



GIA[®]

**Gemological Institute of America
2019 Annual Safety Report
Carlsbad, CA & New York, NY
Campuses**

This information is provided in compliance with federal law, known as the Clery Act,
California and New
York state laws and Violence Against Women Act (VAWA).

September 2019

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Preparation of the Annual Campus Safety and Security Report (“Annual Report”)

GIA is dedicated to providing a safe and healthy environment for students and staff as well as any visitors to our facility. GIA prepares, submits and publishes this report annually in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, which requires schools to disclose information about the following categories of crimes occurring on or around their campuses:

1. Primary crimes (including murder and non-negligent manslaughter, negligent manslaughter, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft and arson)
2. Arrests for liquor law violations and illegal weapons possession
3. Hate crimes recorded by category of bias
4. Dating violence, domestic violence and stalking crimes

This report is prepared in cooperation with campus officials, local law enforcement agencies and the security department’s campus crime statistics log. This report outlines the applicable safety and security policies as well as crimes statistical disclosures for the GIA campuses in Carlsbad, California and New York City, New York.

Annual Notification of the Clery Report to Current and Prospective Students and Employees

The Annual Report is posted on GIA’s website: <https://www.gia.edu/student-consumer-information#cleryReport>. Each year, a notification is sent to all prospective and current students and employees via email or provided in person. Copies of the report may also be obtained from the Student Services office. Prospective employees may obtain a copy from <https://www.gia.edu/student-consumer-information#cleryReport>, GIA Security or GIA HR departments.

Authority of Campus Personnel – General

The Campus Security Authorities (CSA) at GIA are comprised of GIA’s security officers, the Title IX coordinator, the School Director or the Dean of students. GIA security officers have the authority to ask for personal identification and to determine whether individuals are allowed on the premises. The function of a Campus Security Authority is to report to the official or office designated by the institution to collect crime report information and document those allegations of Clery Act crimes that he or she receives in their capacity as a CSA. Security officers have the authority to issue parking citations to students, faculty and staff. Security officers do not have the authority to arrest persons. Criminal incidents are generally referred to the local police who have jurisdiction on campus. GIA’s security department maintains a close working relationship with the New York City Police Department, Carlsbad Police Department, and FBI. Depending upon the situation, other community emergency services, as well as county, state and federal emergency response services, may be provided. There is no written memorandum of understanding between GIA and the local law enforcement agencies.

Local and Campus Authorities– Carlsbad Facility

The following authorities may be called upon in response to emergencies:

- GIA Security: +1 760 603 4031
- Carlsbad Police Department: +1 760 931 2197
- San Diego Sheriff 's Department: +1 858-565-5200
- Carlsbad Fire Department: +1 760 931 2141
- Carlsbad Paramedics: +1 760 931 2141
- Federal Bureau of Investigation: +1 760 929 0811

In order to ensure GIA is aware of potentially hazardous or emergency situations that may affect the Carlsbad area, the security department liaises with the Carlsbad Office of Emergency Preparedness, and the Carlsbad Police and Fire Departments.

Local and Campus Authorities - New York Facility

The following authorities may be called upon in response to an emergency:

- GIA Security: +1 212 221 5858 ext. 3147 or ext. 3153
- New York City Police Department: +1 212 767 8400
- New York City Fire Department: +1 911
- New York City Emergency Medical Services: +1 212 242 3679
- Federal Bureau of Investigation: +1 212 384 1000

In order to ensure GIA is aware of potentially hazardous or emergency situations that may affect the NYC area, the security department liaises with the New York City Office of Emergency Management, and the New York City Police and Fire Departments.

Reporting Incidents, Crimes and Emergencies

Part of every student's experience at GIA includes learning to become a jewelry professional. GIA students are expected to behave in a professional manner at all times, both in and out of the classroom, and to treat others with dignity and respect. Students are expected to adhere to the GIA Student Code of Conduct and Standards of Behavior to ensure a safe, secure and positive learning environment.

Anyone who observes or is confronted with a situation that they believe is a threat to their personal safety or that of others, or appears to be criminal in nature, is highly encouraged to report it immediately to the CSA and appropriate police agencies. Prompt reporting will assist in achieving a timely and appropriate response and ensure inclusion in the annual crime statistics reporting and disclosure. Phone numbers and office locations of each office are listed below.

If a crime is reported by an individual while on campus, GIA security will dispatch an officer to the scene of the crime for a preliminary report of the date, time and incident. GIA security will assist all crime victims in reporting the incident to the local police agency if the victim so chooses or is unable to. If a student is involved, the preliminary report will be referred immediately to the dean of students or school director for investigation. Incidents

raising potential Title IX, or sexual discrimination implications, will be reported to GIA's Title IX coordinator.

Vusala Aranja, Manager, Global Education Accreditation and Regulatory Affairs Title IX Coordinator
titleixcoordinator@gia.edu
varanjo@gia.edu
+1 760 603 4000 ext. 7776
The Robert Mouawad Campus Mailstop #1
5345 Armada Drive
Carlsbad, CA 92008

The security department encourages employees, students and guests to report criminal incidents that occur on public property that immediately borders or is accessible to and from the campus. Examples of this are the public sidewalk that borders the campus, the public street along the sidewalk and the public sidewalk on the other side of the street.

The security department provides new employees with a safety briefing, which includes how to report any situation or incident on campus that involves a significant event or emergency. On-campus students receive this information from student services during the enrollment process prior to their first day of class.

Informing Students and Staff about GIA Security Procedures and Practices

New students and employees receive a copy of the Education Catalog or Employee Handbook, outlining the security and safety rules and procedures in place. Employees are offered training sessions throughout the year on various safety-related topics.

GIA addresses the Clery Act at all new student orientations. Each student is provided an information sheet outlining where the full report can be found on GIA's website, tips to avoid becoming a victim and a list of national and local resources available for assistance.

Carlsbad Security

Security officers are on duty at the school during all hours when the campus is open.

Security Department: +1 760 603 4031

On site internal emergency number: ext. 7911

Dean of students is available during normal business hours. Dean of Students: +1 760 603 4093

Title IX Coordinator is available during normal business hours. Title IX Coordinator: +1 760 603 4000 ext. 7776

New York Security

Security officers are on duty at the school during all hours when the campus is open.

Security Department: +1 212 221 5858 ext. 3147 or ext. 3153

On site internal emergency number: ext. 3911

The school director is available during normal business hours. School Director: +1 212 944 5900 ext. 3528

Title IX Coordinator is available during normal business hours: +1 760 603 4000 ext. 7776

Making a Confidential Report

If you are the victim of a crime and do not want to pursue action through GIA or the criminal justice system, you may still want to consider making a confidential report. With your permission, any of the contacts listed above can file a report on the details of the incident without revealing your identity or the identity of others. The purpose of a confidential report is to allow the Institute to take steps to ensure the future safety of you and others. With this information, the Institute can keep accurate records of the number of crimes involving students on campus, determine if there is a pattern of crime and alert the Institute to potential danger. Reports of crimes filed in this manner are counted and disclosed with the school's annual crime statistics report.

The confidential report process does not replace the student complaints process. Please refer to GIA's current Education Catalog or Employee Handbook for additional information about filing a complaint.

Professional Counseling Services

GIA does not provide on-campus professional counseling services. However, staff or students whose well-being is negatively impacted by challenging circumstances are encouraged to seek professional guidance. GIA students and staff have access to Lifeworks, a counseling service that is confidential, at no charge:

Lifeworks: lifeworks.com

+1 877 234 5151

User ID: gem Password: 11018

A professional counselor is not required to report crimes for inclusion in the annual disclosure of crime statistics, but as a matter of GIA policy, they are encouraged to do so. Professional counselors, as they deem appropriate, may counsel individuals on the procedures to report crimes on a confidential and voluntary basis for inclusion in the annual crime statistics. The decision to provide this information to the person being counseled is entirely within the counselor's professional discretion.

Other Resources

Carlsbad

Becky's House

<http://www.ywcasandiego.org/get-help/beckys-house/>

Women's Resource Center www.wrcsd.org/

County Services www.211sandiego.org/new/

New York City

The Mayor's Office to Combat Domestic Violence www.nyc.gov

The Single Stop <http://www.singlestopusa.org/>

Security of GIA Facilities

Due to the nature of its business, GIA ensures the integrity and security of its premises and processes, including but not limited to customer service and the handling of customer property. Accordingly, GIA facilities are protected 24 hours a day by gates and/or other physical barriers, security officers, and electronic video and audio monitoring.

Because such video and audio security and recording is an integral part of GIA's facilities, any person may have his/her movements recorded and there can be no expectation of privacy on the GIA premises. Additionally, admittance to certain areas, such as GIA's laboratory and the research department, is restricted to authorized personnel. Restrooms and dressing areas are not monitored.

Exterior doors of GIA buildings are locked and secured after normal operating hours, and security officers routinely patrol campus buildings.

GIA is committed to maintaining a safe environment for students, faculty, and staff that extends to maintenance issues such as campus landscaping, lighting and door locks. Both safety and security officers and facilities maintenance staff routinely check the campus for maintenance, safety and security issues. All members of the campus community are encouraged to report any issues to the facilities department by calling the Carlsbad facilities manager at +1 760 603 4229 or the New York facilities manager at +1 212 221 5858 ext. 3515.

Access to GIA Facilities

Access to GIA facilities is restricted to persons with at least one of the following:

- An employee photo identification card and proper access level
- A current photo identification card (such as a government issued or student ID)
- A scheduled appointment with a GIA representative
- A reservation for a specific GIA event

All visitors are required to obtain a visitor badge after checking in with security; the badge must be worn in plain sight while on GIA's campus. Carlsbad visitors check in at the atrium desk in the main lobby, and New York visitors check in at the fourth floor lobby.

In order to enter the Carlsbad campus by vehicle, you must have a GIA parking permit or a parking pass issued by the security department. A valid driver's license is required to operate a motor vehicle on GIA property.

Timely Warnings

The Clery Act requires that a timely warning be issued for any Clery Act crime that occurs on or near a campus that has been reported to the CSA or local police agencies and is considered by the Institution to represent a serious or continuing threat to students and employees. Any GIA security employee who becomes aware of the commission of any Clery Act crime will report such to the security manager immediately. In the event the security manager is not available, attempts to contact the senior security manager, and/or director of security will be made. The security manager, along with other GIA management and executive staff, will evaluate the circumstances and determine the need and mechanism for implementation of any timely warning notification. Each incident will be evaluated on a case-by-case basis. Factors considered include: the nature of the crime, the continuing danger to the campus community and the possible risk of compromising law enforcement efforts. The security manager and director will issue timely warnings in a manner that is timely, includes information about the crime that triggered the warning, and that will aid in the prevention of similar crimes. Timely Warnings typically include the following information, if known:

1. Statement of the incident

2. The nature and severity of the threat
3. Locations and persons who might be affected
4. Any connection to previous incidents
5. Physical description and or composite drawing of the suspect(s)
6. Appropriate safety tips

Depending on the circumstances, any of the following methods may be distributed to the entire GIA community (including but not limited to):

1. Emergency text
2. E-mail alert
3. Voice message
4. GIA emergency evacuation alarms or procedures may also be activated
5. GIA Communications e-mail

Staff and student notification information is uploaded daily to the emergency notification system's database to ensure accuracy of message delivery. The system is tested at least once each year.

Emergency Response and Evacuation Procedures

While the issuance of timely warnings is predicated on receiving a report of a crime as defined by the Clery Act, emergency notifications are triggered by a far broader range of potential threats — any significant emergency or dangerous situation involving an immediate threat to the health or safety of students, employees or visitors on campus. GIA's security department responds to on campus emergency situations (e.g., earthquake, fire, life-safety issues), determines when further emergency response resources may be required and contacts the appropriate emergency response agency. GIA's security department addresses all emergency situations and consults appropriate executive staff when time permits.

Emergency notifications will be made without delay, taking into account the scope of the emergency and the safety of the community.

Upon confirmation of significant emergency, notifications may be issued by the security staff, the dean of students, or other executive staff. GIA's security department will determine when an emergency notification alert is issued, which segments of the campus community receive the notification alert and the content of the message. The entire campus community will be notified when there is at least the potential that a very large segment of the community will be affected by a situation, or when a situation threatens the operation of the campus as a whole. There will be a continuing assessment of the situation and additional segments of the campus community may be notified if a situation warrants such action.

For some emergency situations GIA has pre-recorded audio and text notifications to eliminate unnecessary delay in issuing certain emergency notifications. An emergency notification alert may not be issued if, in the professional judgment of the responsible authorities, doing so would compromise efforts to assist a victim, or to contain, respond to or otherwise mitigate the emergency. GIA may or may not post updates during an emergency on its website at GIA.edu.

The decision to immediately evacuate buildings will be made by the security director or GIA security management. GIA has various systems in place for communicating information quickly that may include audible and visual alarms in each building, telephone, email, the GIA website, the emergency notification system and/or verbal directives that

will be used for notification to evacuate.

In general, GIA students and staff should plan ahead for possible evacuations and know the closest evacuation routes from their classroom or work area. Evacuation maps are posted in each classroom and throughout the buildings in compliance with building and fire codes. Evacuation drills are conducted at a minimum of once per year.

In the case of potential workplace violence, the emergency notification system will be activated to include specific instructions on what to do. Students and staff may be instructed to stay where they are or to move to another location.

If the evacuation alarm is sounded, never assume it is a false alarm. Leave the building immediately via the nearest stairwell or exit. Do not go to the restrooms. Do not use the elevators.

In the case of a fire, building evacuation will begin immediately upon sounding of the alarm without waiting for the order from campus authorities. The emergency notification system may also be activated. Leave the building immediately via the nearest stairwell or exit.

When outside, report to the GIA staff member assigned to that evacuation area. They will communicate with the Safety and Security command post so everyone is accounted for, or additional help can be summoned.

Faculty members must ensure that all students in attendance that day have evacuated and are accounted for and report their status to the security staff member assigned to their evacuation area.

Department heads must ensure all staff members and any visitors who are present that day are accounted for and report their status to the security staff member assigned to their evacuation area.

GIA conducts emergency response exercises each year, including table-top exercises, field exercises and tests of the emergency notification systems on campus. These tests are designed to assess and evaluate the emergency plans and capabilities of the institution; they also provide opportunities for staff and students to practice the appropriate response in preparation for an actual emergency.

In the event of an actual emergency, GIA's corporate communications department disseminates information as appropriate to GIA and larger community using various methods including:

- Prepare message updates on the GIA website; implementation of messaging is done by marketing and IT/Web development manager
- Prepare message updates on the GIA telephone systems; implementation of messaging is done by IT/Technology department
- Prepare message updates for the emergency notification system; implementation is done by IT/Technology department
- Publish messages on social media platforms including Twitter and Facebook
- Issue media advisories to select media outlets (i.e. radio, TV, print, web)
- Provide talking points/key messages to relevant departments within the organization (i.e. admissions, human resources, guest services, student services)
- Brief organization's key leadership including international teams

Evacuation of Persons with Special Needs

GIA security receives a list of individuals who may require assistance during an evacuation from student services, and will send someone to assist in the event of an emergency. If you assist someone with exiting the building that has special needs, report the name and location of that person to the nearest security staff member so everyone can be accounted for.

Evacuation Questions

Questions pertaining to emergency procedures should be referred to the safety and security office:

- Carlsbad: +1 760 603 4031
- New York: +1 212 221 5858 ext. 3147

Crime Prevention

Part of the security department's role is crime detection and prevention. GIA security utilizes foot patrols, vehicle patrols and video surveillance to detect and dissuade criminal behavior. The department also staffs security officers who maintain campus access control, internal access control and use an array of technical security systems to safeguard the campus, staff, students and guests. GIA security management meets regularly with local police agencies to discuss methods of crime prevention and ways our employees, students and guests can safeguard themselves and their property against crime.

Law Enforcement Liaison Agency – New York Police Department (NYPD)

- The security department coordinates external security and special events with the NYPD and meets regularly with a representative to ensure responding officers are familiar with the GIA emergency response plan and protocols.

Law Enforcement Liaison Agency - Carlsbad Police Department (CPD)

- The security department coordinates external security and special events with the CPD and meets regularly with a representative to ensure responding officers are familiar with the GIA emergency response plan and protocols.

Student Housing and Student Organizations with Non-Campus Locations

GIA does not have campus residences/on-campus student housing facilities. Additionally, GIA does not control, monitor, recognize or in any way sponsor off-campus housing facilities. All GIA students make their off-campus housing arrangements. GIA does not have officially recognized student organizations with non-campus locations. Students who are victims of a crime or witness a crime at off-campus locations are strongly advised to immediately report the crime to the appropriate local law enforcement agency.

Procedures for Reporting Sexual Offences (Sexual Assault, Dating Violence, Domestic Violence, and Stalking)

Prohibited Conduct

GIA is committed to providing a work environment free of sexual or any other form of unlawful harassment or discrimination, including sexual violence, dating violence, domestic violence and stalking. Harassment or unlawful discrimination against individuals on the basis of race, religion, color, national origin, sex, age, disability, marital status, sexual orientation or any other classification protected by local, state or federal laws is illegal and prohibited by GIA policy. Such conduct by or toward any employee, contract worker, student or anyone who does business with GIA will not be tolerated. Anyone who violates this policy will be subject to disciplinary action, up to and including termination of employment or dismissal from the GIA educational program.

Sexual or other unlawful harassment or discrimination includes any verbal, physical or visual conduct on the basis of race, religion, color, national origin, sex, age, disability, marital status, sexual orientation, veteran status or any other classification protected by local, state or federal laws if:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's engagement or employment
- Submission to or rejection of such conduct by an individual is used as a basis for decisions concerning that individual's engagement or employment.
- It creates a hostile or offensive work environment

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and lewd, vulgar or obscene remarks, jokes, posters or cartoons, and any unwelcome touching, pinching or other physical contact. Other forms of unlawful harassment or discrimination may include racial epithets, slurs and derogatory remarks, stereotypes, jokes, posters or cartoons based on race, religion, color, national origin, sex, age, disability, marital status, sexual orientation or other legally protected categories.

Hate crimes are those crimes motivated by race, religion, disability, gender, gender identity, sexual orientation, ethnicity or national origin. They are considered a serious offense under California and New York law. Conviction for a hate crime can result in prison time.

If you are a victim of a sexual offense at this institution, your first priority should be to get to a place of safety. You are encouraged to report the incident immediately and obtain necessary medical treatment. A sexual offense should be reported directly to a member of the GIA security department and/or to Title IX Coordinator, the dean of students, school director, or chief human resources officer, or by calling 911.

Filing a report with GIA's security department will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers. When a student or employee reports to the school that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the school will provide the student or employee with a written explanation of the victim's rights and options including written notification of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available for victims both within the institution and in the community, and the availability of changes to academic, living, transportation, and working situations, or protective measures regardless of whether the victim reports the incident to law enforcement.

The GIA security department will assist victims in notifying law enforcement, if the victim so chooses. Filing a report with local law enforcement may help with the following:

- Ensure that a victim of a sexual offense receives the necessary medical treatment and tests
- Provide the opportunity for collection of evidence helpful in prosecution, as applicable. Time is a critical factor for evidence collection and preservation that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order. Such evidence often cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam)
- Assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention

The victim of a sexual offense may choose for the investigation to be pursued through the criminal justice system and GIA's internal investigation process or only the latter. A member of GIA's security department, Title IX Coordinator, dean of students, school director, or GIA's chief human resource officer will guide the victim through the available options and support the victim in his or her decision.

Programs to Prevent Dating Violence, Domestic Violence, Sexual Assault, and Stalking

GIA prohibits the crimes of dating violence, domestic violence, sexual assault and stalking, as those terms are defined in this policy. Bystanders and witnesses of such crimes are encouraged to intervene in a safe and positive way when there is a risk of dating violence, domestic violence, sexual assault, and stalking. In particular, bystanders can help by seeking assistance from an authority figure, notifying GIA's security department or contacting law enforcement.

Primary and Ongoing Prevention & Awareness Programs

During GIA's new student orientation, incoming students are provided with information to raise awareness and prevent sexual violence. School employees receive annual training focused on preventing sexual violence and the appropriate response to suspected or reported incidents of sexual violence.

Change of Student Status and Confidentiality

A student who has been accused of, or is the victim of, any crime involving another student may request adjustments to their academic schedule or a leave of absence. GIA will accommodate such requests to the extent that space is available and that such a change would not violate any regulations or standards, or negatively impact the student's academic progress.

GIA has a responsibility to uphold orders of protection, "no contact" orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court or by the school. GIA will protect the confidentiality of victims and other necessary parties when completing publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the victim. Additionally, GIA will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that

maintaining such confidentiality would not impair the ability of the school to provide the accommodations or protective measures.

Registered Sex Offender Notice

The state of California requires sex offenders to register with the police in the jurisdiction in which they reside. The California Department of Justice makes this information available to law enforcement agencies and to the public; registered sex offenders living in California are listed on their website at <http://www.meganslaw.com/>.

The State of New York, Division of Criminal Justice Services, is responsible for maintaining New York's Sex Offender Registry, which provides information about sex offenders living in their communities. New York has three levels of sex offenders – Level 1 (low risk), Level 2 (medium risk) and Level 3 (high risk). By law, only information about Level 2 and Level 3 sex offenders are listed on the website at <https://www.criminaljustice.ny.gov>.

Complaint Procedure

If you feel that you have been harassed or discriminated against, or have witnessed any harassment or discrimination by an employee, contract worker, student or anyone who does business with GIA, you should immediately report such conduct to your supervisor, any other member of management or the human resources department. If the incident occurred off- campus, then contact the appropriate government agency. Students should follow the published complaint policy in the current Education Catalog.

Do not allow an inappropriate situation to continue by not reporting it, regardless of who is responsible for creating the situation. No employee, contract worker, student, or anyone who does business with GIA is exempt from the prohibitions described in this policy. In response to every complaint, GIA will conduct an investigation and, if improper conduct is found, take appropriate corrective action.

Disciplinary Action and Proceedings

All reports of sexual assault, stalking, domestic violence, dating violence, threats, harassment, intimidation, other acts of violence and other disruptive behavior will be taken seriously and will be dealt with appropriately. GIA's disciplinary proceedings are detailed in GIA's Sexual Misconduct Policy. Disciplinary procedures in cases of alleged sexual offences or VAWA incidents shall:

1. Provide prompt, fair, and impartial investigation and resolution
2. Be conducted by the Title IX Coordinator or dean of students and officials in the human resources department, who are trained on how to investigate and conduct hearings on domestic violence, sexual assault and stalking
3. Give the accused and the accuser the same opportunities to have an advisor or others (e.g., witness or advocate) present during the preceding and related meetings
4. Be conducted under a "preponderance of the evidence" standard
5. Notify simultaneously and in writing the accused and accuser of the outcome, appeal procedures, and final results of the investigation.

Disciplinary action may involve consultation with GIA Security, the police, the human resources department, the

legal department, the Title IX coordinator, the dean of students, mental health providers and others as necessary. The range of actions may include, but is not limited to, removal of dangerous persons from the premises, discipline of employees or students, legal action including restraining orders and criminal penalties, provision of added security measures, disciplinary referrals, mental health referrals, placement on probation or termination from school or from employment with GIA and other actions as necessary and appropriate.

Effective remedial action will be taken and provided to student victims including making adjustments to their academic schedule, provision of support services and other measures as appropriate.

GIA will, upon written request, disclose to the alleged victim (or the victim's next of kin in cases where the crime resulted in the victim's death) of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

Retaliation Is Prohibited

You are also protected by law from retaliation for opposing or reporting unlawful harassment, discrimination, or for otherwise participating in processes connected with an investigation, proceeding or hearing conducted by GIA or a government agency with respect to such complaints. GIA will take disciplinary action up to and including the immediate termination of any employee who retaliates against another employee, contract worker or student for engaging in any of these protected activities. Contract workers and students who engage in retaliation will be subject to termination of their engagement with GIA or dismissal from the GIA educational program in which they are enrolled.

GIA Drug and Alcohol Abuse Prevention Policy (Students)

1. Policy Statement

GIA strives to maintain a drug-free environment for its students and employees. In accordance with federal and state requirements, GIA has developed and enforces this Drug and Alcohol Abuse Prevention Policy ("Policy") which outlines the dangers of alcohol and drug abuse, establishes prohibition of drug use/manufacturing/distribution on GIA's premises and/or as a part of GIA's activities, and states the consequences of any violation of this Policy. GIA has a related policy for its employees that is outlined in the Employee Handbook and may be found on GIA's Corporate Policies SharePoint site.

Each student receives a copy of this Policy upon admission. Additionally, this Policy is distributed annually to all students located at GIA's U.S. locations.

GIA prohibits the unlawful use, sale, purchase, transfer, manufacture, distribution, or possession of illegal drugs, controlled substances, or alcohol on GIA premises, while using GIA vehicles or equipment, while performing GIA business, or at GIA-sponsored events.

Reporting to school under the influence of alcohol, or drugs taken outside the direction of a licensed physician, and using alcohol or such drugs on GIA premises, poses serious safety and health risks. These risks extend beyond the

user to all who work or come into contact with the user.

Violation of this Policy will result in disciplinary action up to, and including, student dismissal. In addition to GIA imposed sanctions, students may be subject to federal, state, and local fines and/or prosecution. In cases involving potential criminal conduct, GIA will determine in its sole discretion whether the appropriate law enforcement or other authorities will be notified.

GIA recognizes that dependency on alcohol and other drugs may be a potential medical condition and offers support and services for students and employees with substance dependency problems. This support includes a directory of alcohol and drug abuse treatment facilities and their location and contact information.

This Policy implements the Drug Free Schools and Communities Act (20 U.S.C. 1145g), the Drug Free Workplace Act (41 U.S.C. 701) and applies to all students at GIA's U.S. locations.

2. Student Standards of Conduct

- 2.1 GIA insists on an alcohol and drug-free environment and prohibits the unlawful use, sale, purchase, transfer, distribution, or possession of illegal drugs, controlled substances, or alcohol on GIA premises, at GIA sponsored events or activities, while using GIA vehicles or equipment, or while acting on behalf of GIA. Reporting to campus under the influence of alcohol, drugs or any substance that impairs a student's mental or physical capacity is a violation of this Policy. In addition, GIA may discipline its students for off-campus activities that include the illegal use of alcohol or drugs. As a condition of acceptance, students agree to reasonable suspicion (also referred to as "for-cause") drug testing throughout their attendance as set forth in this Policy. Students or any person in the school community who are aware of the use or existence of any such substances at GIA should notify a staff member immediately.
- 2.2 Notwithstanding recent changes to state laws, this Policy prohibition includes all forms of marijuana used for any purpose. Marijuana remains illegal under federal law, and use of medical or recreational marijuana is not an exception to this Policy. Any student using physician-prescribed medication or other medication that may impair performance in the classroom is encouraged to inform his or her instructor.
- 2.3 Alcoholic beverages are prohibited at any GIA location. It is unlawful to sell, furnish or give away alcohol to a person under the age of 21. The possession of alcohol by anyone less than 21 years of age in a public place or a place open to the public is illegal. It is also a violation of this Policy for anyone under the age of 21 to possess or consume alcohol in any area of GIA.
- 2.4 A violation of this Policy will be handled according to GIA's disciplinary sanctions rules and may result in the imposition of sanctions up to and including dismissal from GIA.

3. Institution Disciplinary Procedures and Sanctions

- 3.1 Procedures: GIA will pursue appropriate disciplinary procedures whenever a student violates or is suspected of violating this Policy. When GIA becomes aware that a student has or may have violated this Policy, the office of the dean students or school director will immediately commence an investigation. Such investigation may include appropriate drug and/or alcohol testing in accordance with this Policy. The dean of students or the school director will hold a hearing at which the student will be afforded the opportunity to be heard.
- 3.2 Sanctions: As a result of the investigation and hearing, GIA at its sole discretion may impose one or more of the following sanctions, depending upon factors that include the nature and severity of the offense:

- Verbal warning/advisement
- Written warning/advisement
- Immediate screening testing
- Referral to an approved rehabilitation/counseling agency
- Referral for prosecution
- Dismissal

Except in certain situations, students will not be dismissed for voluntarily seeking assistance for a substance abuse problem. However, repeated incidents or continued performance, attendance or behavior problems may result in dismissal. Students who fail or refuse to submit to a drug or alcohol test may be subject to disciplinary action, up to and including dismissal, from GIA.

3.4 Appeal of Dismissal Sanction: A student who is dismissed from GIA as a result of the investigation and hearing process may file an appeal with the dean of students or the school director on or before the end of the fifth day after the date of the decision. The grounds for an appeal must be based on:

- 3.4.1 A procedural or substantive error occurred that significantly impacted the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures, etc.);
- 3.4.2 To consider new evidence, unavailable during the original hearing or investigation, that could substantially impact the original finding or sanction with a summary of this new evidence and its potential impact; or
- 3.4.3 The sanctions imposed fall outside the range of sanctions designated for this offense and the cumulative conduct of history of the student.

The dean/director will consider the appeal and provide a final determination on or before five days of the date of appeal.

4. Reasonable Suspicion Drug Testing Protocols

- 4.1 As part of GIA's efforts to ensure safety and to promote an alcohol and drug free environment, reasonable suspicion drug or alcohol testing may be conducted when GIA has a reasonable suspicion of violation of this Policy.
- 4.2 In the absence of extraordinary circumstances, any student who tests positive, or admits to illegal drug or alcohol abuse, may be dismissed from school and/or be subjected to additional sanctions as set out in this Policy.
- 4.3 Refusal to test or, in the case of urine testing, failure to produce a sample within the allotted time frame after being selected is considered the same as a positive test and may result in dismissal.

5. Federal and State Law Sanctions

5.1 Numerous federal, state and local statutes, ordinances and regulations deal with the manufacture, distribution, dispensation, possession, or use of a controlled substance or alcohol, and they impose legal sanctions for both felony and misdemeanor convictions for violations. Drugs considered to be controlled substances are listed in Schedules I through V of the Controlled Substance Act (29 U.S.C. 812) and are further defined by the regulations 21 CFR 1308.11 through 1308.15. Detailed information regarding these laws and regulations which may change over time, is available from the office of the dean of students or GIA's office of legal affairs.

5.2 Federal Sanctions

- <https://www.dea.gov/>

5.3 State Sanctions

- [California](#)
- [New York](#)

6. Loss of Federal Student Aid Eligibility

61. A federal or state drug conviction can disqualify a student for Federal Student Aid (“FSA”) funds. A conviction for any offense under any federal or state law involving the possession or sale of illegal drugs, during a period of enrollment when receiving federal aid, will result in the loss of eligibility for any Title IV, Higher Education Act (“HEA”) grant, loan, or work study assistance. A conviction that was reversed, set aside or removed from the student’s record does not count, nor does one received when he/she was a juvenile, unless he/she was tried as an adult. The chart below illustrates the period of ineligibility for FSA funds, depending on whether the conviction was for sale or possession, and whether the student had previous offenses. A conviction for sale of drugs includes convictions for conspiring to sell drugs. If the student was convicted of both possessing and selling illegal drugs, and the period of ineligibility are different, the student will be ineligible for the longer period.

Violation	Length of Time Disqualified for Title IV Funds		
	1st Violation	2nd Violation	3rd Violation
Number of Convictions			
Possession	1 year	2 years	Permanent
Sales	2 years	Permanent	

6.2 A student regains eligibility the day after the period of ineligibility ends (i.e., for a 1st or 2nd offense); or when he or she successfully completes a qualified drug rehabilitation program that includes passing two unannounced drug tests given by such a program. Further drug convictions will make him or her ineligible again. Students denied eligibility for an indefinite period can regain eligibility after completing any of the following options:

- 6.2.1. Successfully completing a rehabilitation program, as described below, which includes passing two unannounced drug tests from such a program;
- 6.2.2. Having the conviction reversed, set aside, or removed from the student’s record so that fewer than two convictions for sale or three convictions for possession remain on the record; or
- 6.2.3. Successfully completing two unannounced drug tests which are part of rehabilitation program (the student does not need to complete the rest of the program).

6.3 The nature and dates of the remaining convictions will determine when the student regains eligibility. It is the student’s responsibility to certify to the institution that he or she has successfully completed the rehabilitation program. For additional information on these requirements call a federal representative at 1-800-433-3242.

7. Standards for a Qualified Drug Rehabilitation Program

7.1 A qualified drug rehabilitation program must include at least two unannounced drug tests and satisfy at least one of the following requirements:

- 7.1..1 Be qualified to receive funds directly or indirectly from a federal, state, or local

government program;

7.1.2 Be qualified to receive payment directly or indirectly from a federally or state-licensed insurance company;

7.1.3 Be administered or recognized by a federal, state, or local government agency or court; or

7.1.4 Be administered or recognized by a federally or state-licensed hospital, health clinic or medical doctor.

8. Health Risks

8.1 The following is a summary of the various health risks associated with alcohol abuse and use of certain drugs, and is not intended to be an exhaustive or a final statement of all possible health consequences of substance abuse. Substance abuse has both long and short-term effects on the body and the mind.

Alcohol and drugs may be toxic to the human body. In addition to toxicity, contaminant poisonings often occur with drug use. Acute or long-term health problems may include, but are not limited to, heart attack, stroke, and death. Long-lasting effects caused by drug and alcohol abuse can cause disruption of normal heart rhythm, high blood pressure, destruction of brain cells, possible memory loss, infertility, impotency, immune system impairment, kidney failure, cirrhosis of the liver and pulmonary damage.

Drug use during pregnancy may result in fetal damage and birth defects.

8.2 For a detailed list of drugs and their associated health effects: https://www.dea.gov/pr/multimedia-library/publications/drug_of_abuse.pdf.

9. Notification

9.1 Notification of the information contained in this Policy is distributed to all currently enrolled students each year via email and the learning management system. The Policy is also available on the Student Consumer Information page of the GIA website at <https://www.gia.edu/student-consumer-information>. The annual notification will include the following:

9.2 Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees;

9.3 A list of applicable legal sanctions under federal, state, or local laws for the unlawful possession or distribution of illicit drugs and alcohol;

9.4 A description of the health risks associated with the abuse of alcohol or use of illicit drugs;

9.5 A list of drug and alcohol programs (counseling, treatment, rehabilitation, and re-entry) that are available to students; and

9.6 A clear statement that GIA will impose disciplinary sanctions on students for violations of the standards of conduct and a description of those sanctions, up to and including dismissal or referral for prosecution.

10. Student Assistance

10.1 Students who believe they have a chemical dependency or substance abuse problem and who want help can learn about many helpful resources from the office of the dean of students or the schools' director. GIA also offers LifeWorks, a comprehensive source to help with life's everyday challenges.

10.2 Drug awareness programs, counseling, treatment and other related services are available on an ongoing basis through the following organizations:

- U.S. Department of Health and Human Services Substance Abuse and Mental Health Services Administration: 1-800-662-HELP (1-800-662-4357)

<http://www.samhsa.gov>

- California Department of Health Care Services: 1-800-879-2772

<http://www.dchs.ca.gov/individuals/pages/findings-help.aspx>

- New York State Office of Alcoholism and Substance Abuse Services: 518-473-3460
<https://www.oasas.ny.gov/>
- National Council on Alcoholism and Drug Dependence: 1-800-NCA-CALL (1-800-622-2255)
<http://www.ncadd.org>

10.3 Students may not avoid disciplinary actions, up to and including dismissal, by entering a rehabilitation program after a violation of this Policy is suspected or discovered.

11. Biennial Review

11.1 Drug-Free Schools and Campuses Regulations require institutes of higher education to conduct a biennial review to determine program effectiveness, consistency of policy enforcement and to identify and implement any needed changes. The review is a written report conducted every two years that compiles information pertaining to “Measuring Enforcement Consistency” and “Measuring Policy Program Effectiveness.” The review identifies current prevention efforts and point to policy and program areas that need improvement as well as those that can continue unchanged.

11.2 The following contents will be included and reviewed in the biennial review report to ensure the objectives above are upheld:

- Descriptions of the program elements
- Statement of program goals and a discussion of goal achievement
- Summaries of the program strengths and weaknesses
- Procedures for distributing annual notification to students and employees
- Copies of the policies distributed to students and employees
- Recommendations for revising the program

12. Responsibility

12.1 Responsible Executive – Vice President and Chief Academic Officer

12.1.1 Maintains accountability for the substance, implementation and compliance of this Policy.

12.1.2 Oversees policy owner activities in the administration of this Policy.

12.2 Policy Owner—Dean of Students

12.2.1 Has operational responsibility for the Policy and any related procedures, instructions and forms under the direction of the responsible executive.

12.3 Dean of Students, School Directors, Senior Manager of Admissions and Records, Instructors

12.3.1 Ensures all education employees who have student interaction, as well as all students are aware of this Policy and provides assistance, interpretation and application, and communicated the Institute’s expectation for compliance.

12.4 Students, Applicants and Education Employees

12.4.1 Understand that this Policy applies to them and conduct themselves accordingly.

13. Definitions

- 13.1 **Illegal drugs and controlled substances:** Drugs considered to be controlled substances are listed in Schedules I through V of the Controlled Substance Act (29 U.S.C. 812) and are further defined by federal regulations 21 CFR 1308.15 through 1038.15. Copies of the law and its implementing regulations are available for review from GIA’s legal affairs department and the office of the dean of students.
- 13.2 **Prescription Drugs:** Prescription medications that have not been properly prescribed by a doctor to the individual are included in this Policy. It includes prescription drugs not being used for prescribed purposes, in prescribed amounts, or by a person for whom it is prescribed.
- 13.3 **Reasonable Suspicion:** Reasonable suspicion means that GIA has a genuine reason to believe that a student is under the influence of drugs or alcohol that is based on facts, knowledge, and logic.

14. Related Regulations

- 14.1 [Drug-Free Workplace Act of 1998 \(Public Law 101-690\)](#)
- 14.2 [Drug-Free Schools and Communities Act of 1989 \(Public Law 101-226\)](#)
- 14.3 [34 CFR, Part 84 Government-Wide Requirements for Drug Free Workplace](#)
- 14.4 [34 CFR, Part 86.100 drug and Alcohol Abuse Prevention](#)
- 14.5 34 CFR, Part 668, [Section 668.14\(c \)](#) and [Section 668.40](#)

GIA Drug and Alcohol Abuse Prevention Policy (Employee)

1. Policy Statement

Gemological Institute of America, Inc. (“GIA” or the “Institute”) is committed to providing a safe, healthy and productive work environment for its employees that is free from the effects of alcohol and illegal drugs. This Drug and Alcohol Abuse Prevention Policy (Employee) (“Policy”) is adopted to comply with the Drug Free Workplace Act (41 U.S.C. 701), the Drug Free Schools and Communities Act (20 U.S.C. 1145g) and their amendments and implementing regulations. GIA has a related Drug and Alcohol Abuse Prevention Policy for its students that is outlined in the Education Catalog, and may be found on the Student Consumer Information page of the GIA website, as well as on the GIA Corporate Policies SharePoint site.

All GIA employees are required to adhere to this Policy. In addition, individuals who are not GIA employees but who perform work at or for GIA, attend GIA activities or otherwise are on GIA property are required to comply with this Policy. The risks associated with the abuse of drugs or alcohol are numerous, and include physical and mental impairment and effects on an employee's professional and personal life. Abuse of drugs or alcohol can negatively impact job performance and attendance and can jeopardize continued employment. Drug or alcohol use can create a health risk for the user, and a safety risk for the user, coworkers and other members of the GIA community.

2. Prohibitions

- 2.1 The use, sale, purchase, transfer, distribution, dispensation or possession of Illegal Drugs or alcohol while GIA premises, conducting GIA business or while using GIA equipment or vehicles, is prohibited. No employee may report to work with Illegal Drugs or alcohol in their system.
- 2.2 “Illegal Drug” means any drug that is not legally obtainable or that is legally obtainable but has not been legally obtained. It includes controlled substances as defined in the Federal Controlled Substances Act which includes but is not limited to marijuana, cocaine, opiates, amphetamines and

phencyclidine (“PCP”). It includes prescription drugs not being used for prescribed purposes, not in prescribed amounts or not by a person for whom it is prescribed. It also includes any substance a person represents to another as an Illegal Drug.

- 2.2.1. GIA does not permit marijuana use or possession for any purpose. Employees who qualify under local law to use marijuana may not possess, store, use or share marijuana on GIA-owned or controlled property or during GIA-sponsored events.
- 2.2.2. Detailed information regarding the laws and regulations, which may change over time, is available from the human resources department and the legal department.
- 2.3 An individual is “under the influence” when their work performance, alertness, coordination or response is impaired or diminished, or where the individual’s actions affect the safety of the individual or others. If an employee or other individual subject to this Policy is not able to perform their job responsibilities safely and effectively as a result of a legally prescribed and/or over-the-counter medication, it is the individual’s responsibility to inform their supervisor or the human resources department so that appropriate accommodations can be made.
- 2.4 An exception to this Policy is that at some GIA events, minor to moderate alcohol consumption may occur. Individuals who consume alcohol at GIA events are expected to comply with applicable laws and to conduct themselves in a professional, responsible and safe manner.
- 2.5 The same prohibitions apply to independent contractors, visitors, volunteers and others who perform work at GIA or any GIA-sponsored or funded activities.

3. Testing

- 3.1. Besides the drug or alcohol screening that may be required in the pre-employment phase, GIA may require a blood test, urinalysis or other drug or alcohol screening of an employee who is reasonably suspected of using or being under the influence of a drug or alcohol. A combination of accident, physical or verbal altercation, unusual employee behavior or possession of drugs or alcohol may establish reasonable suspicion.
- 3.2. An employee’s consent to submit to such a test is required as a condition of employment. Refusals to cooperate, failure of a test or attempts to falsify test results or samples may lead to disciplinary action, up to and including dismissal.

4. Prescription Drugs

- 4.1. GIA recognizes that sometimes it is necessary for employees to use prescribed or over-the-counter medications during work hours. When the instructions for use of these substances indicate they may affect or impair motor skills, judgment, coordination, the senses or may otherwise adversely affect an employee’s ability to perform their job duties in a safe manner, they must obtain certification from their health care provider that they may safely perform all of their duties while taking the prescribed drug before they will be allowed to report to work. Otherwise, the employee must notify their supervisor of the potential complications of the prescribed or over-the-counter drug use so that a determination can be made whether the employee may remain at work.

5. Notification Requirements

- 5.1. As a condition of employment, each employee will abide by the terms of this Policy and will notify the human resources department no later than five days after any conviction for a criminal drug statute offense or alcohol offense committed on GIA property or as any part of a GIA-sponsored program off campus. Failure to comply with these conditions will be grounds for disciplinary action.
- 5.2. Employees who are required to drive GIA vehicles as an essential job function must notify the human resources department no later than five days after any conviction for a criminal drug or alcohol driving offense.

6. Disciplinary Action

- 6.1. Violation of any standards of this Policy will result in appropriate disciplinary action, up to and including termination of employment and referral to local law enforcement. For those who are not GIA employees, disciplinary sanctions may include severance of the individual's relationship with GIA and referral for prosecution.
- 6.2. For employees, a drug-related or alcohol-related conviction, even for off-site conduct not part of GIA-sponsored or related activities, may result in disciplinary action, up to and including termination of employment, depending on the relevance of the conviction to the employee's position, the severity of the offense and other relevant circumstances.
- 6.3. GIA cooperates fully with law enforcement authorities. Violations of this Policy which are also violations of federal or local law may be referred to the appropriate law enforcement agencies. In such situations, matters may proceed concurrently through GIA's disciplinary process and in the criminal justice system.
- 6.4. Disciplinary action or required participation in a rehabilitation program for employees will be determined and implemented by the chief human resources officer in consultation with the senior vice president and general counsel. Any such actions will be in compliance with the Employee Handbook and other specific GIA policies and regulations regarding termination of employees.

7. Employee Assistance and Rehabilitation

- 7.1. Employees who are struggling with drugs or alcohol are strongly encouraged to seek assistance. GIA's Employee Assistance Program ("EAP") is available free of charge to employees and their families on a confidential basis, 24 hours a day, 7 days a week. Employees who have a concern about drug or alcohol abuse are strongly encouraged to contact the EAP for assistance in finding resources to help with the problem.

- Plan: Employee Assistance Program ("EAP")
- Carrier: LifeWorks
- Phone: +1 877-234-5151
- Website: www.lifeworks.com
- User ID: gem
- Password: 11018

Additional information is available in the human resources department.

- 7.2. If an employee feels they may have a problem with drugs or alcohol, they should seek assistance as

soon as possible before the problem leads to deteriorating job performance or a violation of GIA policy, which may result in the loss of their job. Any employee who requests time off to participate in a rehabilitation program will be reasonably accommodated. However, employees may not avoid disciplinary action by entering a rehabilitation program after a violation of this Policy is suspected or discovered.

8. Annual Notice

8.1. In compliance with applicable law, GIA will distribute annually in writing to employees:

- Information regarding this Policy;
- A description of the applicable sanctions for the unlawful possession or distribution of Illegal Drugs or alcohol;
- A description of the health risks associated with the use of Illegal Drugs and the abuse of alcohol; and
- A description of assistance resources available to employees.

9. Responsibility

9.1. Responsible Executive – Vice President & Chief Human Resources Officer

9.1.1. Maintains accountability for the substance, implementation and compliance of this Policy; and

9.1.2. Oversees policy owner activities in the administration of this Policy.

9.2. Policy Owner – Senior Human Resources Business Partner/Director, HR

9.2.1. Has operational responsibility for the Policy, procedures, instructions and forms under the direction of the responsible executive. This includes managing all phases of Policy initiation, development, approval, implementation, training, review and retirement processes.

9.3. Vice President, Director, Manager and Supervisor

9.3.1. Ensures that all departmental employees are aware of this Policy by providing access, assistance, interpretation and application; and communicating the Institute's expectation for compliance.

9.4. Employee

9.4.1. Understands that this Policy applies to them and conducts themselves accordingly.

GIA Workplace and Campus Violence Policy

Policy Statement

Gemological Institute of America, Inc. (“GIA” or the “Institute”) is committed to the safety and security of our employees, students, clients, contractors, vendors and other visitors, and is committed to providing a workplace and educational campus free of threats, threatening behavior and violence.

GIA does not tolerate violence in the work and campus environments. Acts or threats of violence are strictly prohibited and may include: bullying, harassment, hate crimes, intimidation, property damage, sexual harassment, stalking, or other disruptive or threatening behavior or language against any employee, student, client, contractor, vendor or other visitor and as such are strictly prohibited. The possession of any weapon is prohibited, except as required in the performance of official duties.

All GIA employees are responsible for notifying their immediate supervisor or another member of the management team of any acts or threats of violence they have witnessed or received or of which they have knowledge. All GIA students are responsible for notifying an instructor, the Dean of Students or the Title IX Coordinator of such acts or threats. All reports will be taken seriously and will be dealt with appropriately. Individuals who are found to have committed acts or threats of violence are subject to disciplinary action up to and including dismissal and criminal penalties. GIA will report credible suspicions of criminal misconduct to law enforcement authorities. Employees may report without fear of retaliation or retribution.

This Workplace and Campus Violence Policy (“Policy”) applies to all GIA employees and students. It is the responsibility of all employees and students to understand this Policy and to conduct themselves accordingly.

Prohibited Conduct and Activities

Prohibited conduct and activities include, but are not limited to:

1. Any behavior or Threat that creates a reasonable fear of injury to another person or subjects another person to extreme emotional distress.
2. Possessing, claiming to possess, brandishing or threatening with a Weapon.
3. Harassing or Intimidating statements, phone calls, voice mails or email messages, or those that are unwanted or deemed offensive by the receiver.
4. Physical assault (e.g., hitting, kicking, pushing, shoving), Threat to assault, Bullying or Stalking an employee, student, client, contractor, vendor or other visitor.
5. Any behavior, threat, epithet or derogatory remark associated with a preformed negative opinion or attitude toward a person or a group of persons based on the basis of race, religious creed, color, national origin, ancestry, ethnicity, physical disability, mental disability, medical condition, genetic information, marital status, sex, sexual orientation, gender, gender identity, gender expression, pregnancy, individuals over forty years of age, military and veteran status or other characteristic protected by federal or state law, unless a particular characteristic is a bona fide requirement of the position.
6. Intentionally damaging GIA property or the personal property of another on Campus or GIA employee, student, client, contractor, vendor or other visitor.

7. Retaliation or Harassment against an individual or individuals who report a violation of this Policy in good faith.
8. Intentionally making false or misleading reports of Acts or Threats of Violence.

Expectations and Requirements

1. In cases of actual or imminent danger or Threat, immediately **DIAL 911**.
 - 1.1. Notify Campus Security Authority as soon as possible to ensure there are no delays for first responders, Dial 7-911.
 - 1.2. GIA's Security Department (24 hours a day/7 days a week)
 - Carlsbad: +1 760-603-4031
 - New York: +1 212-221-5858 ext. 3147 or ext. 3153
2. At no time should individuals place themselves in peril.
3. Threats and suspicious activities will be taken seriously.
4. The prevention of Workplace and Campus Violence is a shared responsibility. Everyone is responsible for maintaining a safe work and educational environment, taking reasonable precautions to prevent violence and other unsafe conditions, and for reporting Acts or Threats of Violence and indications of increased risk of Violent Behavior.
5. To the extent practical, GIA will protect the confidentiality of individuals who report an Act or Threat of Violence, as defined by this Policy.
6. Victims of off-site violence (e.g., Dating or Domestic Violence), who believe that the violence may extend into the Workplace or Campus, should notify GIA as soon as possible:
 - 6.1. Vice President & Chief Human Resources Officer
Rosanne Sawyer
The Robert Mouawad Campus
5345 Armada Drive
Carlsbad, CA 92008
rsawyer@gia.edu
+1 760-603-4369
 - 6.2. Director of Human Resources (New York)
Lisa Garris
50 W. 47th Street
New York, New York 10036
lgarris@gia.edu
+1 917-286-3604
 - 6.3. Title IX Coordinator, Manager of Global Education Accreditation & Regulatory Affairs
Vusala Aranjo
The Robert Mouawad Campus
5345 Armada Drive
Carlsbad, CA 92008
varanjo@gia.edu

+1 760-603-4000 x7776

- 6.4. Director of New York Education, & Deputy Title IX & 504/ADA Coordinator
Jennifer Kim
50 W. 47th Street
New York, New York 10036
<mailto:jkim@gia.edu>
+1 (212) 944-5900 x3662
- 6.5. Director, Security
Michael McNally
The Robert Mouawad Campus 5345 Armada Drive
Carlsbad, CA 92008
michael.mcnally@gia.edu
+1 760-603-4194
+1 760-442-8709 / Mobile
- 6.6. Sr. Security Manager (New York)
Christopher Cordes
50 W. 47th Street
New York, New York 10036
ccordes@gia.edu
+1 917-286-3588
+1 646-276-5894 / Mobile
7. Individuals who receive a protective or restraining order that lists GIA-owned or leased premises as a protected area are required to provide GIA with a copy of such order(s) to the following individuals:
 - 7.1 Chief Human Resources Officer, Marcia Dillenback (Designee)
Senior Human Resources Business Partner
The Robert Mouawad Campus
5345 Armada Drive
Carlsbad, CA 92008
Marcia.dillenback@gia.edu
+1760-603-4393
 - 7.2 Dean of Students, & 504/ADA Coordinator, Kimberly Overlin
The Robert Mouawad Campus
5345 Armada Drive
Carlsbad, CA 92008
koverlin@gia.edu
+1 760-603-4093
 - 7.3 Director of Human Resources (New York), Lisa Garris
50 W. 47th Street
New York, New York 10036
lgarris@gia.edu

+1 917-286-3604

The order(s) may include the following:

- Petitions and declarations
 - Temporary restraining order
 - Emergency protective order
 - Final permanent protective or restraining order
 - Court order that modifies any of the above
8. All employees and students are expected to participate in the Workplace and Campus Violence prevention training.

Establishment of Workplace and Campus Violence Prevention Program

GIA will establish and maintain the GIA Workplace and Campus Violence Prevention Program that may contain the following elements:

1. Management commitment, and employee and student involvement
2. Threat management team
3. Timely and Emergency Warnings
4. Hazard assessment activities
5. Hazard prevention and control activities
6. Training and awareness programs
7. Reporting system
8. Records management
9. Program evaluation and improvement efforts

Reporting Responsibilities

1. Employees and students who have experienced, believe they have experienced, witnessed, or have been made aware of Workplace or Campus Violence, whether or not injury has occurred, or who are concerned about threatening situations or suspicious activities that could potentially lead to violence, should take prompt and immediate action to report to one or more of the following, without fear of Retaliation:

Title IX Coordinator, Manager Global Education Accreditation and Regulatory Affairs, Vusala Aranja
The Robert Mouawad Campus
5345 Armada Drive
Carlsbad, CA 92008
titleixcoordinator@gia.edu varanjo@gia.edu
+1 760-603-4000 x7776

Chief Human Resources Officer(Designee) Senior Human Resources Business Partner, Marcia Dillenback
The Robert Mouawad Campus
5345 Armada Drive
Carlsbad, CA 92008

Marcia.dillenback@gia.edu
+1 760-603-4393

Dean of Students, Kimberly Overlin
The Robert Mouawad Campus
5345 Armada Drive
Carlsbad, CA 92008 koverlin@gia.edu
+1 760-603-4093

Director of Human Resources (New York), Lisa Garris
50 W. 47th Street
New York, New York 10036
lgarris@gia.edu
+1 917-286-3604

Director of Security, Michael McNally
The Robert Mouawad Campus
5345 Armada Drive
Carlsbad, CA 92008 michael.mcnally@gia.edu
+1 760-603-4194
+1 760-442-8709 / Mobile

Sr. Security Manager (New York), Christopher Cordes 50 W. 47th Street
New York, New York 10036 ccordes@gia.edu
+1 917-286-3588
+1 646-276-5894 / Mobile

GIA's Concern Reporting system www.giawis.ethicspoint.com

6. Any Act or threat of Violence, which constitutes sexual violence on Campus, must be reported to the Title IX Coordinator.

Title IX Coordinator, and Manager of Global Education Accreditation and Regulatory Affairs, Vusala Aranjó
The Robert Mouawad Campus
5345 Armada Drive
Carlsbad, CA 92008 titleixcoordinator@gia.edu or varanjo@gia.edu
+1 760-603-4000 ext. 7776

7. If for any reason the person making the complaint does not feel comfortable directly reporting the incident to any of the appropriate individuals identified above in Sections 1 or 2, the complaint may be reported through alternative channels. In the case of a complaint by a GIA employee, the complaint may be made to the employee's supervisor, manager, the Human Resources Department or GIA's Concern Reporting system at www.giawis.ethicspoint.com. If the complaint involves the employee's supervisor, the employee is not required to report the complaint to the supervisor and is encouraged to contact one of the other individuals described in this policy. In the case of a complaint by a student, the complaint may be made to the Title IX Coordinator, the dean of students, the security department, an instructor or GIA's Concern Reporting

system. Anyone receiving a complaint through one of these alternative channels must immediately transmit the complaint to one of the appropriate individuals identified above in Sections 1 or 2.

8. GIA's Policy is to be fully compliant with its reporting obligations, and in some cases, GIA may be obligated to report incidents to law enforcement agencies.

Investigations and Enforcement

1. GIA will thoroughly investigate all reports of Acts or Threats of Violence, and suspicious individuals or activities. To maintain Workplace and Campus safety and the integrity of its investigation, GIA reserves the right to suspend students and employees, with or without pay, suspected of Workplace or Campus Acts or Threats of Violence, either with or without pay, pending investigation.
2. Individuals who commit such Acts or Threats of Violence may be subject to disciplinary action, criminal penalties or both. The range of disciplinary actions may include, but are not limited to, removal of persons from the premises, discipline of employees or students, legal actions, provisions of added security measures, law enforcement referrals, mental health referrals, termination from GIA employment or dismissal from school, and other actions deemed necessary to protect the safety and security of employees, students, clients, contractors, vendors and other visitors.

Definitions:

Federal and state laws and applicable regulations each provide definitions for sexual assault, sexual misconduct, dating violence, domestic violence, and stalking. Sometimes these definitions differ. Additionally, there are a number of considerations surrounding the issue of consent in the investigation and reporting of sex offenses. State definitions are used by the police and prosecutors to determine if crimes have been committed in the applicable jurisdiction. The definitions prescribed in the Clery Act (a federal law) are used by all institutions in the United States to classify and report crimes under the Clery act. The Violence Against Women Act (VAWA) Reauthorization Act of 2013 modified the definitions of some of the sexual offenses, including the definition of rape. This report provides the definitions of crimes for Clery Act reporting purposes as well as the definitions of sexual offenses in the applicable jurisdiction of GIA campuses (i.e., California and New York) for informational and educational purposes only.

Definitions for Clery Act reporting purposes:

Dating violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved in the relationship. 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: A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred, or by any person against an adult or youth victim who is protected from that person's acts under the domestic or family

laws of the jurisdiction in which the crime of violence occurred.

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

For the purposes of this definition:

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 a person's property.

Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

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

Criminal Homicide—Manslaughter by Negligence: The killing of another person through gross negligence.

Criminal Homicide—Murder and Nonnegligent Manslaughter: The willful (nonnegligent) killing of one human being by another.

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.

Robbery: The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

Aggravated Assault: An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

Burglary: The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

Motor Vehicle Theft: The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding.)

Weapons: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

Drug Abuse Violations: The violation of laws prohibiting the production, distribution, and/or use of certain

controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

Liquor Law Violations: The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession or use of alcoholic beverages, not including driving under the influence and drunkenness.

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

- a. Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.
- b. Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- c. Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent. For the purposes of this definition:

Consent means the affirmative, unambiguous, and voluntary agreement to engage in a specific sexual activity during a sexual encounter. Additionally:

- Someone who is incapacitated cannot consent;
- Past consent does not imply future consent, silence or an absence of resistance does not imply consent;
- Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another;
- Consent can be withdrawn at any time; and
- Coercion, force, or threat of either invalidates consent.

Larceny-Theft (Except Motor Vehicle theft): The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc. are excluded.

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

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

Destruction/Damage/Vandalism of Property: To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

Unfounded crimes: On rare occasions, GIA may remove a reported crime from its crime statistical disclosure. This may only be done when a sworn or commissioned law enforcement personnel has fully investigated the reported crime and, based on the results of this full investigation and evidence, has made a formal determination that the crime report is false or baseless and has been determined unfounded.

Definitions in the Applicable Jurisdiction of GIA Campuses

California Penal Code Crime Definitions

§ 261.5 “Consent” – In prosecutions under Section 261 [rape], 262 [spousal rape], 286 [sodomy], 288a [oral copulation] or 289 [penetration by a foreign object], in which consent is an issue, “consent” shall be defined to mean positive cooperation in an act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved. A current or previous dating or marital relationship shall not be sufficient to constitute consent where consent is at issue in a prosecution under Section 261, 262, 286, 288(a) or 289.

Nothing in this section shall affect the admissibility of evidence or the burden of proof on the issue of consent. § 261.5 (a) Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a “minor” is a person under the age of 18 years and an “adult” is a person who is at least 18 years of age. (b) Any person who engages in an act of unlawful sexual intercourse with a minor who is not more than three years older or three years younger than the perpetrator, is guilty of a misdemeanor. (c) Any person who engages in an act of unlawful sexual intercourse with a minor who is more than three years younger than the perpetrator is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year.

§ 242 A **battery** is any willful and unlawful use of force upon the person of another. § 243(e)(1) - A battery committed against a spouse, a person with whom the defendant is cohabiting, a person who is the parent of the defendant’s child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship. § 273.5(a) - Any person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim described in subdivision (b) is guilty of a felony. (b) Subdivision (a) shall apply if the victim is or was one or more of the following: (1) The offender's spouse or former spouse. (2) The offender's cohabitant or former cohabitant. (3) The offender's fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship.

§ 13700(b) – “**Domestic violence**” means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. For purposes of this subdivision, “cohabitant” means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to, (1) sexual relations between the parties while sharing the same living quarters, (2) sharing of income or expenses, (3) joint use or ownership of property, (4) whether the parties hold themselves out as husband and wife, (5) the continuity of the relationship, and (6) the length of the relationship.

§ 243.4(b) – (**Fondling**) Any person who touches an intimate part of another person who is institutionalized for medical treatment and who is seriously disabled or medically incapacitated, if the touching is against the will of the person touched, and if the touching is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery. § 243.4(e)(1) - Any person who touches an intimate part of another person, if the touching is against the will of the person touched, and is for the

specific purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of misdemeanor sexual battery.

§ 261(a) “Rape” – Is an act of an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under any of the following circumstances: (1) Where a person is incapable, because of mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act. (2) Where it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another. (3) Where a person is prevented from resisting by any intoxicating or anesthetic substance, and this condition was known, or reasonably should have been known by the accused. (4) Where a person is at the time unconscious of the nature of the act, and this is known to the accused. (5) Where the person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with the intent to induce the belief. (6) Where the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or another person, and there is reasonable belief that the perpetrator will execute the threat. (7) Where the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. § 263 – The essential guilt of rape consists in the outrage to the person and feelings of the victim of the rape. Any sexual penetration, no matter how slight, is sufficient to complete the crime.

“Sexual Assault” is generally considered to be an act or attempt in violation of any of the following: § 220 – Assault with intent to commit mayhem or specified sex offenses; assault of a person under 18 years of age with intent to commit specified sex offenses: § 261 – Rape § 261.5 – Unlawful Sexual Intercourse with a minor § 262 – Spousal Rape § 264.1 – Punishment for aiding or abetting rape § 266c- Inducing consent to a sexual act by fraud or fear § 269 – Aggravated sexual assault of a child § 285 – Incest § 286 – Sodomy § 288 – Lewd or lascivious acts involving children § 288.5 – Continuous sexual abuse of a child § 288a – Oral Copulation § 289 – Penetration by foreign object § 647.6 – Annoying or molesting children

§ 261.5(a) – (Statutory rape) – Unlawful intercourse is an act of sexual intercourse accomplished with someone who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a “minor” is a person under the age of 18 years and an “adult” is a person who is at least 18 years of age.

§ 646.9(a) – (Stalking) – Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person, and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family, is guilty of the crime of stalking.

Definitions of Sex Offenses Under New York State Law

Consent: Lack of consent results from: forcible compulsion; or incapacity to consent; or where the offense charged is sexual abuse or forcible touching, any circumstances, in addition to forcible compulsion or incapacity to consent, in which the victim does not expressly or impliedly acquiesce in the actor's conduct. Where the offense charged is rape in the third degree, a criminal sexual act in the third degree, or forcible compulsion in circumstances under which, at the time of the act of intercourse, oral sexual conduct or anal sexual conduct, the victim clearly expressed that he or she did not consent to engage in such act, and a reasonable person in the actor's situation would have understood such person's words and acts as an expression of lack of consent to such act under all the circumstances. A person is incapable of consent when he or she is: less than 17 years old; or mentally disabled; or mentally incapacitated; or physically helpless; or committed to the care and custody of the state department of correctional services, a hospital, the office of children and family services and is in residential care, or the other person is a resident or inpatient of a residential facility operated by the office of mental health, the office for people with development disabilities, or the office of alcoholism and substance abuse services, and the actor is an employee, not married to such person, who knows or reasonably should know that such person is committed to the care and custody of such department or hospital.

Dating violence: New York State does not specifically define "dating violence." However, under New York Law, intimate relationships are covered by the definition of domestic violence when the act constitutes a crime listed elsewhere in this document and is committed by a person in an "intimate relationship" with the victim. See "Family or Household Member" for definition of "intimate relationship."

Domestic violence: An act which would constitute a violation of the penal law, including, but not limited to acts constituting disorderly conduct, harassment, aggravated harassment, sexual misconduct, forcible touching, sexual abuse, stalking, criminal mischief, menacing, reckless endangerment, kidnapping, assault, attempted murder, criminal obstruction or breaching or blood circulation, or strangulation; and such acts have created a substantial risk of physical or emotional harm to a person or a person's child. Such acts are alleged to have been committed by a family member. The victim can be anyone over the age of sixteen, any married person or any parent accompanied by his or her minor child or children in situations in which such person or such person's child is a victim of the act.

Family or household member: Person's related by consanguinity or affinity; Persons legally married to one another; Person formerly married to one another regardless of whether they still reside in the same household; Persons who have a child in common regardless of whether such persons are married or have lived together at any time; Unrelated persons who are continually or at regular intervals living in the same household or who have in the past continually or at regular intervals lived in the same household; Persons who are not related by consanguinity or affinity and who are or have been in an intimate relationship regardless of whether such persons have lived together at any time. Factors that may be considered in determining whether a relationship is an "intimate relationship" include, but are not limited to: the nature or type of relationship regardless of whether the relationship is sexual in nature; the frequency of interaction between the persons; and the duration of the relationship. Neither a casual acquaintance nor ordinary fraternization between two individuals in business or social contexts

shall be deemed to constitute an “intimate relationship”; any other category of individuals deemed to be a victim of domestic violence as defined by the office of children and family services in regulation. Intimate relationship status shall be applied to teens, lesbian/gay/bisexual/transgender, and elderly individuals, current and formerly married and/or dating heterosexual individuals who were, or are in an intimate relationship.

Parent: means natural or adoptive parent or any individual lawfully charged with a minor child’s care or custody.

Sexual assault: New York State does not specifically define sexual assault. However, according to the Federal Regulations, sexual assault includes offenses that meet the definitions of rape, fondling, incest, or statutory rape as used in the FBI’s UCR program.

Sex offenses; lack of Consent: Whether or not specifically stated, it is an element of every offense defined in this article that the sexual act was committed without consent of the victim.

Sexual misconduct: When a person (1) engages in sexual intercourse with another person without such person’s consent; or (2) engages in oral sexual conduct or anal sexual conduct without such person’s consent; or (3) engages in sexual conduct with an animal or a dead human body.

Rape in the third degree: When a person (1) engages in sexual intercourse with another person who is incapable of consent by reason of some factor other than being less than 17 years old; (2) Being 21 years old or more, engages in sexual intercourse with another person less than 17 years old; or (3) engages in sexual intercourse with another person without such person’s consent where such lack of consent is by reason of some factor other than incapacity to consent.

Rape in the second degree: When a person (1) being 18 years old or more, engages in sexual intercourse with another person less than 15 years old; or (2) engages in sexual intercourse with another person who is incapable of consent by reason of being mentally disabled or mentally incapacitated. It is an affirmative defense to the crime of rape in the second degree the defendant was less than four years older than the victim at the time of the act.

Rape in the first degree: When a person engages in sexual intercourse with another person (1) by forcible compulsion; or

(2) Who is incapable of consent by reason of being physically helpless; or (3) who is less than 11 years old; or (4) who is less than 13 years old and the actor is 18 years old or more.

Criminal sexual act in the third degree: When a person engages in oral or anal sexual conduct (1) with a person who is incapable of consent by reason of some factor other than being less than 17 years old; (2) being 21 years old or more, with a person less than 17 years old; (3) with another person without such persons consent where such lack of consent is by reason of some factor other than incapacity to consent.

Criminal sexual act in the second degree: When a person engages in oral or anal sexual conducts with another person

(1) and is 18 years or more and the other person is less than 15 years old; or (2) who is incapable of consent by reason of being mentally disabled or mentally incapacitated. It is an affirmative defense that the defendant was less than four years older than the victim at the time of the act.

Criminal sexual act in the first degree: When a person engages in oral or anal sexual conduct with

another person (1) by forcible compulsion; (2) who is incapable of consent by reason of being physically helpless; (3) who is less than 11 years old; or (4) who is less than 13 years old and the actor is 18 years old or more.

Forcible touching: When a person intentionally, and for no legitimate purpose, forcibly touches the sexual or other intimate parts of another person for the purpose of degrading or abusing such person; or for the purpose of gratifying the actor's sexual desire. It includes squeezing, grabbing, or pinching.

Persistent sexual abuse: When a person commits a crime of forcible touching, or second or third degree sexual abuse within the previous ten-year period, has been convicted two or more times, in separate criminal transactions for which a sentence was imposed on separate occasions of one of one of the above mentioned crimes or any offense defined in this article, of which the commission or attempted commissions thereof is a felony.

Sexual abuse in the third degree: When a person subjects another person to sexual contact without the latter's consent. For any prosecution under this section, it is an affirmative defense that (1) such other person's lack of consent was due solely to incapacity to consent by reason of being less than 17 years old; and (2) such other person was more than 14 years old and (3) the defendant was less than five years older than such other person.

Sexual abuse in the second degree: When a person subjects another person to sexual contact and when such other person is (1) incapable of consent by reason of some factor other than being less than 17 years old; or (2) less than 14 years old.

Sexual abuse in the first degree: When a person subjects another person to sexual contact (1) by forcible compulsion; (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than 11 years old; or (4) when the other person is less than 13 years old.

Aggravated sexual abuse: For the purposes of this section, conduct performed for a valid medical purpose does not violate the provisions of this section.

Aggravated sexual abuse in the fourth degree: When a person inserts a (1) foreign object in the vagina, urethra, penis or rectum of another person and the other person is incapable of consent by reason of some factor other than being less than 17 years old; or (2) finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person and such person is incapable of consent by reason of some factor other than being less than 17 years old.

Aggravated sexual abuse in the third degree: When a person inserts a foreign object in the vagina, urethra, penis, rectum or anus of another person (1)(a) by forcible compulsion; (b) when the other person is incapable of consent by reason of being physically helpless; or (c) when the other person is less than 11 years old; or (2) causing physical injury to such person and such person is incapable of consent by reason of being mentally disabled or mentally incapacitated.

Aggravated sexual abuse in the second degree: When a person inserts a finger in the vagina, urethra, penis, rectum or anus of another person causing physical injury to such person by (1) forcible compulsion; or (2) when the other person is incapable of consent by reason of being physically helpless; or (3) when the other person is less than 11 years old.

Aggravated sexual abuse in the first degree: When a person subjects another person to sexual contact: (1) By forcible compulsion; or (2) when the other person is incapable of consent by reason of

being physically helpless; or (3) when the other person is less than eleven years old; or (4) when the other person is less than thirteen years old and the actor is twenty-one years old or older.

Course of sexual conduct against a child in the second degree: When over a period of time, not less than three months, a person: (1) Engages in two or more acts of sexual conduct with a child less than 11 years old; or (2) being 18 years old or more engages in two or more acts of sexual conduct with a child less than 13 years old. A person may not be subsequently prosecuted for any other sexual offense involving the same victim unless the other charges offense occurred outside of the time period charged under this section.

Course of sexual conduct against a child in the first degree: When a person over a period of time, not less than three months in duration, a person: (1) Engages in two or more acts of sexual conduct, or aggravated sexual contact with a child less than 11 years old; or (2) being 18 years old or more engages in two or more acts of sexual conduct which includes at least one act of sexual intercourse, oral sexual conduct, anal sexual conduct, or aggravated sexual contact with a child less than 13 years old.

Facilitating a sex offence with controlled substance: A person is guilty of facilitating a sex offense with a controlled substance when he or she: (1) knowingly and unlawfully possesses a controlled substance or any preparation, compound, mixture or substance that requires a prescription to obtain and administers such substance or preparation, compound, mixture or substance that requires a prescription to obtain to another person without such person's consent and with intent to commit against such person conduct constituting a felony defined in this article; and (2) commits or attempts to commit such conduct constituting a felony defined in this article

Incest in the third degree: A person is guilty of incest in the third degree when he or she marries or engages in sexual intercourse, oral sexual conduct or anal sexual conduct with a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or the half blood, uncle, aunt, nephew or niece.

Incest in the second degree: A person is guilty of incest in the second degree when he or she commits the crime of rape in the second degree, or criminal sexual act in the second degree, against a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or the half blood, uncle, aunt, nephew or niece.

Incest in the first degree: A person is guilty of incest in the first degree when he or she commits the crime of rape in the first degree, or criminal sexual act in the first degree, against a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or half blood, uncle, aunt, nephew or niece.

Stalking in the fourth degree: When a person intentionally, and for not legitimate purpose, engages in a course of conduct directed at a specific person, and knows or reasonably should know that such conduct (1) is likely to cause reasonable fear of material harm to the physical health, safety or property of such person, a member of such person's immediate family or a third party with whom such person is acquainted; or (2) causes material harm to the mental or emotional health of such person, where such conduct consists of following, telephoning or initiating communication or contact with such person, a member of such person's immediate family or a third party with whom such person is acquainted, and the actor was previously clearly informed to cease that conduct; or (3) is likely to cause such person to reasonably fear that his or her employment, business or career is threatened, where such conduct

consists of appearing, telephoning or initiating communication or contact at such person's place of employment or business, and the actor was previously clearly informed to cease that conduct.

Stalking in the third degree: When a person (1) Commits the crime of stalking in the fourth degree against any person in three or more separate transactions, for which the actor has not been previously convicted; or (2) commits the crime of stalking in the fourth degree against any person, and has previously been convicted, within the preceding ten years of a specified predicate crime and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or (3) with an intent to harass, annoy or alarm a specific person, intentionally engages in a course of conduct directed at such person which is likely to cause such person to reasonably fear physical injury or serious physical injury, the commission of a sex offense against, or the kidnapping, unlawful imprisonment or death of such person or a member of such person's immediate family; or (4) commits the crime or stalking in the fourth degree and has previously been convicted within the preceding ten years of stalking in the fourth degree.

Stalking in the second degree: When a person: (1) Commits the crime of stalking in the third degree and in the course of and furtherance of the commission of such offense: (a) displays, or possesses and threatens the use of, a firearm, pistol, revolver, rifle, sword, billy, blackjack, bludgeon, plastic knuckles, metal knuckles, chukka stick, sand bag, sand club, slingshot, shuriken, "Kung Fu Star," dagger, dangerous knife, dirk, razor, stiletto, imitation pistol, dangerous instrument, deadly instrument or deadly weapons; or (b) displays what appears to be a pistol, revolver, rifle, shotgun, machine gun or other firearm; or (2) commits the crime of stalking in the third against any person, and has previously been convicted, within the preceding five years, of a specified predicate crime, and the victim of such specified predicate crime is the victim, or an immediate family member of the victim, of the present offense; or (3) commits the crime of stalking in the fourth degree and has previously been convicted of stalking in the third degree; or (4) being 21 years of age or older, repeatedly follows a person under the age of fourteen or engages in a course of conduct or repeatedly commits acts over a period of time intentionally placing or attempting to place such person who is under the age of fourteen in reasonable fear of physical injury, serious physical injury or death; or (5) commits the crime of stalking in the third degree, against ten or more persons, in ten or more separate transactions, for which the actor has not been previously convicted.

Stalking in the first degree: When a person commits the crime of stalking in the third degree or stalking in the second degree and, in the course and furtherance thereof, him or her intentionally or recklessly causes physical injury to the victim of such crime.

-Continue to next page-

Three-Year Comprehensive Listing of Reported Data

Campus safety and security statistics for the Carlsbad and New York facilities over the past three reporting periods are show in the tables below. Reporting periods represent calendar years in which crimes were reported.

Note: The below reported crimes may involve individuals not associated with the institution.

CARLSBAD CAMPUS									
Criminal Offenses	2016			2017			2018		
	On-Campus	Public Property	Total	On-Campus	Public Property	Total	On-Campus	Public Property	Total
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligent	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
VAWA Offenses									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Arrests									
Weapons Law Violations	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Referrals									
Weapons Law Violations	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
<i>*GIA's Carlsbad Campus does not have non-campus properties</i>									

NEW YORK CAMPUS									
Criminal Offenses	2016			2017			2018		
	On-Campus	Public Property	Total	On-Campus	Public Property	Total	On-Campus	Public Property	Total
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligent	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
VAWA Offenses									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Arrests									
Weapons Law Violations	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
Referrals									
Weapons Law Violations	0	0	0	0	0	0	0	0	0
Drug Abuse Violations	0	0	0	0	0	0	0	0	0
Liquor Law Violations	0	0	0	0	0	0	0	0	0
<i>*GIA's New York Campus does not have non-campus properties</i>									

CARLSBAD AND NEW YORK CAMPUSES							
Hate Crimes: On-Campus & Public Property	2016-2018						
	Race	Religion	Sexual Orientation	Gender	Gender Identity	Disability	Ethnicity
Murder/Non-negligent manslaughter	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0
Motor Vehicle theft	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0
Simple assault	0	0	0	0	0	0	0
Larceny – theft	0	0	0	0	0	0	0
Intimidation	0	0	0	0	0	0	0
Destruction/damage/vandalism of property	0	0	0	0	0	0	0
<i>*GIA's Carlsbad & New York campuses do not have a non-campus property</i>							
<i>*Hate crimes are bias motivated crimes</i>							

Unfounded Crimes				
Campus	2016	2017	2018	Total
Carlsbad	0	0	0	0
New York	0	0	0	0