



CATALOG ADDENDUM

Catalog 2018 - 2019

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Student Conduct Policy Updated

The Student Conduct Policy located on page 159 of the current catalog is fully replaced with the following:

Student Conduct Policy

Section I – Guiding Principles

The Art Institute of Houston and its branch campuses recognizes its students as responsible and dedicated men and women who are preparing for career employment. An integral part of their career and professional development is the expectation that they conduct themselves during the education process in the same manner as will be expected in all employment situations. As members of the institution’s community, students have responsibilities and duties commensurate with their rights and privileges. In this policy, the institution provides guidance to students regarding those standards of student conduct and behavior considered essential to its educational mission. This policy also provides guidance regarding the types of conduct that infringe upon the fulfillment of the Institute’s mission.

Section II - Scope

This Student Conduct Policy applies to all students and student organizations at the institution.

Section III - Reach

The Student Conduct Policy shall apply to student conduct that occurs on campus premises including online platforms, at campus-sponsored activities, or at student organization sponsored events. At the discretion of the Chief Conduct Officer (Regional Dean of Student Life, Academic Affairs Office or a delegate as appointed by the President or Campus Director), the policy also shall apply to off-campus student conduct when the conduct, as alleged, adversely affects a substantial institutional or campus interest and potentially violates an institutional or campus policy.

Section IV - Responsibilities of Dual Membership

Students are both members of the campus community and citizens of the state. As citizens, students are responsible to the community of which they are a part, and, as students, they are responsible to the academic community of the campus and to other individuals who make up the community. By enforcing the Student Conduct Policy, the campus neither substitutes for nor interferes with other civil or criminal legal processes. When a student is charged in both jurisdictions, the campus will decide on the basis of its interests, the interests of affected students, and the interests of the community whether to proceed with its disciplinary process or to defer action.

Section V - Disciplinary Offenses

The offenses listed below are given as examples only. Other conduct not specifically included on this list maybe sanctioned.

Scholastic Dishonesty:

- Plagiarism
- Cheating on assignments or examinations
- Engaging in unauthorized collaboration on academic work
- Taking, acquiring, or using test materials without faculty permission
- Submitting false or incomplete records of academic achievement
- Altering, forging, or misusing a college academic record
- Fabricating or falsifying data, research procedures, or data analysis
- Deceiving the campus and/or its officials

Misuse or Abuse of Campus Assigned Email Address or Log-in Information

- Sharing a username or password for any campus assigned system with any student or non-student individual
- Logging-in to a campus assigned system with the intention to display classroom environment to other student or non-student individuals
- Allowing an individual access to post information in the on line environment on your behalf or with the intention of impersonation.
- Sharing or giving access to the student portal to other students or non-student individuals (unless designated for training purposes at the direction of a campus official)

Illegal or Unauthorized Possession or Use of Weapons

- Possession or use of firearms, explosives, fireworks, ammunition, dangerous chemicals (including mace) or other weapons, likenesses of weapons, on campus property, or at campus sponsored functions, except where possession is required by law.

Sexual Assault or Nonconsensual Contact

- Any form of unwanted sexual attention or unwanted sexual contact. (See the Sexual Misconduct and Relationship Violence Policy for more detail. For all cases covered by the Sexual Misconduct and Relationship Violence Policy, the investigation and disciplinary procedures outlined in that policy shall govern.)

Threatening, Violent or Aggressive Conduct

- Assault, battery, or any other form of physical abuse of a student or campus employee.
- Fighting or physical altercation.
- Conveyance of threats by any means of communication including, but not limited to,

threats of physical abuse and threats to damage or destroy campus property or the property of other students or institutional employees.

- Any conduct that threatens the health or safety of one's own self or another individual. Threats to commit self-harm and/or actual incidents of self-harm by any student.

Theft, Property Damage, and Vandalism

- Theft, attempted theft, vandalism/damage, or defacing of campus property, campus controlled property or the property of another student, faculty, staff member, or guest.
- Extortion.
- Setting fires, tampering with fire safety and/or firefighting equipment.

Disruptive or Disorderly Conduct

Disruptive behavior, such as, interference with the normal operations of the campus (i.e., disruption of teaching and administrative functions, disciplinary procedures, pedestrian or vehicular traffic or other activities). Engaging in behavior that substantially or repeatedly interrupts either the faculty's ability to teach or student learning. The classroom extends to any setting where a student is engaged in work toward academic credit or satisfaction of program-based requirements or related activities.

- Written or verbal acts or uses of technology, which have the effect of disrupting the online classroom learning environment.
- Use of cell phones and pagers during scheduled classroom times. Disorderly, lewd, indecent, or obscene conduct
- Disruptive attire, including but not limited to any type of clothing, gang colors, gang symbols or materials worn or brought onto the premises by any student or guest deemed to be lewd, indecent or obscene as determined by campus officials.
- Breach of peace on institutional property or at any campus-sponsored or supervised program.
- Any on campus, online, or off-campus act considered inappropriate or as an example of misconduct that adversely affects the interests of the campus and/or its reputation.

Illegal or Unauthorized Possession or Use of Drugs or Alcohol

- Use, sale, possession or distribution of illegal or controlled substances, drug or drug paraphernalia on institutional property or at any function sponsored or supervised by the campus.
- Being under the influence of illegal or controlled substances on institutional property or at any campus function.
- Use, sale, possession, or distribution of alcoholic beverages on college property or at

any function sponsored or supervised by the campus.

- Being under the influence of alcohol on institutional property or at any campus function is also prohibited.

Verbal Assault, Defamation and Harassment, Verbal Abuse of a Student or Employee

- Harassment by any means of any individual, including coercion and personal abuse, including, but is not limited to, written or verbal acts or uses of technology, which have the effect of harassing or intimidating a person.
- Harassment based on sex, race, color, national origin, religion, sexual orientation, age, disability or any other criteria protected by state, federal or local law.

Hazing

- Any form of “hazing” and any act that endangers the safety of a student, or that destroys or removes public or private property, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in a group or organization. “Hazing” includes any method of initiation or pre-initiation into a student club or any pastime or amusement engaged in with respect to such a club that causes, or is likely to cause, bodily danger, physical harm, or personal degradation or disgrace resulting in physical or mental harm, to any student or other person attending the institution.

Falsification

- Willfully providing campus officials with false, misleading, or incomplete information.
- Forgery, falsification, alteration, or misuse of documents, records, or identification with the intent to injure, defraud, or misinform.

Abuse of the Campus Disciplinary Hearing process including but not limited to:

- Failure to obey the summons of a disciplinary body or campus official.
- Falsification, distortion, or misrepresentation of information before a disciplinary body or campus official.
- Disruption or interference with the orderly conduct of a disciplinary proceeding.
- Attempting to influence the impartiality of a member of a disciplinary body prior to and/or during the course of the disciplinary proceeding.
- Verbal or physical harassment and/or intimidation of a member of a disciplinary body prior to, during, and/ or after the disciplinary proceeding.
- Failure to comply with the sanction(s) imposed under the Student Conduct Policy.
- Influencing or attempting to influence another person to commit an abuse of the

disciplinary system.

Unauthorized Use or Misuse of Campus Facilities

- Unauthorized entry into, unauthorized use of, or misuse of campus property, including computers and data and voice communication networks.

Violation of Federal or State Laws

- Violation of federal, state, or local laws and rules and regulations on campus property or at campus-sanctioned or campus-sponsored functions.
- Students must disclose any criminal conviction received while a student to the Regional Dean of Student Life within five days of the conviction who will determine whether, due to the nature of the crime, the conviction constitutes a violation of the Student Conduct Policy.

Insubordination

- Persistent or gross acts of willful disobedience or defiance toward campus personnel.
- Failure to comply with direction of campus officials, faculty, staff, or security officers who are acting in the performance of their duties.
- Failure to exit during fire drill.
- Failure to identify oneself when on campus property or at a campus-sponsored or supervised functions, upon request of any campus official acting in the performance of his/her duties.

Violations of Institutional or Campus Rules

- Violations by guest of a student on campus property. Students are responsible for the actions of their guests.
- Violation of campus safety regulations, including but not limited to, setting fires, tampering with fire safety and/or firefighting equipment, failure to exit during fire drill, turning in false fire alarms, and bomb threats.
- Smoking in classrooms or other campus buildings or areas unless designated as a smoking area.
- Any violation of institutional policies on the responsible use of technology, including but not limited to:
 - The theft or abuse of computer, email, Internet, or Intranet resources
 - Unauthorized entry into a file, to use, read, or change the contents, or for any other purpose
 - Unauthorized transfer of a file

- Unauthorized downloading of copyrighted materials in violation of law
- Unauthorized use of another individual's identification and/or password
- Use of computing facilities to interfere with the work of another student, faculty member, or campus official
- Use of computing facilities to send obscene or abusive messages
- Use of computing facilities to interfere with normal operation of the campus computing system
- Failure to satisfy institutional financial obligations.

The above list is illustrative only, and the institution may sanction other conduct not specifically included on this list.

Section VI - Sanctions

The institution and/or respective campus may impose sanctions for violations of the Student Conduct Policy. The type of sanction imposed may vary depending upon the seriousness of the violation(s). The institution and/or respective campus reserves the right to immediately impose the most severe sanction, if circumstances merit.

Although not exhaustive, the following list represents the types of sanctions that may be imposed upon any student or student organization found to have violated the Student Conduct Policy:

1. Warning: A notice in writing that a student has failed to meet some aspect of the institution's standards and expectations.
2. Probation: Probation is used for repeated violations or a specific violation of a serious nature as a first course of action. The Chief Conduct Officer or his/her delegate defines the terms of probation.
3. Discretionary Sanctions: The student may be required to complete an educational service, attend classes specific to the violation, provide a doctor's release, or have restricted privileges.
4. Suspension: Separation of the student from the campus for a pre-determined period of time. The student may be able to return to campus once specified conditions for readmission are met. The student may not attend classes, use campus facilities, participate in or attend campus activities, or be employed by the institution or campus during his/her suspension.
5. Expulsion: The student will be expelled from the institution immediately. The student will not be permitted to continue his or her studies at the campus and may not return to the campus or participate in activities at any time or for any reason. A separate notation is necessary if the student is not allowed to apply to any other Art Institute in the system.
6. Restitution: Compensation for loss or damage to property leased, owned, or controlled by the institution or campus. This may take the form of monetary or material replacement.

The above list is only a general guideline. Some sanctions may be omitted, and other sanctions

not listed above may be used.

Section VII – Disciplinary Procedures

Complaint

Any member of the campus community may file a complaint against any student for misconduct or for otherwise being in violation of institutional or campus policies.

1. The complaint shall be prepared in writing or in an incident report and directed to the Chief Conduct Officer or his/her delegate.
2. The written complaint or incident report should include the nature of the offense, date, approximate time and location of incident. The name of the victim, offender, and any witness(es) may be included.
3. Complaints or incident reports should be submitted within 48 hours after the alleged violation occurred unless there are extenuating circumstances requiring a longer timeframe.

The Chief Conduct Officer or his/her delegate may review and investigate the complaint to determine if the allegations have factual merit, to identify violations of the Student Conduct Policy, and to impose sanctions for such violations.

Generally, the accused should be given the opportunity to tell his or her account of the situation and to provide this information, in writing, unless the campus determines that the circumstances do not warrant disclosure of some or all of the facts.

Search of Student's Property

Students have no expectation of privacy in their personal property while on campus. The campus reserves the right to search the contents of students' personal property or belongings at any time and for any reason, including when there is reasonable suspicion on the part of the campus staff that a risk to the health, safety, or welfare of students, and/or the campus community exists and including searches pursuant to an investigation of potential wrong doing. This includes, but is not limited to, vehicles brought onto property leased, owned, or controlled by the campus, backpacks, portfolios, and clothing. This policy also applies to student, student e-mail, and/or computers.

Notification and Determination of Violations that Warrant Disciplinary Meeting

1. The Chief Conduct Officer or a delegate may choose to conduct a disciplinary meeting. Potential attendees include a student or students, the Chief Conduct Officer or his/her delegate, and others who may have relevant information. The student should receive advance notice of the allegations and the reason for the meeting.
2. After the meeting, the Chief Conduct Officer or his/her delegate will determine whether it is more likely than not that a violation occurred, may render and communicate the decision to the student in writing, which shall describe the violation and the sanctions imposed, if any, and the student's right to appeal. If the Chief Conduct Officer determines that there was no violation, that decision may be documented in writing to the student as well.
3. If a student fails to appear for the meeting, the Chief Conduct Officer or his/her delegate may

make a determination of violations of institutional policy on the basis of the information available, and impose sanctions for such violations.

Notification and Determination of Violations that Warrant Disciplinary Hearing or Panel

In some cases involving serious violations, the Chief Conduct Officer or his/her delegate, hereby referred to as "Hearing Officer", in his or her sole discretion, may choose to assemble a Disciplinary Panel to adjudicate the process.

1. The Hearing Officer may immediately (before a hearing takes place) remove the student from the campus community pursuant to an Administrative Interim Suspension until the Disciplinary Panel is convened as detailed within the section entitled Administrative Interim Suspension.
3. The student should receive advance notice of the allegations and the reason for the meeting. A student may forgo attendance at the hearing and a determination of the sanction will be made by the Disciplinary Panel.
4. Hearings normally shall be conducted in private. The Disciplinary Hearing is an academic hearing, not a legal hearing. Therefore, legal counsel is not allowed at the hearing.
5. The student may be accompanied by one person (family member, friend, etc.) to provide support, however any such person will not be permitted to provide testimony during the hearing. The Disciplinary Panel may prohibit from attending or remove any person who disrupts the proceedings of the committee.
6. In hearings involving more than one student, the Hearing Officer, at his or her discretion, may permit the hearing concerning each student to be conducted separately.
7. The Disciplinary Panel may hear from any person who may have relevant information. The Disciplinary Panel may review any documents presented to them. Pertinent records, documents and written statements may be considered by the Hearing Officer at his/her discretion. The Disciplinary Panel may ask questions and may seek information not provided to it.
8. The Disciplinary Panel may determine whether it is more likely than not that a violation occurred. The Disciplinary Panel should communicate to the Hearing Officer its decision and its recommended sanction, if any.
9. After the hearing, the Hearing Officer will issue a written decision to the accused student which identifies the accusations and the Disciplinary Panel's conclusions, any sanctions, and the student's right of appeal.
10. In general, the accused will have access to the documentation reviewed by the Disciplinary Panel, however identifying names and information may be removed from the documentation when necessary to protect other student's privacy rights.

Disciplinary Panel

A Disciplinary Panel may consist of members of the institutional Executive Committee, staff, faculty, or student body. When students are permitted on the Disciplinary Panel, the accused student should sign a form granting permission to release his/her educational records to a student serving on the Disciplinary Panel. Failure to sign the permission constitutes an

agreement to having no student on the Disciplinary Panel.

Administrative Interim Suspension

Students may be administratively suspended on an Interim basis when:

1. Serious allegations, which may threaten campus safety or wellbeing, are being investigated;
2. Serious allegations, which may threaten campus safety or wellbeing, are pending before a disciplinary panel;
3. When a student potentially poses a threat of harm to him/her self, others, campus property, or a member of the campus community.

During the Interim Suspension, students are denied access to the campus (including classes, labs, library) and/or all other campus activities or privileges for which the student might otherwise be eligible, as the Chief Conduct Officer or his/her designee may determine to be appropriate.

This Interim Suspension period should last no longer than three business days unless circumstances warrant an extension of the Interim Suspension. Best efforts will be utilized to minimize the length of any Interim Suspension.

The Interim Suspension is not to be considered disciplinary, but it is a tool to separate potential adversaries until a reasoned decision can be made.

Section VIII – Appeal Procedures

Students have a right to appeal disciplinary actions when they believe there are extenuating circumstances or believe themselves to have been treated in an arbitrary or biased fashion or without adherence to the institutional policy and procedures.

- During an appeal, the student should continue to obey the terms of the decision, i.e., a student who has been suspended from the campus may not be on campus property.
- The student must write a letter of appeal in the student's own words, addressed to the President or Campus Director or his/her delegate. This letter must clearly state the extenuating circumstances or the grounds for believing the decision was arbitrary or biased or that it was without adherence to the institutional policy and procedures, and provide any supporting documentation. The letter must be delivered to the President or Campus Director his/her delegate within seven calendar days following the student's receipt of the decision.
- The student should provide documentation to support the basis of the appeal.
- The President or Campus Director his/her delegate may appoint an ad hoc Appeal Committee to review appeals and make a recommendation regarding disposition of the appeal within thirty calendar days of the date of receipt of the appeal. This Appeal Committee will be comprised of faculty or staff members not involved in making the initial disciplinary decision.

- The President or Campus Director and/or the Appeal Committee may decide to convene an appeal hearing. The student will be notified in writing of the date and time of the appeal. The student will be expected to attend the meeting, and failure to do so, for other than documented emergencies, may be considered forfeiture of the right to present further information regarding the appeal.
- The student making the appeal may be provided an opportunity to address the Appeal Committee in person. The student may be accompanied by one person (family member, friend, etc.) as an observer; however, any such person will not be permitted to provide testimony during the hearing. The Appeal Committee may prohibit from attending or remove any person who disrupts the proceedings of the Committee.
- The Appeal Committee hearing is an academic hearing, not a legal hearing. Therefore, legal counsel is not allowed at the meeting.
- Audio recording of the academic hearing is not permitted. Minutes of the meeting are confidential.
- Following appropriate review and deliberation, the Appeal Committee will report to the President or Campus Director his/her delegate with its recommendation following its review of the appeal. The President or Campus Director his/her delegate will render a written decision on the appeal within thirty calendar days from receipt of the appeal. This decision will be final.

Sexual Misconduct & Relationship Violence Policy; Procedures for Handling Sexual Misconduct and Relationship Violence Complaints Updated

The Sexual Misconduct & Relationship Violence Policy; Procedures for Handling Sexual Misconduct and Relationship Violence Complaints beginning on page 168 of the current catalog is fully replaced with the following:

Sexual Misconduct & Relationship Violence Policy; Procedures for Handling Sexual Misconduct and Relationship Violence Complaints

The Art Institute of Houston and its branch campuses value civility, dignity, diversity, education, honesty, and safety and is firmly committed to maintaining a campus environment free from all forms of sex discrimination, sexual harassment, and sexual assault. Sexual misconduct and relationship violence, defined more specifically below, are inconsistent with these values, violate institutional policy, and will not be tolerated at The Art Institute of [campus] and its branch campuses and are expressly prohibited. A student will not be subject to unfair or adverse actions as a result of initiation or participation in a complaint proceeding and will not be subjected to adverse actions by any institutional officials as a result of initiating or participating in an investigation of a complaint.

This policy provides information regarding how an individual, whether a student, faculty member, or staff member, can make a report of sexual misconduct or relationship violence

impacting a student and how The Art Institute of Houston and its branch campuses will proceed once it is made aware of any such report.

A faculty or staff member who believes they are a victim of sexual misconduct should follow the No Harassment Policy in the Employee Handbook.

I. Preliminary Issues & Important Definitions

This policy prohibits “sexual misconduct” and “relationship violence,” which are broad categories encompassing the conduct defined below. Sexual misconduct and relationship violence can be committed by anyone, including third parties, and can occur between people of the same sex or different sexes and regardless of one’s biological sex or transgendered sex. This policy applies to sexual misconduct and relationship violence that is committed against a student when that sexual misconduct or relationship violence occurs either: (i) on campus; (ii) off-campus, if in connection with a campus sponsored program or activity; or (iii) off-campus, including at internship/externship/practicum sites, if allegedly perpetrated by a fellow student, faculty member, staff member, or third party when the victim/reporting student reasonably believes that the off-campus conduct has created a hostile educational environment.

A. What is “Sexual Misconduct”?

Sexual misconduct includes:

- **Sexual Assault:** Having or attempting to have sexual intercourse, cunnilingus, or fellatio without consent (as defined below). Sexual intercourse is defined as anal or vaginal penetration by a penis, tongue, finger, or inanimate object.
- **Non-Consensual Sexual Contact:** Any intentional sexual touching with any body part or object by any person upon any person without consent.
- **Sexual Exploitation:** An act attempted or committed through the abuse or exploitation of another person’s sexuality. Examples include, but are not limited to, prostituting another student; inducing a student into sexual intercourse, sexual contact, or other sexual activity by implicit or explicit threat of exposure of personal information or academic consequences; non-consensual video or audio-taping of sexual activity; allowing others to observe a personal consensual sexual act without the knowledge or consent of all involved parties; and knowingly transmitting or exposing another person to a sexually transmitted infection without the person’s knowledge.
- **Indecent Exposure:** The exposure of the private or intimate parts of the body in a lewd manner in public or in private premises when the accused may be readily observed.
- **Sexual Harassment:** Unwelcome sexual advances, requests for sexual favors, and other physical or verbal conduct of a sexual nature when it meets any of the following: (a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s academic status; or (b) Submission to or rejection of such conduct by an individual is used as the basis for academic decisions affecting such individual; or (c) Such conduct has the purpose or effect of unreasonably interfering with an individual’s

work or academic performance or creating an intimidating, hostile, or offensive environment for working, learning, or living on campus.

B. What is “Relationship Violence”?

Relationship violence includes:

- **Domestic Violence:** Violence, including but not limited to, sexual or physical abuse or the threat of such abuse committed by a current or former spouse or intimate partner or any other person from whom the student is protected under federal or applicable state law.
- **Dating Violence:** Violence, including but not limited to, sexual or physical abuse or the threat of such abuse committed by a person who is or has been in a social relationship of a romantic or intimate nature with the alleged victim. The existence of such a relationship is generally determined based on a consideration of the length and type of relationship and the frequency of interaction.
- **Stalking:** A course of conduct directed at a specific person that would cause a reasonable person to fear for their own safety or the safety of others or suffer substantial emotional distress. A course of conduct means two or more acts in which a person 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 a person’s property.

The following also constitute violations of this policy:

- **Complicity:** Assisting, facilitating, or encouraging the commission of a violation of this policy.
- **Retaliation:** Acts or attempted acts for the purpose of interfering with any report, investigation, or proceeding under this policy, or as retribution or revenge against anyone who has reported sexual misconduct or relationship violence or who has participated (or is expected to participate) in any manner in an investigation, or proceeding under this policy. Prohibited retaliatory acts include, but are not limited to, intimidation, threats, coercion, or discrimination. To be clear, retaliation against a Complainant for reporting an incident or against any witness who participates in an investigation is strictly prohibited.

C. Who are “Complainants” and “Respondents”?

The Art Institute of Houston and its branch campuses is not a court of law and does not engage in victim-blaming or rush to judgment. Therefore, without judgment, anyone who reports that s/he has experienced sexual misconduct is referred to as a “Complainant” and anyone who reportedly has engaged in sexual misconduct is referred to as a “Respondent.”

D. Defining Consent

In many cases of sexual misconduct, the central issue is consent or the ability to give consent. Consent is a voluntary agreement to engage in sexual activity. Consent to engage in sexual activity must exist from beginning to end of each instance of sexual activity. Past consent does not imply future consent, and consent to engage in one form of sexual activity does not imply consent to engage in a different form of sexual activity. Consent is demonstrated through mutually understandable words and/or actions that clearly indicate a willingness to engage in a specific sexual activity. Consent must be knowing and voluntary. To give consent, a person must be awake, of legal age, and have the capacity to reasonably understand the nature of her/his actions. Individuals who are physically or mentally incapacitated cannot give consent.

Silence, without actions evidencing permission, does not demonstrate consent. Where force, threats, or coercion is alleged, the absence of resistance does not demonstrate consent. Force, threats, or coercion invalidates consent. The responsibility of obtaining consent rests with the person initiating sexual activity. Use of alcohol or drugs does not diminish one's responsibility to obtain consent or negate one's intent.

Consent to engage in sexual activity may be withdrawn by either person at any time. Once withdrawal of consent has been clearly expressed, the sexual activity must cease.

Incapacitation is the inability, temporarily or permanently, to give consent, because the individual is mentally and/or physically helpless due to drug or alcohol consumption, either voluntarily or involuntarily, due to an intellectual or other disability that prevents the individual from having the capacity to give consent, or the individual is unconscious, asleep, or otherwise unaware that the sexual activity is occurring. In addition, an individual is incapacitated if he or she demonstrates that they are unaware of where they are, how they got there, or why or how they became engaged in a sexual interaction. Where alcohol is involved, incapacitation is a state beyond drunkenness or intoxication. Some indicators that an individual is incapacitated may include, but are not limited to, vomiting, unresponsiveness, inability to communicate coherently, inability to dress/undress without assistance, inability to walk without assistance, slurred speech, loss of coordination, lack of awareness of circumstances or surroundings, or inability to perform other physical or cognitive tasks without assistance.

E. Title IX Coordinator

The Title IX Coordinator for institution is Diane Rouda (drouda@aii.edu), Associate Vice President of Student Regulatory Affairs. The Title IX Coordinator is responsible for, among other duties, coordinating institutional or campus efforts to comply with and carry out the institution's responsibilities under Title IX of the Education Amendments of 1972, including compliance with this policy. The Title IX Coordinator will help to coordinate any investigations under this policy.

In addition, the institution has other individuals who serve as Investigators to help oversee investigations and determination proceedings under this policy.

II. Reporting & Confidentiality

The Art Institute of Houston and its branch campuses encourages victims of sexual misconduct

and relationship violence to talk to somebody about what happened so they can get necessary support and so the respective campus can respond expeditiously and appropriately.

Different employees across the institution have different responsibilities and abilities for maintaining confidentiality as follows:

- **CONFIDENTIAL REPORTING:** The Title IX Coordinator and designated Investigator are required to maintain near complete confidentiality. These individuals can provide resources and generally talk to a victim without revealing any personally identifying information about an incident. A victim can seek assistance and support from these individuals without triggering an investigation.
- **NON-CONFIDENTIAL REPORTING.** Employees and contractors are required to report all the details of an incident to the Title IX Coordinator. A report to these employees (called “responsible employees”) constitutes a report to the institution and generally obligates the respective campus to investigate the incident and take appropriate steps to address the situation. The following employees (or categories of employees) are examples of responsible employees: Title IX Coordinator, Title IX Investigator, President or Campus Director, student life staff, academic leadership, student mentors, security team (including contract security personnel), all full-time and adjunct faculty, and human resources staff.

The institution will seek to protect the privacy and confidentiality of the individual(s) involved in any report of alleged sexual misconduct or relationship violence to the extent possible and allowed by law. The Title IX Coordinator will evaluate any request for confidentiality in the context of the institution’s responsibility to provide a safe and nondiscriminatory environment to all members of its community and across all campuses.

The institution and/or respective campus will complete any publicly available record-keeping, including Clery Act reporting and disclosure, without the inclusion of identifying information about the alleged victim. It will also maintain as confidential any interim measures or remedies provided to the alleged victim to the extent that maintaining confidentiality will not impair its ability to provide the interim measures or remedies.

In addition to internal reporting, the institution strongly encourages anyone who believes they have experienced a sexual assault (or any other crime) to make a report to local law enforcement. Collection and preservation of evidence relating to the reported sexual assault is essential for law enforcement investigations. Thus, prompt reporting of the incident to law enforcement is especially critical. Designated staff will, upon request, assist an individual in making a report to law enforcement as necessary and appropriate.

Although it is strongly encouraged for Complainants to report to local law enforcement, such a report is not a prerequisite to an institutional or campus review or investigation of any complaint covered by this policy. The institution will honor a Complainant’s request not to report the matter to local law enforcement UNLESS there is reasonable basis to believe that the safety and security of the campus community is at risk. In this event, the respective campus will

endeavor to notify a Complainant or Respondent of the institution's intent to report the matter to law enforcement in advance of any such report.

The institution does not limit the time frame for reporting under this policy, although a delay in reporting may impact the institution's ability to take certain actions.

III. Response Procedure

Students are encouraged to report any incident of sexual misconduct or relationship violence to the Title IX Coordinator, Regional Dean of Student Life, Vice President of Student Life, or President or Campus Director. If a report is made verbally, the institution will request a written statement by the student, however an investigation will still commence in the absence of a written statement.

Upon receipt of a report, the respective campus receiving the complaint will generally proceed as described below. . A student will not be subject to unfair or adverse actions as a result of initiation or participation in a complaint proceeding and will not be subjected to adverse actions by any institutional officials as a result of initiating or participating in an investigation of a complaint.

A. Investigation Commencement

The campus will provide a timely and thorough investigation. Barring exigent circumstances, cases of sexual misconduct and relationship violence will generally be resolved within a 60-day period once the incident has been reported. An extension of time may be necessary if witnesses are unavailable or uncooperative or due to other extenuating circumstances beyond the control of the investigator.

B. Initial Response

Once the campus is put on notice of possible sexual misconduct or relationship violence, the Complainant will be offered appropriate confidential support, accommodations, and other resources and will be notified of applicable policies and procedures. Accommodations may include the ability to change work schedules, alter academic schedules, withdraw from/retake a class without penalty, and access academic support. The Respondent also will be offered appropriate resources and notified of applicable policies and procedures.

C. Interim Intervention

Pending a final determination, the Title IX Coordinator and/or student services staff will take appropriate interim measures. The campus will take steps to prevent the recurrence of harassment and to correct any discriminatory effects on the Complainant and others, if appropriate. These measures may include, but are not limited to, the imposition of a no-contact order, and/or employment, transportation, residence, and academic modifications, and/or transfer or removal from an internship/externship/practicum site. Student life staff may limit a student or organization's access to certain campus facilities or activities pending resolution of the matter. The campus may impose an Interim Suspension on the Respondent pending the resolution of an alleged violation when the campus determines, in its sole discretion, that it is necessary in order to protect the safety and well-being of members of the campus community.

D. Decision to Proceed to Investigation

If the Complainant is willing to participate in the review and investigation process, the campus will proceed as described in Section III (E).

If the Complainant requests a confidential investigation, the privacy and confidentiality of the Complainant will be protected to the extent possible and allowed by law. The Title IX Coordinator will evaluate any request for confidentiality in the context of the institution's responsibility to provide a safe and nondiscriminatory environment to all members of its community across all campuses.

If a confidential investigation is requested and agreed to, the campus will investigate without revealing the name of the Complainant in any interview or email and will not ask questions that inadvertently or reasonably could reveal the identity of the Complainant.

If the Complainant asks that the report of sexual misconduct not be pursued, the campus will consider the interests of the Complainant, the campus community, law enforcement, and/or other appropriate interests under the circumstances. The campus, in consultation with the Title IX Coordinator, will make a final decision on whether and to what extent it will conduct an investigation, and notify the Complainant promptly.

In the event that a campus-wide alert related to the incident is deemed necessary, the campus shall generally attempt to notify the Complainant of the alert and its content before the alert is circulated. If the campus is unable to contact the Complainant in a timely fashion, or otherwise deems it necessary, the alert may be sent without his/her review.

E. Investigation Procedure

Investigators do not function as advocates for either Complainants or Respondents. Investigators may, however, identify advocacy and support resources for either Complainants or Respondents.

The Respondent will receive written notice of the report and the nature of the alleged misconduct. He/She will be advised in writing of the investigation process and opportunity to provide any relevant evidence.

The Investigation will generally be conducted by the Regional Dean of Student Life for the campus (or any other individual appointed by the Title IX Coordinator), if the Respondent is a student or third party. If the Respondent is a faculty or staff member, Office of Human Resources will also participate in the investigation.

The Investigator will separately interview both Complainant and Respondent. Both parties will be able to provide evidence and suggest other witnesses to be interviewed. The investigator will interview other relevant witnesses and review any other available relevant evidence. Both the Complainant and Respondent may have another individual present during their own respective interviews. If the Complainant or Respondent elects, they may have an attorney (at the party's own expense) present during their own interview, but said attorney may not advocate during the interview.

F. Determinations

1. For cases where the Respondent is a student.

The Investigator will present all evidence to the Title IX Coordinator. In all cases, the Title IX Coordinator will be appropriately trained regarding handling and considering sexual misconduct and relationship violence cases.

The Title IX Coordinator will weigh the evidence presented and decide whether additional evidence is necessary for consideration. Ultimately, the Title IX Coordinator will make a determination of whether a violation of the Sexual Misconduct & Relationship Violence Policy or any other policy has occurred.

2. For cases where the Respondent is a faculty or staff member.

The Investigator will present all evidence to the Human Resources Manager – Employee Experience who will be appropriately trained regarding handling and adjudicating sexual misconduct and relationship violence cases. The Human Resources Manager-Employee Experience will weigh the evidence presented and make a determination whether a violation of the Sexual Misconduct & Relationship Violence Policy or any other policy has occurred.

3. For cases where the Respondent is a third party.

The Investigator will present all evidence to the Title IX Coordinator. In all cases, the Title IX Coordinator will be appropriately trained regarding handling and considering sexual misconduct and relationship violence cases.

The Title IX Coordinator will weigh the evidence presented and decide whether additional evidence is necessary for consideration. Ultimately, the Title IX Coordinator will make a determination of whether a violation of the Sexual Misconduct & Relationship Violence Policy or any other policy has occurred.

If the Title IX Coordinator determines that the policy has been violated by a third party at an associated off-campus location, such as an internship or practicum site, the Title IX Coordinator will review the terms of any contract or affiliation agreement and determine what appropriate action should be taken pursuant to the written agreement.

G. Standard of Proof

In all cases under the sexual misconduct policy, the Title IX Coordinator (or designee) will determine if a violation of policy has occurred by the preponderance evidence standard. Thus, they will determine whether it is more likely than not that a violation has occurred.

H. Potential Sanctions

If a violation of policy is found, the Title IX Coordinator or Human Resources Manager – Employee Experience will impose appropriate sanctions, including but not limited to coaching, training, probation, suspension, or expulsion (in the case of students) or coaching, training, written warning, demotion, or termination (in the case of employees), and termination of any relationship/contract/Affiliation Agreement (in the case of a third party).

I. Outcome Notifications

Both the Complainant and Respondent will be notified in writing of the outcome of the investigation and of the sanctions imposed, if any.

J. Appeals

If the Complainant or Respondent is a student, he or she may appeal the outcome determination by written appeal to the President or Campus Director within 15 business days of notification of the outcome. An appeal may be made based only on one or more of the following reasons:

1. **New Evidence:** New and significant evidence appeared that could not have been discovered by a properly diligent Respondent or Complainant before or during the original investigation and that could have changed the outcome.
2. **The Finding is Arbitrary and Capricious:** Reading all evidence in the favor of the non-appealing party, the finding was not supported by reasonable grounds or adequate consideration of the circumstances. In deciding appeals, the President or Campus Director is allowed to make all logical inferences in benefit of the non-appealing party.
3. **Disproportionate Sanctions:** The sanctions were disproportionate to the findings.

The appeal shall consist of a written statement requesting review of the conduct decision or sanction and explaining in detail the basis for the appeal. The President or Campus Director or designated representative, will notify the non-appealing party of the request for an appeal. Within five business days of receipt of the notice, the non-appealing party may submit a written statement to be included in the case file. The appeal may proceed without the non-appealing party's written statement, if it is not submitted within the designated time limit.

The President or Campus Director will endeavor to make a determination of the appeal within 15 business days of receipt. The President or Campus Director's decision will be final.