify the complainant of their right to file a criminal complaint or to choose not to notify law enforcement. As stated above in Section 6.4, Caltech does not report sex- and gender-based misconduct to law enforcement on a complainant's behalf, unless such a report is mandated by law (e.g., sexual assault of a person under 18). If the complainant chooses to notify law enforcement, they may seek the assistance of the Equity and Title IX Office to facilitate the contact with law enforcement and the scheduling of a meeting to make a report.

The Title IX Coordinator, depending on facts and circumstances, may also elect to file a formal complaint and initiate an investigation even if the complainant does have the standing to do so.

Formal complaints may be filed even if a complainant elects not to notify law enforcement and/or pursue a criminal complaint.

All final determinations and decisions taken under this provision 10.0, except the complainant's decision to file a criminal complaint or to choose not to notify law enforcement, rest solely with the Title IX Coordinator.

### **11.0 Contacting Government Agencies**

Employees, students, and others participating in Caltech's educational programs or activities may direct questions regarding Title IX or to file complaints with the U.S. Department of Education Office for Civil Rights, (415) 486-5555, [ocr.sanfrancisco@ed.gov](mailto:ocr.sanfrancisco@ed.gov), or (800) 421-3481, [OCR@ed.gov](mailto:OCR@ed.gov). In addition, employees may file complaints with the California Civil Rights Department at [dfeh.ca.gov/contact-us](http://dfeh.ca.gov/contact-us) or the United States Equal Employment Opportunity Commission (EEOC) at [eeoc.gov](http://eeoc.gov). Complaints can also be directed to the Bureau for Private Postsecondary Education at [bppe.ca.gov](http://bppe.ca.gov).

NASA-funded program participants may file a complaint at [AssistedProgramComplaint@nasa.gov](mailto:AssistedProgramComplaint@nasa.gov) or find more information at [missionstem.nasa.gov/filing-a-complaint.html](http://missionstem.nasa.gov/filing-a-complaint.html). NSF-funded program participants may file a complaint with the Office of Diversity and Inclusion at [programcomplaints@nsf.gov](mailto:programcomplaints@nsf.gov), (703) 292-8020, or find more information at [nsf.gov/od/odi/harassment.jsp](http://nsf.gov/od/odi/harassment.jsp). Participants in programs funded by other federal agencies providing federal financial assistance to Caltech may file directly with those agencies.

Filing a complaint with a federal agency under Title IX must be done within 180 days of an alleged discriminatory or harassing event, and there is no requirement to exhaust remedies through (i.e., utilize or go through) Caltech's internal procedures before filing directly with a federal agency.

## 12.0 Clery Reporting

The Clery Act requires Caltech to issue an Annual Security and Fire Safety Report, which includes crime statistics for sexual assault (rape, fondling, incest, and statutory rape), domestic violence, dating violence, and stalking. Campus Security gathers these crime statistics from the Equity and Title IX Office, security reports, Pasadena Police Department information, JPL, and reports by Campus Security authorities. Crime statistics do not disclose any identifying information about the complainant, respondent, witnesses, or others. For more information and statistics for the past three years, see the current Annual Security and Fire Safety Report.

### *SECTION III: PROHIBITED CONDUCT*

## 13.0 Scope

This section sets out what conduct is prohibited under this policy. For clarity, transparency, and administrative ease, this section delineates sexual harassment prohibited under the federal Title IX regulations (Section 15.0) and under the California Education Code (Section 16.0). All such misconduct is prohibited by Caltech. Additional misconduct prohibited by Caltech and other applicable law, including attempts and threats of prohibited conduct, is described in Section 17.0. Examples of specific types of Prohibited Conduct are provided in Section 18.0.

Reported behavior that does not constitute prohibited conduct under this policy but is nevertheless determined to be inappropriate pursuant to another applicable Caltech policy may subject the offending individual to disciplinary action.

The term “complainant” refers to the individual who allegedly is the subject of the prohibited conduct, and “respondent” refers to the individual who is alleged to have engaged in the prohibited conduct. The complainant and respondent may sometimes be referred to collectively as the “parties” in this document and the related Procedures for Complaints of Sexual Misconduct Under Title IX and the California Education Code.

The Title IX Coordinator will determine whether reported prohibited conduct is covered under the sexual harassment provisions of Title IX or constitutes other prohibited conduct as described under this policy and will apply the appropriate procedures. The Title IX Coordinator’s determination will be communicated in writing to the parties. Allegations of Title IX-covered (Section 15.0) and California Education Code-covered (Section 16.0) prohibited conduct will be addressed under the Procedures for Complaints of Sexual Misconduct (“Procedures”). Where multiple allegations of prohibited conduct are at issue, and the Title IX Coordinator determines that only a portion falls within the scope of Sections 15.0 and 16.0, all of the allegations will be adjudicated under the Procedures for Complaints of Sexual Misconduct. Allegations of prohibited conduct falling exclusively under Section 17.0 will be addressed under Caltech’s Procedures for Complaints of Unlawful Discrimination, Harassment, and Retaliation.

#### 14.0 Affirmative Consent

Consent is a key component of various definitions of prohibited conduct. Affirmative consent is the standard of consent in Caltech's policy. Affirmative consent is the affirmative, conscious, and voluntary agreement to engage in sexual activity.<sup>1</sup>

It is the responsibility of each person involved in the sexual activity to ensure that they have the affirmative consent of the other person(s) to engage in the sexual activity.

- Lack of protest or resistance does not mean consent, nor does silence mean consent.
- Affirmative consent must be ongoing throughout a sexual activity and each time sexual activity is engaged in, and it can be revoked at any time. Consent to one form of sexual activity is not, by itself, consent to other forms of sexual activity.
- The existence of a dating relationship between the persons involved, or the fact of any past sexual activity between them, should never by itself be assumed to be an indicator of consent.

It is not a valid excuse, including in the evaluation of complaints in any resolution process, in response to an alleged lack of affirmative consent that the respondent believed that the complainant consented to the sexual activity under either of the following circumstances:

The respondent's belief in affirmative consent arose from the intoxication or recklessness of the respondent.

- The respondent did not take reasonable steps, in the circumstances known to the respondent at the time, to ascertain whether the complainant affirmatively consented.

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

The complainant was asleep or unconscious.

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

A person who is incapacitated is not capable of giving effective consent to sexual activity. An incapacitated person lacks the physical and mental capacity to make informed, reasonable judgments about whether or not to engage in sexual activity. A person who is incapacitated may not be able to understand where they are, whom they are with, how they got there, or what is happening.

A person may be incapacitated by a temporary or permanent mental or physical condition, sleep, or unconsciousness. A person

may also be incapacitated as a result of voluntary or involuntary (e.g., induced, forced) consumption of alcohol or drugs. Incapacitation is a state beyond mere intoxication or drunkenness. Just because someone is under the influence of alcohol or drugs does not necessarily mean that a person is incapacitated. Impairment must be significant enough to render a person unable to understand the fact, nature, or extent of the sexual activity. In evaluating affirmative consent in cases involving an allegation of incapacitation, Caltech considers the state and degree of intoxication of the reporting party and the knowledge of the respondent.

One's own intoxication, even to the point of incapacitation, does not relieve an individual from responsibility for a policy violation when they engage in sexual conduct without the affirmative consent of the other party or parties. However, a respondent who was incapacitated during sexual conduct has the right to file a formal complaint alleging they were incapacitated and unable to consent to the reported sexual activity.

<sup>1</sup> *A minor under the age of eighteen (18) is deemed to be incapable of providing affirmative consent under this policy.*

### **15.0 Sexual Misconduct Covered under Title IX**

Sexual harassment is covered under Title IX if it meets the definitions and scope requirements set out in this section.

NOTE: While Title IX prohibits discrimination on the basis of sex, sexual harassment is subject to specific procedures that do not apply to complaints of sex- and gender-based discrimination. Accordingly, sex- and gender-based discrimination is addressed separately below in Section 17.0 to ensure that the appropriate procedures are applied.

#### ***15.1 Definition of Sexual Harassment under Title IX***

Sexual harassment means conduct on the basis of sex that satisfies one or more of the following: (1) an employee of Caltech conditioning the provision of an aid, benefit, or service of Caltech on an individual's participation in unwelcome sexual conduct; (2) unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to Caltech's education program or activity; or (3) sexual assault, dating violence, domestic violence, or stalking as defined below.

**15.1.1 Sexual assault** means an offense classified as a sex offense under the uniform crime reporting system of the Federal Bureau of Investigation, as follows:

*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.

*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. This definition excludes statutory rape.

*Fondling:* The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including in instances where the victim is incapable of giving

consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Caltech interprets fondling to include potentially, depending on the facts and circumstances, (a) the disrobing or exposure of another without their consent, and (b) the touching of another person's private body parts for the purpose of sexual gratification without consent through clothing, as well as directly.

*Incest:* Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

*Statutory Rape:* Sexual intercourse with a person who is under the statutory age of consent, which in California is 18.

#### **15.1.2 Dating, and Domestic Violence**

Dating violence means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with a complainant. The existence of such a

relationship shall be determined based on the complainant's statement as well as consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating Violence does not include acts covered under the definition of Domestic Violence

Domestic violence means conduct, on the basis of sex, that constitutes a felony or misdemeanor crime of violence committed upon a victim who is (a) the offender's spouse or former spouse, (b) the offender's cohabitant or former cohabitant; or (c) the offender's fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship; (d) the parent of the offender's child; or (5) any other victim who is protected under the domestic or family violence laws of the state where the domestic violence occurred.

**15.1.3 Stalking** means 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.

"Course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with the person's property.

"Reasonable person" means a reasonable person under similar circumstances and with similar legally protected or other characteristics to the victim.

Stalking is also covered by the Violence Prevention policy and should be reported to the Equity and Title IX Office and Security at campus or the Protective Services Office at JPL.

Making an audio or video recording of an individual without their consent is prohibited and may constitute stalking under this policy or the Violence Prevention Policy.

### ***15.2 Scope of Requirements for Title IX Sexual Harassment***

Title IX addresses sexual harassment in an education program or activity of Caltech against a person in the United States.

At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in an education program or activity of Caltech. The term “attempting to participate” includes when a complainant has: (a) applied for admission; (b) graduated but intends to apply for a new program; (c) graduated but intends to participate in alumni programs and activities; (d) gone on leave but is still enrolled; (e) gone on leave but intends to re-apply after the leave; (f) withdrawn due to alleged sexual harassment and expresses a desire to re-enroll if Caltech responds appropriately to the allegations.

The term “education program or activity” includes buildings or other locations that are part of the school’s operations, including remote learning platforms; (a) locations, events, or circumstances, even if off-campus, over which Caltech exercised substantial control over both the respondent and the context in which the alleged sexual harassment occurred; and (b) any building, even if off-campus, owned or controlled by a student organization that is officially recognized by Caltech.

### ***15.3 Limitation on Claiming Consent as a Defense to Sexual Harassment***

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

### **16.0 Sexual Misconduct Covered under the California Education Code**

Prohibited conduct under this policy is covered under the California Education Code (CEC) if it meets any of the definitions of sexual assault, dating violence, domestic violence, and stalking under Section 15.0, and sexual harassment set out below in this section.

#### ***16.1 Definition of Sexual Harassment under the CEC***

Sexual harassment means unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting, under any of the following conditions:

- (1) Submission to the conduct is explicitly or implicitly made a term or a condition of an individual’s employment, academic status, or progress.
- (2) Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual.
- (3) The conduct has the purpose or effect of having a negative impact upon the individual’s work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.

Verbal sexual harassment includes but is not limited to unwelcome epithets, comments, or slurs of a sexual nature.

Visual sexual harassment includes but is not limited to derogatory posters, cartoons, drawings, obscene gestures, or computer-generated images of a sexual nature.

Physical sexual harassment includes but is not limited to assault, impeding or blocking movement, or any other physical interference with work or academic activities or movement when directed against an individual on the basis of sex.

When an individual sexually harasses a student, the harassing conduct creates a hostile environment on campus for the purposes of this section if the conduct is sufficiently serious that it interferes with or limits a student's ability to participate in or benefit from the institution's programs or activities. The more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment on campus, particularly if the harassment is physical. A single or isolated incident of sexual harassment, including sexual violence, may create a hostile environment on campus if the incident is sufficiently severe.

(4) Submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available at or through the educational institution.

(5) Sexual violence, which means physical sexual acts perpetrated against a person without the person's affirmative consent, including rape and sexual battery.

(6) Rape, which is defined as penetration, no matter how slight, of the vagina or anus with any part or object, or oral copulation of a sex organ by another person, without the consent of the victim.

(7) Sexual battery, which means the (a) intentional touching, directly or through clothing, of another person's intimate parts without consent, (b) intentionally causing a person to touch the intimate parts of another, directly or through clothing, without consent, or (c) using a person's own intimate part to intentionally touch another person's body, directly or through clothing, without consent.

Intimate body parts are the breast, genitals, groin, anus, or buttocks.

(8) Sexual exploitation, which means a person taking sexual advantage of another person for the benefit of anyone other than that person without that person's consent, including, but not limited to, any of the following acts:

(a) The prostituting of another person.

(b) The trafficking of another person, defined as the inducement of a person to perform a commercial sex act, or labor or services, through force, fraud, or coercion.

(c) The recording of images, including video or photograph, or audio of another person's sexual activity or intimate parts, without that person's consent.

(d) The distribution of images, including video or photograph, or audio of another person's sexual activity or intimate parts, if the individual distributing the images or audio knows or should have

known that the person depicted in the images or audio did not consent to the disclosure.

(e) The viewing of another person's sexual activity or intimate parts, in a place where that other person would have a reasonable expectation of privacy, without that person's consent, for the purpose of arousing or gratifying sexual desire.

### ***16.2 Limitation on Claiming Consent as a Defense to Sexual Harassment***

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

### **17.0 Additional Conduct Prohibited by Caltech**

This section lists and describes additional misconduct prohibited by Caltech, and under applicable law, but that is not subject to the Procedures for Complaints of Sexual Misconduct. Complaints of such prohibited conduct will be addressed under the Procedures for Complaints of Unlawful Discrimination, Harassment, and Retaliation.

#### ***17.1 Prohibition on Sex- or Gender-Based Discrimination*** **Sex- and Gender-Based Discrimination constitutes prohibited conduct under this policy.**

Sex discrimination under Title IX occurs when a person in the United States, on the basis of actual or perceived sex, is excluded from participation in, or is denied the benefits of, or is subjected to discrimination, under any Caltech education program or activity. The term "education program or activity" encompasses all of the operations of Caltech.

Sex- or gender-based discrimination also includes unfavorable treatment on the basis of sex, gender, gender identity, gender expression, and sexual orientation.

Gender expression means a person's gender-related appearance and behavior, whether or not stereotypically associated with the person's assigned sex at birth.

#### ***17.2 Prohibition on Sexual and Gender-Based Harassment***

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

#### ***17.3 Prohibition on Relationships between Employees and Undergraduates***

This policy prohibits sexual or romantic relationships between an undergraduate student and a faculty member, postdoctoral scholar, or staff member. Any Responsible Employee who becomes aware of such a relationship is expected to report it immediately to the Title IX Coordinator. The non-undergraduate party in the relationship will be held responsible for prohibited conduct violating this policy,



regardless of whether a complaint is filed.

#### ***17.4 Prohibition on Evaluative Responsibilities in Certain Circumstances***

Even when relationships are consensual, care must be taken to eliminate the potential for harassment or other conflicts. Caltech practice, as well as more general ethical principles, prohibits individuals, including Teaching Assistants, from participating in evaluating the work or academic performance of those with whom they have romantic and/or sexual relationships, or from making hiring, salary, or similar decisions regarding those individuals. Upon learning about a consensual relationship involving such a power differential, the supervisor, dean, or division chair should immediately notify the Title IX Coordinator and, in consultation with the Title IX Coordinator, should review and remedy any direct administrative or academic relationship between the involved individuals. The individual with greater power may be subject to disciplinary action for a violation of this prohibition.

#### ***17.5 Prohibition on Inequitable Treatment Stemming from Consensual Relationships***

Even when relationships are consensual, care must be taken to eliminate the potential for harassment or other conflicts. If a consensual relationship exists, it is not acceptable to treat the individual in the relationship more favorably than other similarly situated individuals in the context of employment or academic performance.

#### ***17.6 Prohibition on Uncompleted Attempts or Threats of Prohibited Conduct***

To the extent that uncompleted attempts or threats of prohibited conduct are not covered in Sections 15.0 and 16.0 of this policy, they are covered in Section 17.0. Threats of prohibited conduct may also constitute retaliation under this policy.

#### ***17.7 General Caution about Maintaining Appropriate Professional Boundaries***

All members of the Caltech community should maintain respectful and professional boundaries with one another. This is particularly important when Caltech employees, whether faculty, postdoctoral scholars, or staff, interact with their subordinates, or with graduate and undergraduate students, due to the power differential that exists between them.

While certain conduct may not constitute prohibited conduct, it can create situations where students or others feel uncomfortable but reluctant to voice that sentiment.

Depending on the circumstances, such situations may include hosting students at private homes, sharing lodging on academic-related trips (e.g., conferences, field trips), wearing swimsuits (e.g., marine research outing), and any interaction where alcohol is consumed (e.g., dinners at conferences, field trips, holiday parties).

Caltech encourages employees and other community members to think carefully about maintaining appropriate professional boundaries at all times, to state their boundaries as appropriate, and to consider seeking guidance from the Title IX Coordinator.

## **18.0 Examples of Prohibited Conduct**

The following illustrative examples are provided to help prevent inappropriate behavior and are not evidence that similar allegations would automatically constitute that particular type of prohibited conduct. The examples below may constitute prohibited conduct, depending on the specific facts and circumstances.

### **18.1 Sex- or Gender-Based Discrimination**

- Denying an employee a promotion because they are openly gay and some of the team who would be reporting to them strike you as somewhat conservative and you worry that the employee might not feel comfortable supervising them
- Rejecting a student from House membership because some students feel uncomfortable with the student's openness about their recent gender transition
- Rejecting a faculty candidate after a hiring team member opined that the candidate's voice and mannerisms are too high-pitched and animated to be perceived as sufficiently professional and authoritative to run a lab effectively
- Telling a masculine-presenting nonbinary individual that they cannot wear makeup or wear feminine clothing in the workplace

### **18.2 Sexual or Gender-Based Harassment**

- Sending unwanted sexually-oriented jokes to a student or work group email list or other group communication mediums (e.g., Slack, Teams)
- Displaying explicit sexual pictures in common areas of Institute housing or on a work computer station where others can view it
- Making or using derogatory comments, epithets, slurs, or jokes of a gender-based or sexual nature
- Ostracizing individuals from group activities because of their sex, gender or gender identity, gender expression, or sexual orientation, or because they objected to harassing behavior
- Threatening to "out" someone's deadname or sexual orientation
- Making unwelcome graphic comments about an individual's body, using sexually degrading words to describe an individual
- Engaging in unwanted suggestive or obscene communications
- Engaging in unwelcome touching, fondling, or groping of a sexual nature
- Making unwanted sexual advances
- Promising a benefit to someone in exchange for engaging in sexual activity
- Exposing one's genitals to another without consent

### 18.3 Stalking

- Repeated unwanted communication, including face-to-face contact, telephone calls, voice messages, emails, text messages, postings on social networking sites, written letters, or gifts
- Posting picture(s) or information of a sexual nature on social networking sites or other websites
- Gathering information about the person through the use of public records, online searches, going through the garbage, or contacting the person's family, friends, or co-workers
- Posting private pictures or videos on school bulletin boards or internet sites, including on social media sites
- Installing spyware on another person's personal devices, including phones or computers
- Surveillance or other types of observation, including staring or peeping
- Pursuing, following, or showing up uninvited at or near places like classrooms, residence, workplace, or other places frequented by the person
- Directly or indirectly making threats to the person
- Inducing friends, family members, or other persons to engage in any of the above conduct
- Inducing friends, family members, or other persons to track and report on the person's whereabouts and activities

### 19.0 Informational Resources

Information on prohibited conduct, as well as copies of Caltech's Sex- and Gender-Based Misconduct; Nondiscrimination and Equal Employment Opportunity; Unlawful Harassment; and Violence Prevention policies are available from the following resources:

At Campus: Caltech's Title IX Coordinator and deputy Title IX Coordinators, Caltech's EO Coordinators, Human Resources, Student Affairs, the Deans' Offices, the Caltech Center for Inclusion and Diversity, Resident Associates, the Staff and Faculty Consultation Center, and Employee and Organizational Development.

At JPL: JPL's deputy Title IX Coordinator, EO Coordinator, and Human Resources Business Partners.

The policies are published in the Caltech Catalog and on the following Caltech and JPL websites: [JPL Human Resources](#), [Equity and Title IX Office](#), and [Student Affairs](#).

[Support Resources Table](#)

#### Related Policies and Procedures

- [Procedures for Complaints of Sexual Misconduct Under Title IX and the California Education Code](#)
- [Nondiscrimination and Equal Employment Opportunity Policy](#)
- [Unlawful Harassment and Abusive Conduct Policy](#)
- [Procedures for Complaints of Unlawful Discrimination, Harassment and Retaliation](#)
- [Violence Prevention Policy](#)

# PROCEDURES FOR RESPONDING TO AND RESOLVING COMPLAINTS OF GENDER-BASED MISCONDUCT

## I. Introduction and Scope

Caltech's Sex and Gender-based Misconduct Policy reflects Caltech's commitment to support and encourage individuals who have been subjected to prohibited conduct to come forward. Caltech takes all allegations of prohibited conduct seriously and responds appropriately.

Caltech will take prompt and appropriate action to address all reports of prohibited conduct in a fair and impartial manner. Complainants, respondents, and all other participants in the process will be treated with dignity, care, and respect.

Caltech's policy and these procedures are intended to ensure that individuals accused of engaging in prohibited conduct are not prejudged; that they have notice and a full and fair opportunity to respond to allegations before findings and conclusions are reached; and that decisions are based on the evidence gathered in a process that is fair to both complainants and respondents when an investigation is conducted. Caltech will conduct a fair, impartial, timely, and thorough investigation that provides all parties with appropriate due process.

Consistent with Section 6.0 of the Sex- and Gender-Based Misconduct Policy, Caltech encourages students and other members of its community who are not designated Responsible Employees to report to the Title IX Coordinator sexual harassment and other misconduct by third parties (i.e., report situations on behalf of others). The contact information for the Title IX Coordinator and Deputy Coordinators and methods of reporting are fully provided in Section 6.0 of the policy. Reporting options include contacting the Title IX Coordinator by email ([equity@caltech.edu](mailto:equity@caltech.edu)), telephone (626-395-3132), in-person visit (Center for Student Services, 414 S. Holliston Avenue, Suite 205), and the [online report form](#) which can be submitted anonymously. Caltech will respond to any such reports to address or prevent a hostile educational environment or to ensure a student's access to education.

Notice of the Sex- and Gender-Based Misconduct Policy and these Sexual Misconduct Procedures, which include information on where and how reports and complaints may be filed, is provided to all Caltech students on the [Equity and Title IX Office website on the Resources page](#) as well as by email at the start of the academic year.

These procedures are to be applied, when both parties are covered persons, to address allegations of prohibited conduct that (a) fall within the scope, as set out in Section I, 2.0, of

the Sex- and Gender-Based Misconduct Policy, and (b) fall within the definitions of sexual harassment, as defined by Title IX and the California Education Code and set out in Sections 15.0 or 16.0, respectively, of the Caltech Sex- and Gender-Based Misconduct Policy (policy). All other prohibited conduct under the policy is addressed under the Procedures for Unlawful Discrimination, Harassment, and Retaliation. The Title IX Coordinator determines

whether these procedures apply.

Throughout these procedures, any reference to a Caltech or JPL administrator is understood to include not only that administrator but also their designee.

Information, including statistics, concerning the prevalence of sexual harassment and sexual violence in the educational setting and the differing rates at which students experience such misconduct based on race, gender, gender identity, sexual orientation, and disability can be found on [Caltech's Equity and Title IX Office website, on the Resources/Policies page](#), under Reports. See Association for American Universities Campus Climate Survey 2019 and the National Academies of Science Engineering and Medicine 2018 Report on Sexual Harassment of Women. [AAU survey data](#) is also provided on Caltech's Institutional Research Office website.

## II. Retaliation

Retaliation against any member of the Caltech community at any point in time for making a good-faith report of prohibited conduct or participating or refusing to participate in any manner in an investigation, proceeding, or hearing conducted by Caltech or a state or federal agency, is strictly prohibited. Retaliation is defined as overt or covert acts of reprisal, interference, discrimination, intimidation, or harassment against an individual or group for exercising their rights under Title IX or other federal and state laws. Threats of retaliatory action also constitute retaliation. Retaliation violates this policy and is unlawful.

Caltech will maintain the confidentiality of persons involved in reports and complaints of prohibited conduct, except as required or allowed under the Sex- and Gender-Based Misconduct Policy, these procedures, the Unlawful Harassment Policy and related procedures, or federal or state law.

The following actions do not constitute retaliation: the exercise of rights protected under applicable law or charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a resolution process. However, a determination that a respondent was or was not responsible for alleged prohibited conduct, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Allegations of retaliation that are alleged at the time of a formal complaint of sexual harassment, as defined in policy Sections 15.0 and 16.0, will be addressed as part of that complaint. Complaints of retaliation that are not alleged at the time of a sexual harassment complaint will be addressed under the Procedures for Complaints of Unlawful Discrimination, Harassment, and Retaliation. The Title IX Coordinator will have the ultimate discretion over which procedures apply to a claim of retaliation.

### III. Adviser or Support Person

The complainant and respondent may have an adviser or support person (hereinafter, collectively, “adviser”) of their choice (other than a witness or their direct supervisor or other member of their line management), including a victim advocate or an attorney, accompany and generally support them at any virtual or live meetings or phone calls at any point in the procedures discussed below. However, Caltech resolution processes, including the investigation process, are not legal proceedings and the adviser may not speak or submit written statements on behalf of the individual they are advising, other than at the hearing as described below in Section XIII(D)(8). Caltech will not be responsible for communicating information to advisers, or scheduling meetings around advisers’ availability, except to the extent required to comply with Section XIII(D)(8) of these procedures. Advisers are required to sign and abide by Caltech’s Adviser Policy setting forth the parameters of their role.

The role of the adviser is to (a) provide general support to a party participating in any step of the processes outlined below, (b) encourage the party whom the adviser supports to

communicate for themselves, and (c) respect the process and procedures. All communications, whether oral or written, will be between the Equity and Title IX Office staff member(s), investigator(s), or other appropriate participating administrator(s), or their designees, (“Title IX process administrators”), and the party only. The adviser may not speak during any meeting, including on behalf of the party whom they support, ask questions of the administrator(s) or of the party whom they support, or otherwise interfere with or disrupt the meeting, conversation, or procedure. Nor may an adviser communicate on behalf of the party in emails or other correspondence with the Equity and Title IX Office. However, during meetings, the adviser may provide written notes or instructions to the party whom they support.

All parties have the right to consult with an attorney at their own expense, at any procedural step set forth below, if they wish to do so. An attorney may serve, but is not required to serve, as an adviser.

Caltech is not required to identify or provide advisers to parties, except as provided below in Section XIII(D)(8).

### IV. Timelines

These procedures set out reasonably prompt time frames for major procedural stages.

The Title IX Coordinator, at their own discretion or upon the request of a party or witness, may extend a time frame for good cause, providing prompt written notice to the parties of any delays or extensions and the reasons therefor.

Good cause may include but is not limited to the absence of a party, a party’s adviser, or a witness; concurrent law enforcement activity; the need for language assistance or accommodation of disabilities; the breadth and scope of the allegations, e.g., in terms of content and date, the number of potential witnesses, and the amount of available, relevant documentary evidence; the need to conduct a thorough, fair, and accurate investigation; and office closures.

Parties must communicate requests for extensions to the Title IX Coordinator before deadlines have passed, to the extent practicable.

Where an individual asks for adjustments to timelines based on an accommodation of a medical condition or disability, they will be required to follow the applicable Institute disability accommodation process in requesting an accommodation, as described in the Institute Disability and Reasonable Accommodation Policy or appropriate student accessibility services process. Requests for extensions may be denied where individuals fail to meet deadlines established during the accommodations process.

The Title IX Coordinator shall not unreasonably deny a party's request for an extension of a deadline related to a complaint during periods of examinations or school closures.

#### **V. Initial Title IX Assessment**

Within 14 days of receiving a report of prohibited conduct, Caltech's Title IX Coordinator will make an initial assessment of the report to determine the following:

1. a reasonable assessment of any safety concerns posed to any member of the Caltech community or Caltech's campus;
2. whether the allegations on their face present a potential violation of the Sex- and Gender-Based Misconduct Policy, and if so, whether they are covered under these procedures or under Caltech's Unlawful Discrimination, Harassment, and Retaliation procedures; or, if not, whether they should be addressed under a different Caltech policy and process;
3. whether and what supportive measures are warranted; and
4. whether emergency removal is warranted.

The Title IX Coordinator or their designee will promptly reach out (in writing, to the extent appropriate) to each identifiable complainant or alleged victim of the report to inform them, as appropriate, of the receipt of the report, discuss the availability of supportive measures, consider their wishes with respect to supportive measures, inform them that supportive measures are available with or without the filing of a formal complaint, and explain to them the process for filing a formal complaint and the importance of preserving evidence and identifying witnesses and their locations. The Title IX Coordinator's outreach will also include a statement that retaliation for filing a complaint or participating in a resolution process, or both, is prohibited by Caltech policy and federal and California law. The Title IX Coordinator will provide them a copy of these Sexual Misconduct Procedures. Where a crime may have occurred, the Title IX Coordinator will provide the complainant/alleged victim notice of their right, but not the obligation, to report the matter to law enforcement and information on how Caltech can help facilitate such reporting. The Title IX Coordinator will also describe how Caltech responds to reports of prohibited conduct, as well as potential disciplinary consequences. The Title IX Coordinator will also refer them to and help coordinate, if desired, support resources, including providing information on the

availability of and contact information for on-campus and off-campus resources and services. Finally, the Title IX Coordinator will request for the complainant/alleged victim to meet with them to discuss options for responding to the report.

The Title IX Coordinator may also meet with the respondent and other relevant individuals in order to make an initial assessment. The respondent also will be offered the opportunity to request and receive supportive measures at this time.

The complainant and the respondent will be provided with the following:

- Information on their rights and options under the Sex- and Gender-Based Misconduct or Unlawful Harassment policies and related procedures as appropriate, and copies of these documents;
- Written materials outlining information on on-campus and off-campus support resources;
- and services, including contact information and days and hours of availability, as well as information on coordination with law enforcement;
- Information on the importance of and policy concerning evidence preservation;
- Information on the policy against retaliation for filing a complaint or participating in a complaint process;

## **VI. Supportive Measures**

Supportive measures are non-disciplinary, nonpunitive individualized services offered as appropriate and reasonably available to the parties before or after the filing of a formal complaint or where no formal complaint has been made or no investigation has been undertaken. Supportive measures are available to parties regardless of whether they participate in a resolution process. They are designed to restore or preserve equal access to Caltech's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or Caltech's educational environment, or to deter prohibited conduct.

Supportive measures may include counseling, academic accommodations (e.g., extensions of deadlines, course-related adjustments), modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, including in a virtual or electronic environment, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of campus, referrals to campus and off-campus support resources, and other similar measures. Caltech will maintain as confidential any supportive measures provided to any party to the extent such confidentiality does not impair Caltech's ability to provide the supportive measures (e.g., notifying appropriate administrators involved in academic accommodations). The Title IX Coordinator will coordinate the effective implementation of supportive measures. Academic accommodations should be requested in a timely manner, reasonably in advance of deadlines. Retroactive



accommodations, such as re-taking tests or extensions after the due date has passed, will not be granted.

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

Caltech will endeavor to minimize the burden on the party receiving supportive measures without unreasonably burdening the other party. If a complainant wishes to seek a temporary restraining order or similar judicial order, Caltech will help the complainant with that process. Parties may seek the assistance of the Campus Sexual Violence Advocate, who can be contacted directly or through the Equity and Title IX Office.

When requested by a complainant or otherwise determined to be appropriate, Caltech will issue a mutual no-contact order. Caltech will not issue such an order automatically but instead shall consider the specific circumstances of each case to determine whether the order is necessary or justifiable to protect the non-complaining party's safety or well-being, or to respond to interference with a resolution process. Upon the issuance of a mutual no-contact order, Caltech will provide the parties with a written justification for the order, an explanation of its terms, and the circumstances, if any, under which violation could be subject to disciplinary action.

Moreover, Caltech shall consider and respond to requests for accommodations relating to prior incidents of sexual harassment that could contribute to a hostile educational environment or otherwise interfere with a student's access to education where both individuals are, at the time of the request, subject to Caltech's policies.

The imposition of supportive measures is not indicative of a determination of responsibility or any other outcome. These measures may be modified at any time and may be kept in place after a final investigative decision is reached.

All parties are expected to comply with any supportive measures that may be imposed. Failure to comply with supportive measures may be grounds for disciplinary action. A party may be subject to discipline under the appropriate Caltech policy for failure to comply with a supportive measure even if they are found not responsible for the underlying report of prohibited conduct.

NOTE: The Institute may undertake remedies and systemic remedies set forth below in Section XIII(D)(9) (Potential Sanction, Remedies, and Systemic Remedies), as appropriate and consistent with the requirements of Title IX and this Section VI, to safeguard a complainant's access to education, at any time. The complainant's engagement in a resolution process is not a prerequisite for such action by Caltech.

## **VII. Emergency Removal**

The Title IX Coordinator will undertake an individualized safety and risk analysis for the purpose of determining whether the respondent, based on the alleged conduct, is an immediate, imminent threat to the physical health or safety of any student or other individual, justifying their removal from campus or other appropriate scope of removal. The Title IX Coordinator may consult with any individuals they consider pertinent and appropriate to making the emergency removal determination. The safety and risk factors that the Title IX Coordinator will consider include but are not limited to the nature of the allegations, the alleged number and age of the complainant(s), the power differential between the respondent and complainant(s), whether the respondent is alleged to have used a weapon, violence, drugs, or alcohol to intimidate, harm, or control a complainant, and whether the allegations present a pattern of behavior or otherwise suggest a likelihood of repeated misconduct.

Where the Title IX Coordinator has determined that emergency removal of a student respondent is appropriate, the respondent will be provided with notice and an opportunity to challenge the decision immediately following the removal. To challenge a removal decision by the Title IX Coordinator, the respondent must submit a written appeal to the associate vice president for human resources within seven (7) calendar days of receipt of notice. In deciding this appeal, the associate vice president for human resources may consult with any individuals they consider pertinent and appropriate to making the decision. The decision of the associate vice president for human resources is final.

Prior to the beginning of a new term, an individual who has been subject to emergency removal may request that the Title IX Coordinator reconsider the scope or continuation of their removal.

Caltech may place nonstudent employee respondents on administrative leave while a complaint resolution process is pending.

## **VIII. Complainant's Ability to Exercise Options**

With respect to allegations of prohibited conduct under the Sex- and Gender-Based Misconduct Policy, the Title IX Coordinator and deputy coordinators make every effort to respect the concerns and goals of complainants, as well as their capacity to make independent choices regarding resolution options for addressing their complaints under the policy and these procedures.

In instances where a complainant requests that their name not be used, that Caltech not pursue any action against the respondent, including an investigation, or that no disciplinary action be taken, Caltech will seriously consider the request but weigh the request against Caltech's responsibilities, including under applicable laws, to take action to provide a safe, nonthreatening, and nondiscriminatory environment for all community members, including the complainant. The Title IX Coordinator will discuss with the complainant the reasons for their requests and attempt to address the underlying concerns, such as taking steps to prevent retaliation.

Where the complainant remains committed to the requests mentioned above, and the prohibited conduct falls under Section 15.0 below, the Title IX Coordinator will weigh the request against factors that may lead the Title IX Coordinator to take action on behalf of Caltech, which may be contrary to the wishes of the complainant, including potentially disclosing the complainant's name and/or proceeding to an investigation, to protect the health and safety of the complainant and the Caltech community. The factors considered are within the discretion of the Title IX Coordinator and include, but are not limited to, the nature and seriousness of the alleged conduct, whether the allegations are contested, the involvement of multiple respondents, the existence of multiple or prior reports of misconduct against the respondent, whether there was a weapon, physical restraints, battery, or other violence involved, whether the use of alcohol or drugs to induce vulnerability to sexual activity without consent was allegedly involved, whether there is evidence of a pattern of conduct, the presence of other circumstances that suggest there is a significant risk that the respondent will commit further acts of prohibited conduct, the age of a complainant, whether the respondent is a faculty or staff member with oversight of students, whether there is a power imbalance between the complainant and respondent, whether the complainant believes that the complainant will be less safe if the complainant's name is disclosed or an investigation is conducted, and whether Caltech is able to conduct a thorough investigation and obtain relevant evidence in the absence of the complainant's cooperation. Where the complainant remains committed to the requests above, and the prohibited conduct does not fall under Section 15.0, but only under 16.0 and/or 17.0, the Title IX Coordinator may elect to pursue action on Caltech's behalf without considering these factors.

If Caltech determines that it can honor the student's request for confidentiality, it shall still take reasonable steps to respond to the complaint, consistent with the request, to limit the effects of the alleged prohibited conduct and prevent its recurrence without initiating formal action against the alleged respondent or revealing the identity of the complainant. These steps may include increased monitoring, supervision, or security at locations or activities where the alleged misconduct occurred; providing additional training and education materials for students and employees; or conducting climate surveys regarding sexual violence. The Institute shall also take immediate steps to provide for the safety of the complainant while keeping the complainant's identity confidential as appropriate. These steps may include changing living arrangements or course schedules, assignments, or tests. The complainant shall be notified that the steps Caltech will take to respond to the complaint will be limited by the request for confidentiality.

If Caltech determines that it must disclose the complainant's identity to the respondent or proceed with an investigation, it shall inform the complainant prior to making this disclosure or initiating the investigation. The complainant is not required to participate in the ensuing process. Caltech shall also take immediate steps to provide

for the safety of the complainant where appropriate. In the event the complainant requests that Caltech inform the respondent that the student asked Caltech not to investigate or seek discipline, Caltech shall honor this request.

If the complaint includes allegations that may constitute a possible crime, the Title IX Coordinator will notify the complainant of their right to file a criminal complaint or to choose not to notify law enforcement. Caltech does not report sex- and gender-based misconduct to law enforcement on a complainant's behalf, unless such a report is mandated by law (e.g., sexual assault of a person under 18, de-identified reporting as required under California Education Code Section 67383). If the complainant chooses to notify law enforcement, they may seek the assistance of the Equity and Title IX Office. The Equity and Title IX Office will facilitate the contact with law enforcement and the scheduling of a meeting, if the complainant chooses to make a report.

The Title IX Coordinator, depending on facts and circumstances, may also elect to file a formal complaint, even if the complainant elects not to do so or does not have standing to do so.

Where the Title IX Coordinator files a formal complaint, the complainant would still be treated as a party with all associated rights parties have under the formal complaint resolution procedures, as set out below.

Formal complaints may be filed even if a complainant elects not to notify law enforcement and/or pursue a criminal complaint.

All final determinations and decisions taken under this provision 10.0, except the complainant's decision to file a criminal complaint or to choose not to notify law enforcement, rest solely with the Title IX Coordinator.

### **IX. Filing a Formal Complaint**

In order to exercise resolution options for addressing and resolving complaints of alleged prohibited conduct covered under these procedures, the complainant must file a formal complaint document with the Title IX Coordinator in person or by regular or electronic mail requesting that Caltech initiate a complaint resolution process. The document must contain the complainant's physical or digital signature or otherwise indicate that the complainant is the person filing the formal complaint.

At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in an education program or activity of Caltech. The term "attempting to participate" includes when a complainant has: (a) applied for admission; (b) graduated but intends to apply for a new program; (c) graduated but intends to participate in alumni programs and activities; (d) gone on leave but is still enrolled; (e) gone on leave but intends to re-apply after the leave; or (f) withdrawn due to alleged sexual harassment and expresses a desire to re-enroll if Caltech responds appropriately to the allegations.

The term "education program or activity" includes prohibited conduct occurring in locations, events, or circumstances, on or off-campus, over which Caltech exercised substantial control over

both the respondent and the context in which the alleged prohibited conduct occurred, and also includes any building owned or controlled by a student organization that is officially recognized by Caltech. For reports of conduct occurring off-campus, the Title IX Coordinator will determine whether the alleged prohibited conduct occurred in a Caltech education program or activity.

However, even if a complainant is not qualified to bring a formal complaint, the respondent is outside the jurisdiction of Caltech's policy, or the alleged prohibited conduct took place outside of Caltech's educational programs and activities, if there is any reason to believe that the alleged prohibited conduct could contribute to a hostile educational environment, interfere with a student's access to education, or otherwise compromise the safety of the Caltech community, Caltech will still take prompt action, as warranted and appropriate, to provide for the safety and well-being of the individual reporting and the campus community, including taking reasonable steps to stop and remedy the effects of the prohibited conduct and to prevent recurrence of the behavior. This may include the Title IX Coordinator's initiating a formal complaint under their own authority on Caltech's behalf or initiating an investigation process under the Unlawful Harassment Policy. If other Institute policies are implicated, the Title IX Coordinator may also refer the matter to the appropriate office for follow-up.

Where the Title IX Coordinator initiates activity under these procedures and on their own authority, as authorized under Policy Section 10.0 and reiterated above in Section VIII of these procedures, the formal complaint requirements must still be met.

#### **X. Consolidation of Formal Complaints**

The Title IX Coordinator may consolidate formal complaints of allegations covered under these procedures against more than one respondent, or by more than one complainant against one or more respondents, or by one party against the other party, where the allegations arise out of the same facts or circumstances.

#### **XI. Notice of Allegations**

Upon receiving or initiating a formal complaint, within fourteen (14) calendar days, the Title IX Coordinator must provide written notice to the parties of the following, with sufficient time for the parties—generally fourteen (14) calendar days—to prepare a response before any initial interview:

1. resolution processes set out below;
2. allegations, including sufficient details known at the time, including the identities of the parties involved in the incident, if known, the misconduct alleged, and the date and location of the alleged incident, if known;
3. alleged institute policy violations under review;
4. procedures that will be used;
5. statement that the respondent is presumed not responsible for the alleged misconduct (i.e., innocent) and that a determination

- regarding responsibility is made at the conclusion of an investigation process or by an administrative resolution in which the respondent takes responsibility for the alleged misconduct;
6. that the parties may have an adviser of their choice, who may be, but is not required to be, an attorney, accompany them at any stage of the process;
  7. that the parties may review and inspect evidence under an investigation process; and that knowingly making false statements or submitting false information is prohibited and may subject the offending party to discipline;
  8. information regarding appropriate counseling and other support resources developed and maintained by the Institute;
  9. copies of the policy and pertinent procedures.

Any new allegations that arise during the course of the investigation that could subject either party to new or additional sanctions shall be subject to these same notice requirements.

## **XII. Dismissal of a Formal Complaint**

Upon receiving a formal complaint, within fourteen (14) calendar days, the Title IX Coordinator will dismiss the complaint for resolution under these procedures if the conduct alleged does not constitute sexual harassment, as defined either under Title IX (policy Section 15.0) or the CA Education Code (policy Section 16.0). If the conduct alleged does not fall under either section, the Title IX Coordinator, if appropriate, will refer the allegations for resolution under other appropriate Caltech policies and procedures, including the Unlawful Harassment Policy and related procedures.

The Title IX Coordinator may also dismiss a formal complaint or allegations therein if at any time during a resolution process a complainant notifies the Title IX Coordinator in writing that they would like to withdraw their complaint or certain allegations; if the respondent is no longer enrolled or employed at Caltech; or if, as determined by the Title IX Coordinator, specific circumstances prevent Caltech from gathering evidence sufficient to reach a determination as to the complaint or certain allegations.

The Title IX Coordinator will promptly and simultaneously send written notice to the parties of any dismissal and the reason(s) for the dismissal.

The parties may submit an appeal of any dismissal decision, in writing, to the associate vice president of human resources, within seven (7) calendar days of receiving the dismissal decision.

This appeal of a dismissal of a formal complaint, or of certain allegations therein, is limited to one or more of the following grounds: a procedural irregularity that affected the dismissal decision; new evidence (including a new witness) that was not reasonably available at the time of the dismissal decision that could affect that decision; and the Title IX Coordinator, investigator(s), or decision maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the dismissal decision.

If a party submits an appeal of a dismissal, the other party will have the opportunity to submit a written response to the appeal within ten (10) calendar days of the filing of the appeal. The parties simultaneously will be informed, in writing, of the outcome of the appeal. The appeal decision letter will state the rationale for the result. Appeal decisions are final.

Even where dismissal of a formal complaint occurs, the Title IX Coordinator may still provide supportive measures to parties or take other appropriate action in response to alleged concerns.

A formal complaint will not be dismissed, and a resolution process will not be discontinued, merely because it has not concluded before an undergraduate or graduate student has graduated. Caltech may continue the process, even if the graduated student elects not to participate in the process. Caltech will not delay graduation or deny a degree on the ground that this process is ongoing. Caltech may, however, document, and communicate to other institutions or employers, when authorized and appropriate, that a former student declined to participate in a pending Title IX process, including where such non-participation resulted in the dismissal of a complaint.

### **XIII. Resolution Options**

The outcomes of each of the four options set out below—the remedy-based resolution, the administrative resolution, mediation and the investigation, subject to any appeal process—are considered final. In other words, once one option has concluded, a party may no longer exercise another option regarding the same alleged conduct. However, a party may elect to raise or pursue another option before the option currently being pursued has concluded.

Under any of the four options, remedies are designed to restore or preserve equal access to Caltech's education program or activity. Remedies may include actions that qualify as supportive measures, but unlike supportive measures, remedies may include actions that are disciplinary, punitive, or burden the other party.

Any person designated by Caltech to facilitate any of the resolution processes set out below (e.g., Title IX Coordinator, investigator, mediator, decision maker, administrator who determines sanctions and remedies, administrator hearing an appeal of an outcome of an investigation process) may not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. Parties will be provided an opportunity at appropriate junctures in a process to object to a person carrying out a facilitation role in the process for the consideration and decision of the Title IX Coordinator on the grounds of a conflict of interest or bias. Where an objection is made about the Title IX Coordinator, the decision as to their suitability will be made by the associate vice president for human resources.

Any consideration of impartiality, or objections based on conflict of interest or bias, of those involved in Title IX processes must be reviewed with thoughtful consideration of individual circumstances. Determination of whether a conflict of interest or bias exists in a particular instance will be a matter of judgment involving all the

material facts of the situation.

In addition, any person designated by Caltech to facilitate any of the resolution processes set out below (e.g., Title IX Coordinator, investigator, decision maker, mediator, administrator who determines sanctions and remedies, administrator hearing an appeal of an outcome of an investigation process) will receive training that is trauma-informed and comprehensive and that includes information appropriate to their respective roles.

The Administrative Resolution process, the Mediation process are available only at the discretion of the Title IX Coordinator under circumstances they deem appropriate. Civil law remedies may also be available to complainants. A complainant may, on their own, choose to pursue any such remedies independent of and in addition to any of Caltech's resolution processes. Caltech does not provide legal advice about civil law remedies or civil justice options.

A complainant may report to law enforcement and pursue available criminal justice options, in addition to filing a formal complaint and exercising one of the Caltech resolution processes set out below. In compliance with Title IX and FERPA, Caltech will not provide information regarding parties and witnesses or a resolution process to law enforcement, unless required by a subpoena, other court order, or as otherwise required by law or permitted consistent with this policy.

In deciding the scope of their participation in resolution processes, parties should consider that statements and evidence provided in the course of a resolution process may be produced to law enforcement in compliance with a subpoena or other court order and used in a civil or criminal proceeding.

#### ***A. Administrative Resolution***

The Title IX Coordinator, with the voluntary written consent of the parties, may offer the opportunity to resolve the complaint by administrative resolution. Administrative resolution (AR) provides an opportunity for the respondent to accept responsibility for their alleged conduct and proceed to a resolution without a formal investigation. Complainants and respondents participating in this process may have an adviser of their choice accompany them when engaging in this resolution process, as set forth above in Section III.

If the AR option is agreed to by a complainant, the Title IX Coordinator will meet with the respondent to review the allegations. The Title IX Coordinator will provide the respondent with information on the respondent's rights and options under the policy and these procedures. The Title IX Coordinator will also provide the respondent with written materials outlining information on campus support resources and services, including their contact information and days and hours of availability.

The Title IX Coordinator will offer the respondent the opportunity to resolve the complaint by AR by accepting responsibility for the alleged conduct. It is the respondent's option and decision whether to do so. If the respondent elects to acknowledge that the alleged conduct occurred and takes responsibility for the alleged conduct, the respondent will sign a written acknowledgement, and the matter will



be referred to the appropriate decision maker for a decision concerning sanctions and remedies that may be appropriate.

Generally, for purposes of determining sanctions in connection with an AR, the decision maker shall be determined based upon the respondent's affiliation (the vice provost of research or administration for faculty, the assistant vice president for human resources for postdoctoral scholars and campus staff, or the deputy director for Human Resources at JPL for JPL employees). In the case of student respondents, the appropriate dean will serve as the decision maker.

In determining sanctions and remedies, decision makers will consult with the Title IX Coordinator and may consult with any other individual they deem appropriate.

The parties will both be notified simultaneously in writing of the resolution, including any sanctions and remedies. Within ten (10) calendar days of receiving this letter, either party may appeal in writing as outlined below in Section D, 11.

An AR process will be concluded within a reasonably prompt time frame after the complaint has been made, generally forty-five (45) calendar days. The Title IX Coordinator will keep the parties informed of the status of the process. The Title IX Coordinator may delay the process temporarily or extend the time frame for good cause, providing written notice to the parties of any delays or extensions and the reasons therefor. Good cause may include but is not limited to the absence of a party or a party's adviser; the need for language assistance or accommodation of disabilities; the breadth and scope of the allegations and number of parties; and office closures.

If a resolution is not reached under this process within a reasonable amount of time, or if the Title IX Coordinator determines that one or both parties are not participating in good faith or a timely or appropriate manner in the process, the Title IX Coordinator may terminate the process, and the complainant may pursue other applicable resolution options.

An AR is the final resolution of the allegations contained therein.

### ***B. Remedy-Based Resolution***

**The RBR is not available to resolve allegations made by a student of Title IX-covered prohibited conduct set out in Section 15.0 of the policy against a Caltech employee.**

A Remedy-Based Resolution (RBR) is a mutual non-disciplinary agreement entered into among Caltech and the parties to a formal complaint. The Title IX Coordinator determines whether an RBR is an appropriate option for resolving the allegations at issue, depending on their assessment of the allegations and circumstances. In a RBR, a respondent agrees to undertake, or all parties agree to undertake, certain social, academic, and/or administrative steps, on a certain timeline, as a means of resolving a complaint of prohibited conduct without an investigation and a finding regarding responsibility. All parties, and the Title IX Coordinator on behalf of Caltech, must voluntarily agree to, and sign a written agreement setting out, all the terms of the RBR as the complete and final resolution of the formal complaint(s). In other words, if an agreement is reached, the

complainant cannot subsequently file a formal complaint for an investigation regarding the same alleged conduct, unless a respondent does not fulfill their agreed upon commitments under the RBR as determined by the Title IX Coordinator. Complainants and respondents participating in this process may have an adviser of their choice accompany them when engaging in this resolution process, as set out above in Section III.

Key aspects of an RBR include that it:

- is a voluntary process when available to resolve allegations; unlike an investigation process, there are no circumstances (e.g., safety of a minor, safety of a party or the community) under which Caltech can undertake this process against the wishes of a party;
- focuses on non-disciplinary remedies to the concerns underlying the alleged prohibited conduct. For example, under an RBR, a respondent can agree to undertake a counseling and/or education program to address behavioral issues. In an investigation process, a decision maker cannot compel counseling as part of the sanction;
- provides a measure of control to the complainant in crafting measures and remedies undertaken by the respondent, allowing the complainant to focus on remedying specific social, academic, or administrative concerns;
- leaves open to the parties the alternative option of pursuing an investigation at any time during the negotiation process, or if the parties ultimately cannot come to a mutually acceptable agreement or if a party fails to comply with any or all of their commitments under an executed RBR as determined by the Title IX Coordinator;
- provides both parties a final resolution of the complaint, if an agreement is reached; and
- does not involve an adjudication of the allegations and a potential finding of responsibility against the respondent.

In cases in which the Title IX Coordinator determines an RBR may be appropriate, the Title IX Coordinator will discuss with a complainant, potential elements of an RBR pertinent to their concerns and allegations to help them determine whether an RBR is an option they wish to pursue. If all parties to a formal complaint are agreeable to pursuing a resolution through the RBR process and provide voluntary written consent to engage in the RBR process, the Title IX Coordinator will work with the parties separately to negotiate and craft the agreement. The parties do not engage directly with one another. The Title IX Coordinator, with the consent of the parties, may seek the assistance of academic and administrative leadership, as appropriate, to make possible and implement elements of the agreement.

Potential elements of an RBR agreement include, but are not limited to, counseling or substance abuse treatment for a respondent; training for a respondent provided by the Title IX Coordinator and/or other resources; and other supportive measures, as described above in Section VI.

An RBR process culminating in a signed agreement will be concluded within a reasonably prompt time frame after the complaint has been made, generally forty-five (45) calendar days. The Title IX Coordinator will keep the parties informed of the status of the process. The Title IX Coordinator may delay the process temporarily or extend the time frame for good cause, providing written notice to the parties of any delays or extensions and the reasons therefor. Good cause may include but is not limited to the absence of a party or a party's adviser; the need for language assistance or accommodation of disabilities; the number of parties; and office closures.

If a resolution is not reached under this process within a reasonable amount of time, or if the Title IX Coordinator determines that one or more parties are not participating in good faith or a timely or appropriate manner in the process, the Title IX Coordinator may terminate the process, and the complainant may pursue other applicable resolution options.

A Remedy-Based Resolution is the final resolution of the allegations it addresses, unless a party fails to carry out their commitments under the agreement, as determined by the Title IX Coordinator.

### ***C. Mediation***

**The Mediation Process is not available to resolve allegations made by a student of Title IX-covered prohibited conduct set out in Section 15.0 of the policy against a Caltech employee.**

In appropriate cases, as determined by the Title IX Coordinator, Mediation may be offered as a resolution option to resolve a formal complaint. The Title IX Coordinator will discuss with each party potential elements of a mediation agreement pertinent to their concerns and allegations to help them determine whether Mediation is an option they wish to pursue.

Mediation is a voluntary process where a facilitator (mediator) works with the complainant and respondent and Caltech (represented by the Title IX Coordinator) to attempt to reach a mutually agreeable resolution of a formal complaint of prohibited conduct (Mediated Resolution). A Mediated Resolution will be reflected in a written agreement signed by the parties and the Title IX Coordinator, on behalf of Caltech. A Mediated Resolution entered into by the parties and Caltech is the final resolution of the complaint and the allegations therein (i.e., the complainant cannot subsequently file a formal complaint for an investigation regarding the same alleged conduct), unless a party fails to carry out their commitments under the Mediated Resolution Agreement, as determined by the Title IX Coordinator.

A Mediation is different than a Remedy-Based Resolution in that the elements of the agreement may include disciplinary sanctions. As with an RBR, there are no formal findings of responsibility in a Mediation process. However, in a Mediation process, measures that otherwise may be imposed as a sanction as a result of a finding of responsibility may be agreed upon by the parties, including Caltech, in the context of a mediated resolution.

If all parties to a formal complaint are agreeable to the Mediation process and provide voluntary written consent to engage in the

Mediation process, the Title IX Coordinator will assign a mediator who will work with the parties to negotiate and prepare the agreement. The Title IX Coordinator has the discretion to elect to conduct the mediation or may appoint another appropriately trained individual to conduct the mediation. The Title IX Coordinator will notify the parties of their right to and process for objecting to the mediator on the basis of conflict of interest or bias.

During a Mediation, the parties do not engage directly with one another. The Title IX Coordinator, with the consent of the parties, may seek the assistance of academic and administrative leadership, as appropriate, to make possible and implement elements of the Mediated Resolution agreement.

A Mediation process culminating in a signed agreement will be concluded within a reasonably prompt time frame after the complaint has been made, generally sixty (60) calendar days. The Title IX Coordinator will keep the parties informed of the status of the process. The Title IX Coordinator may delay the process temporarily or extend the time frame for good cause, providing written notice to the parties of any delays or extensions and the reasons therefor.

If a resolution is not reached under this process within a reasonable amount of time, or if the Title IX Coordinator determines that one or more parties are not participating in good faith or a timely or appropriate manner in the process, the Title IX Coordinator may terminate the process, and the complainant may pursue other applicable resolution options.

Complainants and respondents participating in this process may have an adviser of their choice accompany them when engaging in this resolution process, as set out above in Section III.

***D. Facilitation of Administrative Resolution, Mediation or Remedy-Based Resolution During Investigation Process***

At any time following the filing of a formal complaint, including during an investigation process, prior to reaching a final determination regarding responsibility, inclusive of any appeal process, the Title IX Coordinator may facilitate an administrative resolution (AR), Mediation, or a Remedy-Based Resolution (RBR), if determined to be appropriate, provided that the Title IX Coordinator:

1. Provides to the parties written notice disclosing the allegations, the requirements, and consequences of the AR, Mediation, or RBR process, including that: (a) completing such a resolution process precludes the parties from initiating or resuming a formal complaint arising from the same allegations; (b) at any time prior to completing the AR, Mediation, or RBR process, either party has the right to withdraw and initiate or resume the investigation process; and (c) notice of records that will be maintained or could be shared and with whom.
2. Obtains the parties' voluntary written consent to the AR, Mediation, or RBR process.

**1. Introduction**

This option provides both parties with an investigation and adjudication of the allegations. The investigation and adjudication of alleged prohibited conduct under this section is not an adversarial process between the complainant, the respondent and the witnesses, but rather a process by which Caltech complies with its obligations under existing law. The complainant does not have the burden to prove, nor does the respondent have the burden to disprove, the allegations of prohibited conduct. If the decision maker determines that a preponderance of the evidence substantiates alleged prohibited conduct and a violation of the Sex- and Gender-Based Misconduct Policy, sanctions, remedies, or systemic remedies, as appropriate, will be imposed. The decisions made by the decision maker, subject to the resolution of any appeal, represent the final resolution of the formal complaint, whether or not a respondent is found responsible.

Caltech's investigation will occur independently from any legal/criminal proceedings that may take place. Caltech may defer fact gathering for an appropriate time during a criminal investigation.

The Title IX Coordinator will assign appropriate investigator(s) to carry out the investigation. The investigator(s) must be impartial and free of any conflict of interest. Generally, for complaints involving students, staff, or faculty, the Title IX Coordinator will refer the investigation to the investigator(s) and appropriate deputy Title IX Coordinator. The Title IX Coordinator may appoint different investigator(s).

All participants in an investigation will receive a fair and impartial process and be treated with dignity, care, and respect. Caltech's policy and investigation procedures are intended to ensure that individuals reported for prohibited conduct are not prejudged and are provided with adequate notice and an opportunity to be heard regarding the allegations made against them. Respondents are presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the investigation process.

The purpose of the investigation is to gather the evidence relating to the complaint, and decisions are based on an objective evaluation of all relevant evidence, including both inculpatory and exculpatory evidence. Evidence may include statements from the parties and witnesses; documents relating to the complaint, such as texts, photographs, and emails; and physical evidence, such as clothing, rape kit evidence, and weapons.

Credibility determinations may not be based on a person's status as a complainant, respondent, or witness.

The investigation will be trauma-informed and impartial. Those involved in questioning parties and witnesses—namely, the Title IX Coordinator and Title IX deputies, the investigator(s) and the decision maker—will receive training in conducting fair and trauma-informed investigations and hearings.

The investigation will be treated as private to the extent possible. Caltech administrators will be informed on a need-to-know basis. Caltech will make reasonable and appropriate efforts to preserve the privacy of the parties and witnesses, and protect the confidentiality of information. With the exception of the hearing portion of the investigation process, as set out below, no meetings or conversations that take place as part of the investigation process may be recorded by anyone. Investigation files, including the recording of the hearing, will be maintained by the Equity and Title IX Office.

Caltech does not tolerate retaliation and will take steps to prevent retaliation and strong responsive action if it occurs. All participants, including complainants, respondents, and witnesses, are protected against retaliation and will be advised to notify Caltech immediately if retaliation occurs.

Any new allegations that arise during the course of the investigation that could subject either party to new or additional sanctions shall be subject to the notice requirements set out above in Sections V (Initial Title IX Assessment) and XI (Notice of Allegations).

## **2. Limitations on Questioning**

The investigator(s) and decision maker will not ask parties or witnesses questions that are repetitive, irrelevant, or harassing. Consistent with federal and state law, the investigator(s) and the decision maker will not ask questions or seek evidence of a complainant's or respondent's prior or subsequent sexual conduct with anyone other than the respondent, except to the extent such questions and/or evidence are used to determine whether someone other than the respondent committed the conduct alleged by the complainant. Furthermore, evidence of a prior consensual sexual, romantic, or intimate relationship between the complainant and respondent does not by itself imply consent or preclude a finding of prohibited conduct. The investigator(s) and decision maker shall not consider the existence of a dating relationship or prior or subsequent consensual sexual relations between the parties unless the evidence is relevant to how the parties communicated consent in prior or subsequent consensual sexual relations. Where the investigator(s) or decision maker allow consideration of evidence about a dating relationship or prior or subsequent consensual sexual relations between the parties, the mere fact that the parties engaged in other consensual sexual relations with one another is never sufficient, by itself, to establish that the conduct in question was consensual. Before allowing the consideration of any evidence described in this section, the investigator(s) or decision maker shall provide a written explanation to the parties as to why consideration of the evidence meets the requirements for consideration.

The investigation, at any stage, will not require, allow, rely upon, or use questions or evidence that constitute or seek the disclosure of information protected under a legally recognized privilege (e.g., attorney-client, doctor-patient, clergy-penitent), unless the person holding such privilege has waived the privilege. Questions that seek information about any party's medical, psychological, and similar

records are not permitted unless the party has given written consent.

### **3. Amnesty Concerning Student Policy Violations: Complainants and Witnesses**

The investigator(s) will investigate any allegations that alcohol or drugs were involved in the incident.

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

Whether a student's violation of the Student Health and Hygiene Policies and other COVID-19-related measures warrants amnesty will be determined on a case-by-case basis by the Title IX Coordinator. However, absent conduct showing a deliberate and reckless disregard for the health of others - for example, by hiding one's own known infected status and exposing others - a student who participates as a complainant or witness in an investigation of sexual assault, dating violence, domestic violence, or stalking will not be subject to disciplinary sanctions for a violation of such policies and measures.

### **4. Standard of Evidence**

All decisions made in the course of this investigation process will utilize the preponderance of evidence standard. A preponderance of evidence means that it is more likely than not that the alleged prohibited conduct occurred. Stated another way, it means that the likelihood the alleged prohibited conduct occurred is any amount over 50%. The decision maker will make a decision on the disputed facts and also decide whether the evidence makes it more likely than not that the alleged prohibited conduct occurred based on the evidence available at the time of the decision. When the decision maker is presented with two different but plausible versions of alleged prohibited conduct, credibility determinations may affect the outcome.

### **5. Identity of the Decision Maker**

The Title IX Coordinator shall have the discretion to determine which appropriately trained individual will serve as the decision maker in the investigation process. As set forth below, the decision maker conducts any hearing that takes place under these procedures. The parties will be notified of the identity of the decision maker before the hearing as well as the process for objecting to the identity of the decision maker on the basis of a conflict of interest or bias.

## **6. Determination of Sanctions, Remedies, and Systemic Remedies**

At the conclusion of the investigation process, if there is a finding of responsibility, the appropriate administrator will determine the appropriate sanctions, remedies, and systemic remedies.

Generally, the appropriate administrator shall be determined based upon the respondent's affiliation (the vice provost for research or administration for faculty, the assistant vice president for human resources for postdoctoral scholars and campus staff, the deputy director for human resources at JPL for JPL employees, and the appropriate dean for student respondents).

In determining sanctions, remedies, and systemic remedies, these administrators will consult with the Title IX Coordinator and may consult with any other individual they deem appropriate.

## **7. Timeline**

Complaints will be investigated and resolved within a reasonably prompt time frame after the complaint has been made, generally 120 calendar days.

The Title IX Coordinator will provide the parties written updates of the status of the investigation every thirty (30) days, including the date by which the parties shall be notified of the outcome of the investigation and the deadlines and process for parties to appeal. The Title IX Coordinator may delay the investigation process temporarily or extend the time frame for good cause, providing prompt written notice to the parties of any delays or extensions and the reasons therefor.

Good cause may include but is not limited to the absence of a party, a party's adviser, or a witness; concurrent law enforcement activity; the need for language assistance or accommodation of disabilities; the breadth and scope of the allegations, in terms of content and date, the number of potential witnesses, and the amount of available, relevant documentary evidence; the need to conduct a thorough, fair and accurate investigation; and office closures. The Title IX Coordinator shall not unreasonably deny a party's request for an extension of a deadline related to a complaint during periods of examinations or school closures.

## **8. Procedural Steps for Investigation**

- 1) The Title IX Coordinator initiates the investigation process with a notification sent to both parties. This initial notification will identify the assigned investigator(s) and will notify the parties of their right to and process for objecting to either of the investigator(s) or to the Title IX Coordinator on the basis of conflict of interest or bias. The notification will include the estimated date by which the parties will be notified of the outcome of any investigation.
- 2) The complainant and respondent may have an adviser of their choice, in accordance and subject to the requirements set out above in Section III of these procedures and the Adviser Policy.
- 3) The Title IX Coordinator or associate vice president of human resources, as appropriate, will consider any objections by the parties on the basis of conflict of interest or bias and determine the Title IX Coordinator and investigator(s) for the process.



- 4) After a reasonable amount of time to review the notice of allegations and applicable policies and procedures, the parties will be given equal opportunity to meet with the investigator(s). In those meetings, the investigator(s) will seek and gather evidence about the allegations, including any documents or physical evidence, as well as the identification and location of witnesses. The parties may submit written statements and evidence to the investigator(s) that document their experiences.  
Each party is free to choose to meet or not to meet with the investigator(s), or otherwise free to choose to participate or not to participate in the investigation process. Regardless of the scope of a party's participation, the party would still be treated as a party with all associated rights, for example, the right to review and inspect draft and final evidence reports and appendices of evidence, to provide a written response to the draft evidence report to the investigator(s) for consideration and potential follow up, to submit questions for the decision maker before and during the hearing, to attend the hearing and observe the testimony of other parties and witnesses, to receive a copy of the decision regarding responsibility, and to submit an appeal of that decision in keeping with the appeal process.  
In deciding the scope of their participation, parties should consider that statements and evidence provided in the course of an investigation may be produced to law enforcement in compliance with a subpoena or other court order and used against them in a civil or criminal proceeding.
- 5) Throughout the process, the parties may suggest witnesses and documents to the investigator(s) as well as questions for the investigator(s) to ask the other party and any witnesses. The investigator(s) will determine whether the suggestions are relevant and appropriate.  
The parties may not, however, engage in coercion, pressure, undue influence, or retaliation with respect to potential witnesses or other parties in the course of identifying evidence for the investigator(s). The parties may seek guidance from the Title IX Coordinator and the investigator(s) on avoiding these concerns. Communications between parties and witnesses deemed to have resulted from coercion, pressure, undue influence, or retaliation may be discounted altogether by the decision maker or may be considered by the decision maker in making credibility determinations and weighing evidence deemed subject to the undue influence.
- 6) The investigator(s) will interview relevant witnesses and gather other evidence related to the allegations, if any. Witnesses may submit documents or written statements to the investigator(s).
- 7) The following documents which will be shared with the parties are considered Confidential Materials by Caltech and any inappropriate copying, printing, emailing, photographing, downloading, or posting on social media of such materials may subject the disclosing party to disciplinary action for violation of Caltech policy protecting confidentiality or other Caltech policies,

including Caltech's Honor Code, and, further could subject the disclosing party, to an allegation by a party of retaliation or harassment: the draft and final evidence reports, including the appendices of evidence, and the hearing transcript. It is permissible for a party to share the Confidential Materials with attorneys for the purpose of seeking legal advice or with any non-attorney adviser they have in the process, and it is permissible to share the contents of the materials with others to obtain informational or emotional support from family, therapists, or others to exercise any rights under the investigation process, including writing a response to the draft investigation report or preparing for the hearing.

- 8) The investigator(s) will prepare a draft investigation report identifying the facts disputed by the parties for each allegation, as well as summarizing and identifying the relevant, related evidence gathered, including facts relevant to the credibility of parties or witnesses or items of evidence. The investigator(s) will also provide appendices containing the evidence gathered. The complainant and respondent will be given equal opportunity to review and respond to the investigation report. The report will also be provided to the parties' advisers. All those receiving access to the report will be required to sign a non-disclosure agreement to protect the confidentiality of the material. The non-disclosure agreement will not prohibit the parties from discussing the investigation with others in connection with identifying additional evidence for the investigator(s) to gather. Failure to comply with the nondisclosure agreement on the part of a party or their adviser may subject the appropriate party to discipline. If an adviser violates the nondisclosure agreement it will be grounds for excluding the adviser from further participation in the proceedings. The parties will have at least ten (10) calendar days to submit a written response to the report. The investigator(s) will determine whether the parties' responses require any follow-up investigatory action or an opportunity for the other party to respond.
- 9) The investigator(s) will finalize the investigation report. This finalized investigation report will be provided to the parties and their advisers, and the decision maker at least thirty (30) calendar days before any hearing.
- 10) Where the investigation addresses allegations that only fall within the policy Section 16.0, setting out conduct prohibited by the California Education Code, Caltech will determine whether a hearing is necessary to determine whether that alleged prohibited conduct more likely than not occurred. In making this decision, Caltech will consider whether the parties elected to participate in the investigation, as well as the fact that each party had the opportunity to suggest questions for other parties, or witnesses, or both, during the investigation. If Caltech determines a hearing is necessary, that hearing will not involve any cross-examination of any party or witness conducted directly by a party or a party's adviser.

- 11) Prior to any hearing, the parties will be notified of the identity of the decision maker and will be given an opportunity to object to that individual on the basis of a conflict of interest or bias.
- 12) At any hearing conducted under the investigation process, the decision maker will meet face-to-face, in person or via video, separately, with the parties, and others whom the decision maker deems appropriate, prior to deciding how to resolve the disputed facts, make credibility determinations, and determine whether the allegations and any policy violations are substantiated by a preponderance of the evidence. Any hearing is private and closed to the public. Only the decision maker, the parties and their advisers, witnesses, appropriate administrators, and others determined by Caltech to be necessary to the hearing may attend. The decision-maker will determine an appropriate and reasonable scope and time frame for the hearing, as well as logistical processes for the hearing, such as for making objections and submitting questions.
- 13) The hearing will be conducted with the appropriate technology to allow the parties to virtually observe each other's meeting, and any witness meetings, with the decision maker while maintaining their physical separation. Parties or witnesses may request to appear by video from a remote location. Caltech will grant the request of any party that the entire hearing, including cross-examination, be held virtually. In making this request, the party does not need to provide a reason. In the absence of such a request, the Title IX Coordinator has the discretion to allow any party or witness to appear at the hearing virtually, with technology enabling participants simultaneously to see and hear each other, as appropriate. Any requests for disability accommodations should be made to the Title IX Coordinator and Caltech's Accessibility Services Specialist.
- 14) All of the evidence that was made available previously in the investigation report will be made available at the hearing to give each party equal opportunity to refer to such evidence during the hearing.
- 15) Before and during the hearing, the parties may submit written questions for the investigator(s) and decision maker to ask the other party and any witnesses with whom the decision maker is meeting (indirect cross-examination). The parties can submit written questions during the hearing through the appropriate technology while maintaining their physical separation. The decision maker will facilitate the questioning and may consult with the investigator(s). The decision maker will have the discretion to exclude any question(s) that they determine inappropriate. At the hearing, the other party shall have the opportunity to note an objection in writing to a question posed. Neither the decision maker nor Caltech is obligated to respond to the objection but may consider it and must include it in the record. The decision maker shall have the authority and obligation to discard or rephrase any question that the decision maker deems to be repetitive, irrelevant or harassing. In making

these determinations, the decision maker is not bound by, but may take guidance from, the formal rules of evidence.

- 16) Generally, the parties are not permitted to introduce evidence, including witness testimony, at the hearing that the party did not identify during the investigation and that was available at the time of the investigation. However, the decision maker has the discretion to accept for good cause, or to exclude, such new evidence offered at the hearing.
- 17) In addition, consistent with guidance issued by the Department of Education Office of Civil Rights, the following procedural steps in this paragraph (q) apply only at hearings adjudicating allegations of prohibited conduct covered under Title IX (policy Section 15.0) and occurring, in whole or in part, on or after August 14, 2020: (i) each party's adviser (but not the parties themselves) may directly and orally ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility (direct cross-examination); (ii) before a party or witness answers an adviser's direct question, the decision maker must first determine whether the question is relevant and explain any decision to exclude a question as not relevant or otherwise inappropriate; and (iii) for the purpose of the hearing only, if a party does not have an adviser, Caltech will provide without fee or charge to that party an adviser of Caltech's choice who may be, but is not required to be, an attorney, to conduct direct cross-examination on behalf of that party.

In conducting direct cross-examination of a party or witness, the adviser of a party may ask only those questions drafted by the party whom they are advising. The adviser may not ask questions their party has not drafted. The adviser, moreover, must maintain a calm and respectful tone throughout the direct cross-examination. An adviser may not make objections, statements, or arguments during the cross-examination or otherwise during the hearing. The decision maker may disqualify an adviser who does not follow these rules.

- 18) The decision maker will comply, and ensure others when allowed to ask questions comply, throughout the hearing with Section XIII(D)(2) (Limitations on Questioning) of these procedures.
- 19) Caltech cannot compel either party, or any witness, to meet with the decision maker at the hearing or, when the procedure is applicable, to answer direct cross examination questions (see Step 17 above). Regardless of the scope of a party's participation in the hearing, the party would still be treated as a party with all associated rights. The decision maker cannot draw an inference about responsibility or credibility based solely on a party's or witness's absence from the hearing or refusal to answer questions from the decision maker or, when applicable, a party's adviser during direct cross-examination. The decision maker may re-evaluate the relevance of any question a party or witness refuses to answer after the hearing has concluded. In deciding the scope of their participation in the hearing, individuals should

consider that statements and evidence provided in the course of an investigation may be produced to law enforcement in compliance with a subpoena or other court order and used in a civil or criminal proceeding.

- 20) Caltech will create an audio or audio-visual recording, or transcript, only of the hearing and make it available to the parties upon request for their inspection and review. No party, adviser, or witness is permitted to make independent recordings of the hearing or any other meeting or conversation that takes place under the investigation process.
- 21) The decision maker will resolve the disputed facts, make credibility determinations, and decide whether the allegations and any policy violations are substantiated by a preponderance of the evidence. In making these decisions, the decision maker will consider the final investigation report and appendices of evidence, the parties' responses to the draft investigation report, the information gathered in the hearing, and the decision maker's credibility assessments of those interviewed at the hearing, as appropriate. The potential conclusions the decision maker can reach include but are not limited to: a violation of Caltech's Sex- and Gender-Based Misconduct Policy occurred; inappropriate behavior but no violation occurred; the complaint was not supported by the evidence; the complaint was brought without a reasonable good-faith basis.

After making these decisions, the decision maker will meet with the appropriate administrator who will determine any sanctions, remedies, and systemic remedies, in order to brief them on the process and factual findings and conclusions. That administrator will be identified and will determine any sanctions, remedies, and systemic remedies, if appropriate, in accordance with Section XIII(D) (5)(Identity of the Decision Maker), (6)(Determination of Sanctions, Remedies, and Systemic Remedies), and (9)(Potential Sanction, Remedies, and Systemic Remedies) of these procedures.

The decision maker will notify the parties simultaneously of all of these determinations in writing. The letter will include:

- a) identification of the allegations;
- b) a description of the procedural steps taken from the receipt of the formal complaint through the determination of responsibility, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- c) findings of fact supporting the determination;
- d) conclusions regarding the application of the Sex- and Gender-Based Misconduct Policy and any other applicable Caltech policy to the facts;
- e) a statement, and rationale for, the result as to each allegation, including a determination regarding responsibility and any sanctions, remedies, and systemic remedies

- determined by the appropriate administrator; and
- f) procedures and permissible bases for the complainant and respondent to appeal.
- 22) The determinations regarding responsibility and sanctions, remedies, and systemic remedies become final either on the date that the parties are provided the result of any appeal, or if an appeal is not filed, the date on which an appeal would no longer be considered timely.
  - 23) The Title IX Coordinator will be informed of the outcome of the investigation and any appeal in order to carry out their responsibilities to consult on and coordinate implementation of any sanctions, remedies, and systemic remedies, monitor outcomes, identify and address areas of needed education and training presented by the case, and assess and address effects on the campus climate.
  - 24) Exceptions to or modification of these procedures can be made at any time by the Title IX Coordinator, provost, deans or associate deans, associate vice president for human resources, or director for human resources at JPL in order to ensure these procedures promote fairness to both parties and compliance with the law.

### **9. Potential Sanctions, Remedies, and Systemic Remedies**

If a violation of Caltech's Sex- and Gender-Based Misconduct Policy has occurred, appropriate sanctions, remedies, and systemic remedies, as appropriate, will be imposed. The appropriate administrator may impose any one or more of the following:

#### **Sanctions**

- Verbal warning;
- Training;
- Mandatory coaching;
- Mandatory substance abuse treatment;
- A formal written warning placed in the respondent's file;
- Exclusion from participation in certain activities for a specified period of time;
- Temporary or permanent exclusion from campus;
- Suspension of the right to accept new graduate students or postdoctoral scholars;
- Transfer of advisees;
- Removal from positions of administrative responsibility;
- Suspension from positions requiring supervision or interaction with students or other members of the Caltech community;
- Restricted access to Caltech premises;
- Restricted access to Caltech's educational programs or activities;
- Removal from Caltech housing;
- Removal from a supervisory position;
- Involuntary leave of absence/suspension;
- Expulsion;
- Termination of employment;
- Permanent separation from the Institute;

- Revocation of admission;
- Delay or revocation of degree.

### Remedies

- Access to counseling services and assistance in setting up initial appointment, both on and off campus;
- Imposition of “No-Contact Letter;” where a no-contact directive is issued after a finding of responsibility has been made, it shall be unilateral and apply only against the party found responsible;
- Rescheduling of exams and assignments, and reassignment of grading or other evaluative responsibilities (in conjunction with appropriate faculty and deans as necessary);
- Providing alternative course completion options (with the agreement of the appropriate faculty);
- Change in class schedule, including the ability to take an “incomplete,” drop a course without penalty, or transfer sections (with the agreement of the appropriate faculty);
- Change in work schedule or job assignment;
- Change in on-campus housing, when feasible;
- Arranging to dissolve a housing contract and prorating a refund in accordance with campus housing policies;
- Assistance from Caltech support staff in completing housing relocation;
- Limiting an individual or organization’s access to certain Caltech facilities or activities pending resolution of the matter;
- Voluntary leave of absence;
- Providing an escort to ensure safe movement between classes and activities;
- Providing medical services;
- Providing academic support services, such as tutoring;
- Any other remedy that can be tailored to the involved individuals to reasonably achieve the goals of this policy.

### Systemic Remedies

- Institute-wide, Division-wide, and/or Option-wide, or other team-based communication or outreach effort and training, as appropriate
- Addition of information to Equity and Title IX Office website, or other Institute website, as appropriate
- Conduct of appropriate climate survey to gather information pertinent to preventative outreach efforts• Institute-wide, division-wide, and/or option-wide, or other team-based communication or outreach effort and training, as appropriate;
- Addition of information to Equity and Title IX Office website, or other Institute website, as appropriate;
- Conduct of appropriate climate survey to gather information pertinent to preventative outreach efforts.

If the respondent was found not to have violated Caltech’s Sex- and Gender-Based Misconduct Policy, but the investigation concluded that they committed some other wrongful or improper act,

appropriate corrective action will be taken. Effective corrective action may also require remedies for a complainant and/or systemic remedies for the broader Caltech community. Caltech will take appropriate measures to prevent the reoccurrence of any prohibited conduct, and to correct and prevent any discriminatory or retaliatory effects, as appropriate.

In determining sanctions, remedies, and systemic remedies, as appropriate, the administrator will consult with the Title IX Coordinator and other persons they deem appropriate, to enable Caltech to take steps to prevent recurrence of any harassment and to correct its discriminatory effects on the complainant and, if appropriate, others.

NOTE: The Institute may undertake remedies and systemic remedies, as appropriate, to safeguard a complainant's access to education, at any time. The complainant's engagement in a resolution process is not a prerequisite for such Institute action. Moreover, Caltech shall consider and respond to requests for accommodations relating to prior incidents of sexual harassment that could contribute to a hostile educational environment or otherwise interfere with a student's access to education where both individuals are, at the time of the request, subject to Caltech's policies.

#### **10. Disclosure of Outcomes**

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

Outcomes of the investigation process will be disclosed on a need-to-know basis, as determined by the Title IX Coordinator, in order to effect sanctions and/or other remedies and systemic remedies.

#### **11. Appeal**

Appeals may be submitted by either party. They must be in writing and submitted within ten (10) calendar days of notification of the decision to the appropriate administrator (the provost for faculty, the associate vice president for human resources for postdoctoral scholars and campus staff, the vice president of student affairs for students, or, the director for human resources at JPL for JPL employee respondents). In assessing appeals, these administrators may consult with any individual they deem appropriate. The recipient of the appeal will notify the Title IX Coordinator and any other party in writing when an appeal is filed.

Appeals of decisions resulting from the investigation process are limited to one or more of the following grounds: (a) a procedural irregularity that affected the outcome of the matter; (b) new evidence (including a new witness) that was not reasonably available at the time the determination regarding responsibility was made and that could affect the outcome of the matter; (c) the Title IX Coordinator, investigator(s), decision maker(s), or administrator who determined and imposed any sanctions or remedies 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; (d) the sanctions or remedies are substantially disproportionate to the conduct for which the respondent was found responsible.

If a party submits an appeal, the other party will have the opportunity to submit a written response to the appeal within ten (10) calendar days of the filing of the appeal. The parties simultaneously will be informed, in writing, of the outcome of the appeal. The appeal decision letter will state the rationale for the result. Appeal decisions are final.

If the appeal is granted in whole or in part, the administrator deciding the appeal will inform the Title IX Coordinator, the decision maker, and/or other appropriate Caltech administrator(s) so that appropriate follow up action can be taken to implement the appeal decision.

If the appeal is granted based on ground (d), the appeal administrator will determine what sanctions or remedies are appropriate if any, and their decision is final.

#### **XIV. Further Complaints**

If the corrective action does not end the prohibited conduct, the complainant should immediately notify at campus the Title IX Coordinator, or a deputy Title IX Coordinator, the provost or a division chair, dean or associate dean, Employee and Organizational Development director; or at JPL, the Deputy Title IX Coordinator. In such cases, the complainant has the right to file another formal complaint based on new prohibited conduct.

#### **Related Policies and Procedures**

- [Sex- and Gender-Based Misconduct Policy](#)
- [Nondiscrimination and Equal Employment Opportunity Policy](#)
- [Unlawful Harassment and Abusive Contact Policy](#)
- [Procedures for Complaints of Unlawful Discrimination, Harassment and Retaliation](#)
- [Violence Prevention Policy](#)

#### **XV. Title IX Coordinators**

The Title IX Coordinator is responsible for coordinating Caltech's compliance with Title IX and for Caltech's overall response to prohibited conduct falling under Title IX. The Title IX Coordinator oversees the implementation and application of this policy and the related procedures to ensure the prompt and equitable resolution of complaints and the consistent treatment of the parties involved. In doing so, the Title IX Coordinator oversees all Title IX-covered and other sex- and gender-based misconduct complaints, monitors outcomes, identifies and addresses any patterns of systemic problems that arise, and assesses effects on the campus climate.

The Title IX Coordinator is supported by deputy Title IX Coordinators, all of whom can answer questions regarding Caltech's Title IX-related policies and Title IX.

Title IX Coordinator and Assistant Vice President for Equity and Equity Investigations

Hima Vatti (626) 395-3132, [equity@caltech.edu](mailto:equity@caltech.edu), 205 Center for Student Services

Deputy Title IX Coordinator and Civil Rights Resolution Specialist  
Valerie Newcomb (626) 395-1743, [vnewcomb@caltech.edu](mailto:vnewcomb@caltech.edu), 215 Center for Student Services

Deputy Title IX Coordinator for Staff and Postdoctoral Scholars and Director, Employee and Organizational Development

Ofelia Velazquez-Perez (626) 395-3819,  
[Ofelia.Velazquez-Perez@caltech.edu](mailto:Ofelia.Velazquez-Perez@caltech.edu), 206 Central Engineering Services

Deputy Title IX Coordinator for JPL  
Jackie Clennan-Price (818) 393-0016,

[Jackie.A.Clennanprice@jpl.nasa.gov](mailto:Jackie.A.Clennanprice@jpl.nasa.gov), Human Resources T1720-165 at JPL

The following persons are authorized to initiate corrective action in response to reports of prohibited conduct covered under section 15.0 and 16.0 on Caltech's behalf: Title IX Coordinator, Deputy Title IX Coordinators, Director of Employee and Organizational Development, Associate Vice President for Human Resources, and JPL Director for Human Resources.

## SUBSTANCE ABUSE

### 1.0 Policy

Caltech is committed to providing a safe, healthy, and productive work and academic environment for all members of the Caltech community. Consistent with the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989, it is Caltech's policy to maintain a work and academic environment free from drug and alcohol abuse. Faculty, staff, postdoctoral scholars, students, visitors, volunteers, and contractors performing work on Caltech's premises, including at the Jet Propulsion Laboratory ("JPL"), are required to comply with this policy.

### 2.0 Scope

#### 2.1 Prohibited Conduct

The unlawful use, manufacture, distribution, cultivation, dispensation, possession, sale, purchase of, or offer to sell or purchase controlled substances or alcohol on the Caltech campus or its off-site locations, including JPL, or as any part of its activities, is prohibited. Controlled substances include, but are not limited to, amphetamines, cocaine, marijuana, opiates, phencyclidine (PCP) and their metabolites. **Despite recent changes to California law, marijuana still is a controlled substance under federal law, and therefore the use, manufacture, distribution, cultivation, dispensation, possession, sale, purchase of or offer to sell or purchase marijuana on the Caltech campus or its off-site locations, including JPL, or as any part of its activities, continues to be prohibited.** The recreational use of nitrous oxide is

also prohibited under this policy.

In addition, every employee is prohibited from being under the influence of controlled substances, alcohol, or any substance that may impair the employee's ability to perform their job duties safely or productively, or that may otherwise impair their senses, coordination, or judgment while on duty. Any employee reporting to work (or otherwise at work) under the influence of, or having present in their body, any prescribed drug, medication, or other substances that may adversely affect the employee's ability to work in a safe, productive, or efficient manner, must advise the Disability and Leave Unit. Caltech may require an employee to submit to drug and alcohol testing consistent with Caltech policy and applicable federal and state law. Testing procedures that apply to JPL employees are available on the JPL Human Resources website.

### ***2.2 Requirements for Employees and Students***

As a condition of continued enrollment, every student is required to comply with this policy. As a condition of employment, all Caltech employees (this includes faculty, staff, postdoctoral scholars, and student employees), regardless of their location, are required to comply with this policy. A Caltech employee who violates this policy will be subject to disciplinary action up to and including termination of employment. A violation of this policy is likely to result in termination, even for a first offense. Similarly, all students, not just student employees, should understand that disciplinary action including involuntary leave or expulsion from Caltech may be invoked for violation of this policy and that intoxication is never an excuse for misconduct.

Caltech may contact a student's parents when a student under 21 violates this policy. If a student's behavior with respect to alcohol and drugs presents a danger to themselves or others, Caltech may inform the parents.

In addition, pursuant to federal law, a student's eligibility for federal financial aid may be suspended if the student is convicted, under federal or state law, of any offense involving the possession or sale of illegal drugs.

A faculty, staff, postdoctoral scholar, or student who is convicted (including a plea of *nolo contendere* [no contest]) of a criminal drug statute violation occurring in the workplace or on Caltech property must notify Caltech in writing within five (5) calendar days after the conviction. Campus employees should inform the assistant vice president of human resources, and students should inform their dean. JPL employees should inform the manager of employee relations.

### ***2.3 Third Party Requirements***

Persons who are not employees of Caltech but who perform work at Caltech for its benefit (such as contractors and their employees, temporary employees provided by agencies, volunteers, and visitors engaged in joint projects at Caltech, etc.), are required to comply with this policy. Violation of this policy is likely to result in being barred from the workplace even for a first offense.

### 3.0 Health Risks

The use of any mind- or mood-altering substance, including alcohol, can lead to psychological dependence, which is defined as a need or craving for the substance and feelings of restlessness, tension, or anxiety when the substance is not used. In addition, with many substances, use can lead to physical tolerance, characterized by the need for increasing amounts of the substance to achieve the same effect, and/or physical dependence, characterized by the onset of unpleasant or painful physiological symptoms when the substance is no longer being used. As tolerance and psychological or physical dependence develop, judgment becomes impaired, and the individual often does not realize they are losing control over the use of the substance and that they need help.

It is impossible to predict accurately how an individual will react to a specific drug or to alcohol because effects vary depending on the person, environmental variables, the dosage and potency of the substance, the method of taking the substance, the frequency of use, and whether the substance is taken in conjunction with other substances. Illegal drugs have particularly unpredictable effects due to variability in dosage and purity. Further, the overall potency of street drugs has increased dramatically over the past two decades, making users increasingly susceptible to negative effects.

Alcohol acts as a depressant to the central nervous system and can cause serious short- and long-term damage. Short-term effects include nausea, vomiting, and ulcers; more chronic abuse can lead to brain, liver, kidney, and heart damage, and even to eventual death. Ingesting a large amount of alcohol at one time can lead to alcohol poisoning, coma, and death. Drugs such as LSD, amphetamines, marijuana, and alcohol alter emotion, cognition, perception, physiology, and behavior in a variety of ways. Health risks include but are not limited to depression, apathy, hallucinations, paranoia, and impaired judgment, and all substances have an adverse effect on pregnancy and the fetus. When two or more substances are combined, the effect is often stronger than their additive sum.

### 4.0 Local, State, and Federal Legal Sanctions

Local, state, and federal laws establish severe penalties for violations of drug and alcohol statutes. These sanctions, upon conviction, may range from a fine to life imprisonment. In the case of possession and distribution of illegal drugs, these sanctions could include the seizure and summary forfeiture of property, including vehicles. It is especially important to know that federal laws have established penalties for illegally distributing drugs to include life imprisonment and fines of up to \$10,000,000.

#### 4.1 Examples

- Unlawful possession of a narcotic drug is punishable by imprisonment in the state prison.
- The purchase, possession, or consumption of any alcoholic beverages (including beer and wine) by any person under the age of 21 is prohibited.

- It is illegal to provide alcohol to a person under the age of 21.
- Serving alcohol to an intoxicated person is prohibited.
- Selling any alcoholic beverages, except under the authority of a California Alcoholic Beverage Control License, is prohibited.
- It is a felony to induce another person to take various drugs and "intoxicating agents" with the intent of enabling oneself or the drugged person to commit a felony. The person who induced the other may be regarded as a principal in any crime committed.
- Any person found in a public place to be under the influence of an intoxicating liquor or drug and unable to care for their own safety, or who is interfering with the use of a public way, is guilty of disorderly conduct, which is a misdemeanor.
- It is illegal for a person to possess nitrous oxide (e.g., whippets) with the intent to inhale it for purpose of altering their mood or mental functioning.

### **5.0 Resources for Staff, Faculty, Postdoctoral Scholars and Students**

Caltech recognizes drug and alcohol abuse and dependency as treatable conditions and offers faculty, staff, postdoctoral scholars, and students support programs for individuals with substance use problems. Faculty, staff, and postdoctoral scholars are encouraged to seek assistance for drug- and alcohol-related problems through the Caltech Staff and Faculty Consultation Center (SFCC) at campus and the Employee Assistance Program (EAP) at JPL. Individuals can contact the SFCC by calling [\(626\) 395-8360](tel:626-395-8360), and the EAP by calling [\(800\) 367-7474](tel:800-367-7474). Students are encouraged to seek assistance from the [Student Wellness Services \(SWS\)](tel:626-395-8331) at [\(626\) 395-8331](tel:626-395-8331). In addition, faculty, staff, postdoctoral scholars, and students can seek confidential referral information through the Center for Inclusion & Diversity at [\(626\) 395-3221](tel:626-395-3221).

The staff of the SFCC, the EAP, and the SWS will help employees and students to identify appropriate treatment resources and will refer them to counseling, treatment, or rehabilitation programs, as appropriate. Health insurance plans provide varying amounts of coverage for substance-abuse programs to address substance abuse and rehabilitation. Individuals may contact their health providers or the Caltech Human Resources Benefits office at campus at [\(626\) 395-6443](tel:626-395-6443), or JPL at [\(818\) 354-4447](tel:818-354-4447), for plan details. Information obtained regarding a faculty, staff, postdoctoral scholar, or student during voluntary participation in services at the SFCC, EAP, SWS, or any related program will be treated as strictly confidential, and no information, including whether or not an individual is receiving services, will be shared with third parties, except by written consent or as required by law.

## 6.0 Drug and Alcohol Awareness Program

Caltech has established and will maintain a drug and alcohol awareness program to educate faculty, staff, postdoctoral scholars, and students about:

1. Caltech's substance abuse policy;
2. the dangers of drugs and alcohol in a work and academic environment;
3. faculty, staff, postdoctoral scholar, and student assistance programs; and disciplinary action that may be imposed on faculty, staff, postdoctoral scholars, and students for violations of this policy.

Caltech will distribute to all faculty, staff, postdoctoral scholars, and students a copy of this policy on an annual basis.

## 7.0 Supervisor's Responsibilities

If an employee is suspected of violating this policy, the employee's supervisor should consult with the director of employee and organizational development (EOD) at campus or the Employee Relations Department of the Human Resources Directorate at JPL regarding appropriate actions, which may include an investigation and discipline up to and including termination of employment. If a supervisor believes an employee's behavior raises safety concerns for the employee or others, the supervisor must take immediate action, including calling EOD on campus or the Employee Relations Department of the Human Resources Directorate at JPL, to assess and address the situation and to remove the employee from the worksite if necessary.

## 8.0 Caltech Sanctions

Caltech will impose sanctions for violations of or failure to comply with the requirements of this policy. These sanctions will be consistently enforced, and penalties will depend on the severity of the offenses. Penalties may include employment termination, student expulsion, being permanently banned from Caltech premises, and referral to law enforcement for the most serious violations of the law and this policy (e.g., the manufacture or distribution of banned substances). Disciplinary action may be invoked entirely apart from any civil or criminal penalties that the faculty, staff, postdoctoral scholars, and students might incur.

# UNLAWFUL HARASSMENT AND ABUSIVE CONDUCT

## 1.0 Policy

It is the policy of Caltech to provide a work and academic environment free of unlawful harassment ("harassment") and other abusive conduct. Harassment is a form of misconduct that includes unwelcome physical, verbal, or nonverbal conduct that results in a person feeling intimidated, threatened, humiliated, or demeaned, and is likely to interfere with an individual's work or education, or adversely

affects an individual's living conditions.

Harassment in any form, based on any of the following protected characteristics and protected activities ("protected characteristics"), is unlawful and is strictly prohibited at all times, as are all forms of prohibited conduct set forth in the Sex- and Gender-Based Misconduct Policy, including sexual and gender-based harassment and sexual misconduct:

- Race (includes hair texture and protective hairstyle, as well as ethnicity)
- Color
- Religion (includes religious dress and grooming practices)
- Sex/gender (includes pregnancy, childbirth, breastfeeding, and/or related medical conditions)
- Gender identity and gender expression
- Sexual orientation
- Marital status
- Medical condition (genetic characteristics, cancer, or a record or history of cancer)
- Military or veteran status
- National origin (includes language use and possession of a driver's license issued to persons unable to prove that their presence in the United States is authorized under federal law)
- Ancestry (including caste)
- Disability (mental and physical, including HIV/AIDS, cancer, and genetic characteristics)
- Genetic information
- Request for family care leave
- Request for leave for a serious health condition
- Request for pregnancy disability leave
- Domestic violence victim status
- Age (over 40)
- Criminal background (Fair Chance Act)
- Any other factor protected by federal, state, or local law
- Association with an individual who is in one of the foregoing protected characteristics
- Reproductive health care decision-making

Harassment in the employment environment may include, but is not limited to, these examples-

- Verbal, physical, and visual conduct that creates an intimidating, offensive, or hostile working environment, or that interferes with work performance, including conduct that denigrates or shows hostility or aversion toward an individual because of any protected characteristic.
- Verbal or written statements, including on social media, such as slurs, offensive jokes, insults, epithets, name calling, or teasing.
- Visual or graphic images, such as offensive and/or sexually explicit posters, photographs, symbols, cartoons, drawings, computer displays, e-mails, text messages, objects, or digital and

social media activity, including blogs, forums, chat rooms, social networking sites, and other social media applications.

- Making derogatory comments about a person's ancestry, lineage, or caste.
- Physical conduct, including touching, physical assaults or threats, blocking someone's path or normal movement, gestures, and leering.
- Other forms of intimidation, ridicule or mockery, insults, or put-downs.
- Interference with work performance.
- Unwanted sexual advances, invitations, or comments.
- Threats and demands to submit to sexual requests as a condition of continued employment or to avoid loss of employment benefits.
- Offers of employment benefits in return for sexual favors.
- Conversation about one's own or someone else's sex life, sex, gender, sexual orientation, gender nonconformity, and/or gender identity.
- Inappropriate conduct or comments consistently targeted at only one gender, race, or another protected characteristic.

Harassment in the educational setting also includes harassment based on protected characteristics that is contrary to the pursuit of inquiry and education. The following are examples of behaviors that may constitute harassment in the educational setting:

- an advisor tells a minority student not to take a certain course because the adviser says that other minority students have had difficulty in the course;
- a disabled individual is not included in an off-site outing because of lack of mobility;
- a faculty member assigns only menial tasks to a minority student worker while assigning more complex tasks to a Caucasian student worker who is at the same educational level;
- a student tells racially offensive jokes within a study group session with other students;
- an individual is ostracized from group activities because of their national origin;
- a student posts racist jokes to a house email list.

Complaints concerning sex and gender-based discrimination and harassment and sexual misconduct are governed by the [Sex- and Gender-Based Misconduct Policy](#).

The unauthorized collection, distribution, or publication by means of an electronic communication device of another individual's personal identifying information or private or confidential information, for purposes that are in violation of the law, including with the intent to cause fear, injury, or harassment (commonly referred to as "doxxing") is in violation of Caltech's policies. For purposes of this policy, electronic communication devices include, but are not limited to, social media sites, telephones, cellular phones, websites, internet web



pages, and computers.

Some kinds of behavior that are clearly intended to harass (abusive conduct), while inappropriate and not tolerated at Caltech, may not constitute harassment but nevertheless violate Caltech policy. Abusive conduct, also referred to as bullying, is malicious conduct occurring in a work or educational setting that a reasonable person would find hostile, offensive, and unrelated to Caltech's legitimate business or educational interests. Examples of abusive conduct may include:

- repeated infliction of verbal abuse, such as the use of derogatory remarks, insults, verbal epithets;
- physical conduct that can be considered threatening, intimidating, or humiliating;
- a single act shall not constitute abusive conduct, unless especially severe and egregious;

Caltech is committed to educating the community in ways to prevent harassment and abusive contact. Caltech requires all employees, including those responsible for directing or supervising other Caltech employees or evaluating the work of students, to regularly participate in training regarding harassment, and the prevention of harassment and other abusive conduct, consistent with federal and state legal requirements.

## **2.0 Scope**

This policy applies to all members of the Caltech community, including at JPL (students, faculty, supervisory and nonsupervisory employees, postdoctoral scholars, volunteers, interns, vendors, contractors, persons performing services under contract with Caltech, visitors, and any other individuals regularly or temporarily employed, studying, living, visiting, or otherwise participating in Caltech's employment and education programs and activities). This policy applies to conduct occurring on Institute-controlled property, at Institute-sponsored events and in Institute employment and education programs and activities regardless of location.

## **3.0 Reporting Complaints and Concerns**

Caltech's ability to remedy harassment and abusive conduct and maintain an environment free of harassment and abusive conduct is limited if incidents are not reported. Anyone who witnesses, experiences, or is otherwise aware of conduct that they believe to be in violation of this policy, including retaliation, is urged to immediately report it, or to request assistance and guidance. Complaints or concerns about harassment should be reported to the Equity and Title IX Office or one of the Equal Employment Opportunity coordinators listed below, at campus, or the Employee Relations Group at JPL. Reports may be made at any time. A delay should not discourage anyone from reporting harassment. Delayed reporting is better than no reporting. Reports may be made in writing or orally. Harassment complaints are addressed under the [Procedures for Complaints of Unlawful Discrimination, Harassment and Retaliation](#).

Complaints or concerns about abusive conduct (1) against a student should be reported to the appropriate dean, (2) against a staff member or postdoctoral scholar to Employee & Organizational Development, (3) against a faculty member to the appropriate Division Chair or the Office of the Provost, and (4) against a JPL employee to Employee Relations at JPL. In order to make an appropriate judgment as to whether incidents are appropriately investigated as harassment or abusive conduct, the full context in which the conduct occurred will be evaluated. Complaints are considered based on the totality of the facts and circumstances.

While the Procedures for Complaints of Unlawful Discrimination, Harassment and Retaliation do not apply to complaints of abusive conduct, Caltech will conduct a fair, timely, and thorough investigation into or review of complaints of such conduct and take appropriate steps to address any abusive conduct that is found to have occurred.

Members of the Caltech community are encouraged to err on the side of reporting any conduct they think may be harassment or abusive conduct covered under this policy, regardless of where the incident occurred or who committed it. Even if Caltech does not have jurisdiction over the incident or the perpetrator, Caltech will take reasonable action to remedy the effects of the harassment or abusive conduct on the Caltech community and prevent any reoccurrence of the behavior.

Any employee in a supervisory role, including faculty, must promptly report **all** alleged harassment, discrimination, gender-based misconduct, and retaliation, regardless of its alleged severity or frequency, to the Equity and Title IX Office at campus or Human Resources at JPL, which will provide guidance and advice. In addition, other employees qualifying as responsible employees under the [Sex- and Gender-Based Misconduct Policy](#), Section II, Reporting Concerns and Complaints, subsection 6.2, must promptly report any instance of prohibited conduct, as defined in Section III, Prohibited Conduct Sections 15.0 and 16.0 to the Equity and Title IX Office or the Deputy Title IX coordinator for JPL, as appropriate.

If a member of the Caltech community would like support and guidance in filing a complaint, they may contact one of the Equal Opportunity coordinators, the assistant vice president for equity and equity investigations in the Equity and Title IX Office, JPL's manager of employee relations, or the JPL section manager of talent management or Human Resources Business Partners at JPL.

#### **4.0 Anonymous Reporting**

Caltech provides the following resources for anonymous reporting:

- Campus Hotline: [\(626\) 395-8787](#) or [\(888\) 395-8787](#)
- Equity and Title IX Office Online Report a Concern Form (complete anonymously): [Online Report Form](#) | Equity and Title IX Office (caltech.edu)
- JPL Ethics Hotline: [\(818\) 354-9999](#)
- JPL Protective Services Division's Workplace Violence Hotline: [\(818\) 393-2851](#)

- For either Campus or JPL by submitting a compliance Hotline Contact Form

If the reporting party wants to remain anonymous, they should not share any personally identifying information. If the reporting party does share such information, the Equity and Title IX Office will contact the reporting party with information about support resources and reporting options; if an investigation is pursued, the reporting party who identified themselves will be notified.

### **5.0 Contacting Outside Agencies**

In addition, employees who believe they have been unlawfully harassed on the basis of a protected characteristic have the right to file a complaint with the federal [Equal Employment Opportunity Commission](#) or the [California Civil Rights Department](#), which have the authority to remedy violations. Employees, students, and others participating in Caltech's educational programs and activities may file complaints with the U.S. Department of Education Office for Civil Rights (415) 486-5555, [ocr.sanfrancisco@ed.gov](mailto:ocr.sanfrancisco@ed.gov) or (800) 421- 3481 or [OCR@ed.gov](mailto:OCR@ed.gov). Complaints may also be directed to the Bureau for Private Postsecondary Education at [bppe.ca.gov/](http://bppe.ca.gov/).

### **6.0 Investigation of Complaints**

Caltech will conduct a fair, timely, and thorough investigation into or review of complaints as appropriate within the scope of this policy to determine what occurred and take reasonable steps to remedy the effects of any harassment or abusive conduct and prevent recurrence of the behavior. Complaints of harassment will be investigated under the Procedures for Complaints of Unlawful Discrimination, Harassment and Retaliation. Caltech provides all

parties with appropriate due process and reaches conclusions based on the evidence collected. Caltech takes appropriate action, including disciplinary measures up to and including termination of employment, student expulsion, or being permanently excluded from Caltech-controlled premises, when warranted.

### **7.0 Prohibition Against Retaliation**

No one may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by this policy or the related procedures, or because the individual has made a report or complaint, testified, assisted, participated, or refused to participate in any manner in any action or process under this policy or the related procedures. Intimidation, threats, coercion, or discrimination, for the purpose of interfering with any right under this policy or the related procedures constitutes retaliation. The rights and privileges secured under this policy and the related procedures include but are not limited to: (i) filing or assisting in the filing of a complaint or report of a suspected violation of this policy; (ii) opposing any act or practice made unlawful by any federal, state, or local laws requiring equal opportunity; (iii) participating, assisting, or otherwise cooperating in an investigation, compliance

review, hearing, or any other activity related to a violation of this policy or administration of any federal, state, or local law requiring equal opportunity; and/or (iv) exercising any legal right protected by federal, state or local law requiring equal opportunity. Complaints of retaliation will be addressed under the Procedures for Complaints of Unlawful Discrimination, Harassment and Retaliation.

The following actions do not constitute retaliation: the exercise of rights protected under applicable law or Caltech's charging an individual with a policy violation for making a materially false statement in bad faith in the course of a resolution process. A determination that a respondent was or was not responsible for alleged misconduct alone is not sufficient to conclude that any party made a materially false statement in bad faith.

### **8.0 Privacy**

A member of the Caltech community who wishes to report unlawful discrimination, harassment, abusive conduct, or retaliation should do so as soon as possible, although reports (hereinafter "complaints") may be made at any time. Complaints can be made orally or in writing. Complaints should be brought to the attention of one of the individuals designated in this policy.

Privacy generally means that information related to a report of harassment or abusive conduct will only be shared with those individuals who have a "need to know." The determination of who has a "need to know" is within the discretion of Caltech. These individuals are required to be discreet and respect the privacy of all individuals involved.

No meetings or conversations that take place under this policy or the Procedures for Complaints of Unlawful Discrimination, Harassment, and Retaliation may be audio-visually recorded by anyone.

### **9.0 Confidential Resources**

Caltech offers members of the Caltech community the choice of seeking confidential counseling outside of Caltech's procedural mechanisms for resolving harassment and abusive complaints. These confidential counseling services are intended for the personal benefit of the individual and offer a setting where various courses of action can be explored. Members of the Caltech community may access the offices below for confidential support. Counselors and designated confidential advocates in these offices will listen and help identify options and next steps. Talking to any of these staff members does not constitute reporting an incident to Caltech.

Confidentiality generally means that information shared by an individual with designated campus or community professionals cannot be revealed to any other individual without the express permission of the individual. These professionals are listed below. They are prohibited from breaking confidentiality unless there is an imminent threat of harm to self or others or as otherwise required or permitted by law. When a report involves suspected abuse of a minor under the age of 18, these confidential resources may be required by state law

to notify child protective services and/or local law enforcement.

An individual who has experienced unlawful harassment and who first requests confidentiality may later decide to file a complaint with Caltech. The mental health professionals and other confidential resources listed below will provide the individual with assistance in filing a complaint if the individual wishes to do so.

Mental health professionals in the Student Wellness, Counseling Services, and the Staff and Faculty Consultation Center provide mental health counseling services to the campus community. The JPL Employee Assistance Program provides mental health counseling services to the JPL community. They will not report any information about an incident to Caltech, including the Title IX coordinator, unless requested by their client. They can be contacted 24 hours a day/7 days a week at:

**For students:**

Student Wellness, Counseling Services: [\(626\) 395-8331](tel:626-395-8331)

An after-hours counselor may be reached by calling Counseling Services' main number and pressing '2': [\(626\) 395-8331](tel:626-395-8331)

**For faculty, campus staff and postdoctoral scholars:**

Staff & Faculty Consultation Center: [\(626\) 395-8360](tel:626-395-8360)

After hours via Security: [\(626\) 395-5000](tel:626-395-5000)

**For JPL employees:**

[Empathia](http://Empathia.com) (identify yourself as a JPL employee)

[www.mylifematters.com](http://www.mylifematters.com) (Password: JPL): [\(800\) 367-7474](tel:800-367-7474)

**Other Confidential resources are:**

- Campus Hotline: (626) 395-8787 or (888) 395-8787
- JPL Ethics Hotline: (818) 354-9999
- JPL Ombuds: (626) 437-1990

## 10.0 Equal Employment Opportunity Coordinators and Title IX Coordinator

Caltech has designated Equal Opportunity coordinators (EO coordinators) who are responsible for assisting with and coordinating the education and compliance efforts relating to equal opportunity and nondiscrimination laws and Caltech policies. The following individuals have been designated as EO coordinators: the provost is the coordinator for faculty; the assistant vice president for human resources is the coordinator for campus staff, postdoctoral scholars, and volunteers; the associate deans of students are the coordinators for undergraduate students and interns; the dean of graduate studies is the coordinator for graduate students and interns; and the director for human resources at the Jet Propulsion Laboratory is the coordinator for employees, interns and volunteers assigned there.

The assistant vice president for equity and equity investigations, who manages the Equity and Title IX Office, also has been designated as Caltech's Title IX coordinator. The contact number is [\(626\) 395-3132](tel:626-395-3132), email: [equity@caltech.edu](mailto:equity@caltech.edu), or visit the office in Room 205, Center for Student Services.

## 11.0 Informational Resources

Information on unlawful harassment, as well as copies of Caltech's Nondiscrimination and Equal Employment Opportunity, Unlawful Harassment, Sex- and Gender-Based Misconduct, and Violence Prevention policies, are available from Caltech's Title IX coordinator and deputy coordinators; Human Resources, Student Affairs and Deans offices; the Caltech Center for Inclusion & Diversity; resident associates; the Staff and Faculty Consultation Center; and Employee & Organizational Development at Campus; and Employee Relations and the Human Resources Business Partners at JPL. The policies are published in the Caltech Catalog and on the following Caltech websites: [Caltech Human Resources](#), [JPL Human Resources](#), [Equity and Title IX Office](#), and [Student Affairs](#).

### Related Policies and Procedures:

- [Nondiscrimination and Equal Employment Opportunity Policy](#)
- [Procedures for Complaints of Unlawful Discrimination, Harassment and Retaliation](#)
- [Sex- and Gender-Based Misconduct Policy](#)
- [Procedures for Complaints of Sexual Misconduct Under Title IX and the California Education Code](#)
- [Violence Prevention Policy](#)

## VIOLENCE PREVENTION

### 1.0 Policy

It is the policy of Caltech to provide a safe and secure environment for all members of the Caltech community and to prohibit all forms of violence on its premises or in any of its programs or activities. Caltech promotes measures aimed at reducing incidents of violence and the management of situations that may lead to violence. All members of the Caltech community shall cooperate to maintain a safe environment and shall comply with this policy.

### 2.0 Scope

#### 2.1 Prohibited Conduct

Caltech does not tolerate violence, threats of violence, child abuse, child neglect, or stalking on any Institute premises or in any Institute activity or program. All weapons are banned from Institute premises and at Institute activities and programs as set forth below.

#### 2.2 Reporting Violence

Any individual who experiences or observes a threat or act of violence, or a weapon on Institute premises or at an Institute activity or program must immediately notify Campus Security or JPL Protective Services Division, or law enforcement. An individual at a non-campus or non-JPL location must immediately notify local law enforcement.

|   |                                     |
|---|-------------------------------------|
| Campus Security   | (626) 395-5000                      |
| JPL Protective Services Division  | (818) 354-3530                      |
| If an individual becomes aware of behavior that they find concerning, the individual should notify one of the following individuals or offices: |                                     |
| Employee's supervisor/management Campus Human Resources – EOD   | (626) 395-8039                      |
| Dean of Students  | (626) 395-6351                      |
| Dean of Graduate Studies  | (626) 395-6346                      |
| Provost Office  | (626) 395-6320                      |
| Assistant Vice President for Equity and Equity Investigations, Title IX Coordinator   | (626) 395-3130                      |
| Campus Security   | (626) 395-5000                      |
| Caltech Hotline (anonymous)   | (626) 395-8787 or<br>(888) 395-8787 |
| JPL Human Resources   | (818) 354-4447                      |
| JPL Protective Services Division  | (818) 354-3530                      |
| JPL Workplace Violence Hotline  | (818) 393-2851                      |
| JPL Ethics Office   | (818) 354-6338                      |
| JPL Ethics Help Line (anonymous)  | (818) 354-9999 or<br>(866) 405-7536 |

Caltech will handle all reports of violence in a confidential manner, with information released as determined to be appropriate by Caltech. Managers are required to immediately report any violation or suspected violation of this policy to Caltech Security, JPL Protective Services Division, Human Resources, the deans or the provost, whether the violation is observed on Institute premises or at any Institute activity or program. Caltech policy prohibits retaliation against any faculty, staff, postdoctoral scholar, student, or third party who, in good faith, reports a violation or suspected violation of this policy.

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

### 2.3 Reporting Child Abuse or Child Neglect

Every member of the Caltech community who knows of or reasonably suspects child abuse or child neglect has a personal responsibility to report to Caltech Security or the JPL Protective Services Division immediately.

Certain members of the community—known as mandated reporters—have a legal responsibility to act. A mandated reporter is a Caltech employee who meets one of the following definitions: (a) holds a job recognized by the State of California as one that is legally required to report child abuse or neglect no matter where it occurs; or (b) engages in duties that bring them into contact with children on a regular basis or who supervises those whose duties bring them into contact with children on a regular basis, and thus are required to report child abuse or neglect occurring on Caltech premises or at an official activity of, or program conducted by, Caltech. All athletic coaches, including assistant coaches and graduate assistants involved in coaching, are mandated reporters under part (a) of the definition above and must report child abuse or neglect no matter where it occurs. Certain other professionals at Caltech, such as medical and mental health professionals, are also mandated reporters under part (a).

Mandated reporters must report child abuse and neglect whenever, in their professional capacity or within the scope of their employment, they observe or reasonably suspect it. A mandated reporter should reasonably suspect child abuse or neglect whenever "it is objectively reasonable ... to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing, when appropriate, on his or her training and experience, to suspect child abuse or neglect." (Penal Code § 11166(a)).

Mandated reporters must report child abuse and neglect whenever, in their professional capacity or within the scope of their employment, they observe or reasonably suspect it. A mandated reporter should reasonably suspect child abuse or neglect whenever "it is objectively reasonable ... to entertain such a suspicion, based upon facts that could cause a reasonable person in a like position, drawing, when appropriate, on their training and experience, to suspect child abuse or neglect." (Penal Code § 11166(a)).

Mandated reporters have the additional responsibility to report immediately or as soon as practicably possible by telephone and to submit a written follow-up report within 36 hours of receiving information concerning the incident to the LA County Child Protection Hotline (800) 540-4000 (or from out of state (213) 639-4500) or to the Pasadena Police Department 911 (for emergencies) or (626) 744-4241 (for non-emergencies), or to another local police department. A Suspected Child Abuse Report (SCAR) can be completed online (where the initial report was made to the LA County Child Protection Hotline) at [mandreptla.org/cars.web](http://mandreptla.org/cars.web). Mandated reporters will be provided the opportunity for training by Caltech and must sign an "Employee Acknowledgement of mandated reporter status."



## 2.4 Definitions

Acts of violence include any physical action, whether intentional or reckless, that harms or threatens the safety of another individual at Caltech.

A threat of violence includes any behavior that by its very nature could be interpreted by a reasonable person as intent to cause physical harm to another individual.

Child means a person under the age of 18 years.

Child abuse includes physical injury inflicted on a child by another person, serious endangerment of a child's physical or mental health due to injury by act or omission, sexual exploitation of a child (including sexual intercourse between a child under 16 years of age and a person 21 years of age or older), lewd or lascivious acts, and child molestation; and unlawful corporal punishment.

Child neglect includes negligent treatment or maltreatment of a child under circumstances indicating harm or threatened harm to the child's health or welfare.

Stalking is a course of conduct directed at an individual that would cause a reasonable person to fear for his or safety or the safety of others, or suffer substantial emotional distress. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person or interferes with the person's property. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Stalking that is sex or gender-based should be reported and will be handled pursuant to the Sex-and Gender-Based Misconduct policy and applicable procedures. Stalking that is not sex or gender-based is covered by this policy.

Weapon is defined as a firearm, ammunition, BB or pellet gun, paintball gun, stun gun, compressed air gun, or any replica firearm, martial arts weapon, fireworks, explosives, dangerous or highly flammable chemicals, dirk, dagger, ice pick, or knife having a blade longer than 2 1/2 inches (except for a knife or ice pick used for food preparation or consumption or for a lawful use in or around a residence), razor with an unguarded blade, razor blade, or box cutter (except for a razor, razor blade or box cutter for lawful use in a residence), or any object when used in a manner or under a circumstance that potentially may or does result in an act of violence or threat of violence.

An object otherwise defined above as a weapon is excepted when used for a lawful purpose within the scope of the person's employment or academic activities when approved by Caltech.

## 2.5 Investigating Prohibited Conduct

Reports of conduct that may violate any aspect of this policy will be taken seriously, properly investigated, and dealt with accordingly. Individuals who are found to have violated this policy may be subject to disciplinary action up to and including termination of employment, student expulsion, or being permanently excluded from

Caltech-controlled premises. Additionally, when such acts potentially violate state or federal laws, the matter may be referred to law enforcement agencies for investigation.

### 3.0 Resources

The Staff and Faculty Consultation Center and the Student Counseling Center at campus or Empathia/Life Matters at JPL may provide resources such as intervention, consultation, or referral for clinical evaluation or treatment, including arranging for counselors to work with at-risk individuals and victims and observers of an incident. In addition, training is available from Human Resources regarding violence prevention, public safety awareness, and child abuse. Contact information for these and other resources are:

|  |                |
|--|----------------|
| Campus Staff and Faculty Consultation Center | (626) 395-8360 |
| Human Resources-EOD                          | (626) 395-8039 |
| JPL Human Resources                          | (818) 354-4447 |
| Empathia/Life Matters                        | (800) 367-7474 |

### Related Policies

- [Unlawful Harassment and Abusive Conduct Policy](#)
- [Procedures for Complaints of Unlawful Discrimination, Harassment and Retaliation](#)
- [Sex- and Gender-Based Misconduct Policy](#)
- [Procedures for Complaints of Sexual Misconduct Under Title IX and the California Education Code](#)
- [Reporting Workplace Threats and Unauthorized Firearms or Weapons \(JPL\)](#)

### Whistleblower Policy

#### 1.0 Policy

It is important to Caltech that employees disclose violations or potential violations of law or other serious breaches of conduct without the fear of retaliation. Caltech policy prohibits retaliation against an individual who makes a good faith disclosure of suspected wrongful conduct. Any individual who engages in retaliation in violation of this policy will be subject to disciplinary action up to and including termination of employment or permanent separation from Caltech.

It is Caltech's policy to comply with applicable laws and regulations, including California's whistleblower law protections provided under Labor Code Section 1102.5 and the whistleblower rights and remedies provided under 41 USC Section 4712, which are summarized at Enhancement of Employee Whistleblower Protection. As employees of Caltech, each individual is responsible for making sure their conduct fully complies with all laws and regulations as well as Institute policies. Caltech expects employees with knowledge of

specific acts that they reasonably believe violate the law or Caltech policy to disclose those acts to an appropriate Caltech official.

## 2.0 Reporting

An employee who becomes aware of any inappropriate or improper activity, or who believes they have been the subject of retaliation for making a good faith disclosure, is encouraged to contact their supervisor or one of the following offices: Human Resources, JPL Ethics Office, Audit Services and Institute Compliance (ASIC), or the Office of General Counsel. Anyone with questions or concerns regarding inappropriate or improper activities within Caltech may use one of the anonymous reporting mechanisms outlined below.

Web Hotline:

<http://hotline.caltech.edu/>

Telephone Hotline:

(626) 395-8787 or toll free (888) 395-8787

Interoffice Mail:

Audit Services and Institute Compliance, MC 250-64

U.S. Mail:

Audit Services and Institute Compliance

1200 E. California Blvd, MC 250-64, Pasadena, CA 91125

JPL Ethics Line:

(818) 354-9999 or toll free (866) 405-7536

## WHISTLEBLOWER POLICY

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### **Telephone Hotline:**

[\(626\) 395-8787](tel:(626)395-8787) or toll free [\(888\) 395-8787](tel:(888)395-8787)

### **Interoffice Mail:**

Audit Services and Institute Compliance, MC 250-64

### **U.S. Mail:**

Audit Services and Institute Compliance  
1200 E. California Blvd, MC 250-64, Pasadena, CA 91125

### **JPL Ethics Line:**

[\(818\) 354-9999](tel:(818)354-9999) or toll free [\(866\) 405-7536](tel:(866)405-7536)

## PROCEDURES FOR COMPLAINTS OF UNLAWFUL DISCRIMINATION, HARASSMENT AND RETALIATION

### 1.0 Introduction

Caltech will take prompt and appropriate action to address all reports of unlawful discrimination, harassment, and retaliation in accordance with these and related procedures. Caltech takes all such reports seriously and responds appropriately.

These procedures apply to the following:

At Campus and JPL, these procedures apply to allegations of Prohibited Conduct, as defined in the [Sex- and Gender-Based Misconduct Policy](#), that do not fall under the definitions of sexual misconduct under Title IX or the California Education Code, as set out in Sections 15.0 and 16.0

of that policy. Therefore, for example, these procedures apply to allegations of sex- and gender-based discrimination and sex- and gender-based harassment, as set out in Section 17.0 of the [Sex- and Gender-Based Misconduct Policy](#).

Additionally, at JPL, these procedures apply to allegations of Prohibited Conduct under the Sex- and Gender-Based Misconduct Policy that do fall under Title IX and the California Education Code (Sections 15.0 and 16.0 of the Sex- and Gender-Based Misconduct Policy) but that do not occur in JPL education programs or activities.

Caltech's Sexual Misconduct Procedures apply to allegations of Prohibited Conduct, as defined in the [Sex- and Gender-Based Misconduct Policy](#), that fall under the definitions of sexual misconduct under Title IX or the California Education Code, as set out in Sections 15.0 and 16.0 of that policy.

A member of the Caltech community who wishes to report unlawful discrimination, harassment, or retaliation should do so as soon as

possible, although reports (hereinafter “complaints”) may be made at any time. Complaints can be made orally or in writing. Complaints should be brought to the attention of the Title IX Coordinator or one of the individuals designated in the Unlawful Harassment Policy.

Any reference to a Caltech administrator in this document is understood to include not only that administrator but also their designee.

## 2.0 Complaint

Complaints of discrimination, harassment, and retaliation can be reported to the individuals designated in the Unlawful Harassment and Abusive Conduct Policy.

Consistent with Caltech’s Unlawful Harassment and Abusive Conduct Policy, Caltech will conduct a fair, timely, and thorough investigation into complaints within the scope of this policy to determine what occurred and take reasonable steps to remedy the effects of any harassment and prevent reoccurrence of the behavior. Caltech provides all parties with appropriate due process and reaches conclusions based on the evidence collected. Caltech takes appropriate action, including disciplinary measures, when warranted.

The complainant and the respondent may object to an investigator/s assigned to a complaint only on the basis that the investigator has a conflict or cannot be impartial. The Equity and Title IX Office on campus or Human Resources at JPL will consider any objections and notify the parties of the decision related to the investigator/s. Such objections must be made in writing to the Equity and Title IX Office on campus or to the manager of Employee Relations at JPL and must include the reason for the objection.

At any time, Caltech may put in place supportive or interim measures as appropriate to support the complainant, the respondent and/or others.

## 3.0 Investigation Steps

- The complainant and respondent will be provided with a copy of the Nondiscrimination and Equal Employment Opportunity policy, the Unlawful Harassment policy, the Sex- and Gender-Based Misconduct Policy, and/or these procedures, as appropriate.
- Within a reasonable length of time after the complaint has been reported, the complainant and the respondent will each be notified of the allegations to be investigated.
- The complainant and respondent will be informed that Caltech does not tolerate retaliation, takes steps to prevent retaliation, and takes strong responsive action if retaliation occurs. The complainant and respondent will be advised to notify Caltech immediately if retaliation occurs.
- The investigation will be treated as private to the extent possible. Caltech will make reasonable and appropriate efforts to preserve the complainant’s and respondent’s privacy and protect the confidentiality of information but may need to share information on a need-to-know basis.

- Parties may not engage in coercion, pressure, undue influence, or retaliation with respect to potential witnesses or other parties in the course of preparing to meet with and providing evidence to the investigator. Parties may seek guidance from the Assistant Vice President, Equity and Equity Investigations and the investigator on appropriate communications. Communications between parties and witnesses deemed to have resulted from coercion, pressure, undue influence, or retaliation may be discounted altogether by the investigator or may be considered by the investigator in making credibility determinations and weighing evidence deemed subject to the undue influence.
- The investigation and adjudication of alleged prohibited conduct under this section is not an adversarial process between the complainant, the respondent, and the witnesses, but rather a process by which Caltech complies with its obligations under existing law and determines whether the allegations are substantiated by a preponderance of the evidence.
- The complainant and the respondent will be given an opportunity to be interviewed regarding the allegations and may suggest witnesses or information to the investigator/s, who will determine whether the suggestions are relevant, appropriate, or necessary to resolve disputed-fact issues. The investigator/s may also review other information and interview others they determine may have information relevant to investigating and resolving the complaint.
- Legal counsel and other advisers or support persons are not permitted to be present during interviews. Investigatory meetings will not be recorded by any party involved in a case.
- Complaints will be investigated and resolved within a reasonably prompt time frame after the complaint has been made, though factors, including but not limited to the complexity of the case, may impact the duration of the investigation. It is within the discretion of the Assistant Vice President of Equity or Human Resources at campus, or the Manager of Employee Relations at JPL, to determine whether to conclude an investigation without further opportunity to provide evidence by a party or witness who fails to cooperate reasonably and timely in providing evidence (e.g., failing to schedule or appear for meetings, failing to provide evidence they said they would provide, ignoring communications from the investigator).
- The investigator/s will use the preponderance of the evidence standard in reaching findings and conclusions. A preponderance of the evidence means that it is more likely than not that the alleged misconduct occurred or did not occur.
- The investigation will not require, allow, rely upon, or use questions or evidence that constitute or seek the disclosure of information protected under a legally recognized privilege (e.g., attorney-client, doctor-patient, clergy-penitent), unless the person holding such privilege has waived the privilege.
- The investigator/s will reach findings and conclusions in the case, regarding whether the allegations are substantiated by a

preponderance of the evidence, based on the facts available at the time of the decision and will report these to the appropriate administrator (“decision maker”) who will decide responsive measures, including any appropriate discipline. The appropriate decision makers are the following: the appropriate manager or supervisor for Campus and JPL staff and employee respondents; the Vice Provost for Research or Administration for faculty respondents; and the appropriate dean for student respondents.

- The complainant and the respondent will be notified of the outcome of the process.
- Either party may submit an appeal of the outcome, in accordance with Section 6.0 below.
- Exceptions to or modifications of these procedures can be made by the Associate Vice President for Human Resources at campus or the Director for Human Resources at JPL, or their designee.

Investigative files are confidential and will be maintained in a file separate from an individual’s personnel or student file. Disciplinary action taken against an employee as a result of an investigation will be included in the personnel file.

#### **4.0 False Reports or Statements**

Caltech expects its members to act with honesty, sincerity, and good faith in reporting concerns under this policy. Caltech will not tolerate intentional false reporting of information, allegations, or evidence. A good faith complaint that is not substantiated by a preponderance of the evidence after an investigation is not considered a false report.

However, when a party or witness is found to have intentionally fabricated or knowingly misrepresented information, allegations, or evidence, or otherwise to have acted with an intent to deceive or mislead in any of their dealings relating to Caltech’s administration of this policy, they may be subject to disciplinary action, up to and including termination or expulsion.

#### **5.0 Resolution**

The conclusions that the investigator/s might reach, include but are not limited to:

A violation of Institute policy or other inappropriate conduct occurred.

- Inappropriate conduct occurred, but it did not constitute a violation of Institute policy.

For example, the respondent used poor judgment.

- The allegations were not supported by the preponderance of the evidence.
- The allegations were brought in bad faith.

If appropriate, the decision maker(s) will review the findings, conclusions, and recommendations, and determine appropriate

actions in consultation with the investigating office (Equity and Title IX Office at Campus, Human Resources at JPL). Both the complainant and the respondent will be informed of the findings and notified when appropriate action has been taken.

If a violation of Institute policy or other inappropriate conduct occurred, appropriate corrective action will be taken. Depending on the severity of the case, possible corrective actions include verbal counseling, a formal written warning, removal from a supervisory position, and, in appropriate cases, termination of employment or expulsion.

Caltech will also take any necessary steps to protect the complainant from retaliatory actions by the respondent and/or others.

If it is determined that the allegations were brought in bad faith, appropriate action will be taken to address the situation.

Both the complainant and the respondent will be notified concurrently in writing of the results of the investigation, their right to appeal and the procedures for appeal. Privacy considerations prevent Caltech from informing a complainant of any sanctions or other remedies imposed against a respondent.

### **6.0 Appeals of Investigation Outcomes**

- Appeals by either party must be in writing, no more than five pages in length, and submitted within ten (10) calendar days of notification of the decision. Appeals of decisions resulting from the investigation process must be on the grounds that a procedural error occurred that would have significantly affected the outcome of the investigation, or there is new evidence which would have significantly affected the outcome that was not available at the time of the proceeding. A procedural error is an error in the how the investigation was conducted. A respondent also may appeal on the ground that the sanction is substantially disproportionate to the findings. In appeals on the ground that there is new evidence which would have significantly affected the outcome that was not available at the time of the proceeding, the party appealing should provide the new evidence and an explanation of why the evidence was not available during the investigation. Appeals that are not based on one or more of these grounds will not be considered and will be denied. Appeal decisions are final.
- Decisions regarding a faculty respondent may be appealed to the Office of the Provost. Decisions regarding a staff respondent, including post docs, may be appealed to the Assistant Vice President for Human Resources. Decisions regarding student respondents may be appealed to the Vice President of Student Affairs. Decisions regarding employees at JPL may be appealed to the Director of Human Resources at JPL. Decisions of the appropriate dean for students may be appealed to the Vice President for Student Affairs.



### 7.0 Further Complaints

The complainant should immediately report if the corrective action does not end the unlawful discrimination or harassment, or if new or continuing unlawful discrimination or harassment occurs. In such cases, the complainant has the right to file another complaint.

### 8.0 Distribution of the Procedures

These procedures will be distributed annually to faculty, staff, and students, and upon arrival to faculty, staff, or student newcomers to Caltech. In the event that any significant revisions are made, revised versions will be distributed.

### 9.0 Exceptions

Exceptions to or modifications of these procedures can be made by the associate Vice President for Human Resources at campus or the Director for Human Resources at JPL.

#### Related Policies and Procedures:

- [Nondiscrimination and Equal Employment Opportunity Policy](#)
- [Unlawful Harassment and Abusive Conduct Policy](#)
- [Sex and Gender-Based Misconduct Policy](#)
- [Procedures for Complaints of Sexual Misconduct Under Title IX and the California Education Code](#)
- [Violence Prevention Policy](#)

## STUDENT AFFAIRS POLICIES

In addition to the Institute Policies listed above, there are a number of Student Affairs policies, procedures and guidelines on the Student Affairs website:

- Alcohol and Other Drugs
- Eligibility to Live on Campus
- Fire Safety
- Good Samaritan
- Hazing Prevention
- Missing Student
- Mural Policy in Caltech Housing
- Noise Policy
- Personal Privacy and Intellectual Property
- PNG Policy
- Student Problem-Resolution Process
- Vaccination

For the text of the full policies, please see the Student Affairs website at [studentaffairs.caltech.edu/policies](http://studentaffairs.caltech.edu/policies).

