

Ringling College of Art and Design

# INTERNATIONAL STUDENT HANDBOOK



## TABLE OF CONTENTS - 2020-2021

Welcome to our creative community – 3

Living In The United States – 4

Life At Ringling College of Art and Design – 7

Legal Rights & Responsibilities of International Students in the United States – 8

Personal Safety – 11

Other Ringling College Policies – 11

Drug & Alcohol Laws – 32

All content appearing in this International Student Handbook is subject to change at any time. The version on the website will be the most current version should any changes be made. For questions, please contact the Office of Student Life at 941.359.7505.

Designed and Edited by Betsy Pope

## WELCOME TO OUR CREATIVE COMMUNITY!

Greetings to all of our international students, parents and family members from the staff of Ringling College of Art and Design, the Office of Student Life and International Student Affairs.

We are committed to promoting learning and growth beyond the classroom, providing you support networks, creative programs, social activities, leadership and volunteer opportunities and cultural diversity. In anticipation of your 1st year at Ringling College, and because daily life on our campus will present new perspectives and experiences, we have prepared this International Student Handbook for you, which covers everything from basic “everyday living” tips to more detailed legal rights information.

In addition, our Ringling College website provides a variety of important “insider” information about your 1st year as a student. You can access it at <http://www.ringling.edu>.

We are here to help you achieve your academic goals, while we focus on your individual basic needs, so feel free to ask us any questions!

Our College and the community of Sarasota is a rich cultural environment that inspires creativity. We are delighted to welcome you to our creative community!

### **OFFICE OF STUDENT LIFE**

The Office of Student Life is located on the 2nd floor of the Ulla Searing Student Center.

Office Hours: Monday through Friday, 8:30 a.m. – 4:30 p.m.

Telephone: 941.359.7505

### **OFFICE OF INTERNATIONAL STUDENT AFFAIRS**

The Office of International Student Affairs is located in Room 219 of the Goldstein Library.

Office Hours:

*Regular Office Hours*

Monday – Friday, 8:30 am - 4:30 pm

941.893.2051

### **OFFICE OF RESIDENCE LIFE**

The Office of Residence Life is located on the 1st floor of Ann and Alfred Goldstein Hall.

Office Hours: Monday through Friday, 8:30 a.m. – 4:30 p.m.

Telephone: 941.309.4411

Extended hours on evenings and weekends will be staffed by Resident Assistants.

## LIVING IN THE UNITED STATES

### Your 1st Year

The 1st year in college is your first step toward a college degree and a lifelong dream of becoming a professional artist or designer. For most students it means saying goodbye to friends, family and familiar surroundings, and is a major life transition. It will be your time to gain independence, meet new friends and consider future goals; it will be a tremendous phase for your intellectual, artistic and personal growth!

The adjustments you will face to college life in the United States will vary depending on your background and experiences. Personally, you will face many decisions and new responsibilities. Emotionally, you may be challenged with the new surroundings and some uncertainty as you explore new horizons. Socially, you will be making new friends and meeting people from a variety of cultural and ethnic backgrounds with beliefs and customs different from your own. As you grow in your awareness and experiences, the Office of Student Life will be here to support you every step of the way.

Your college years will be a time of great transformation!

### Helpful Hints

Here is a short list of “helpful hints” for your 1st days or weeks in the United States.

- Get plenty of rest.
- Take time to share your feelings with others.
- Allow yourself to express any emotion that comes up.
- Make your home environment as comfortable as possible.
- Make friends as quickly as possible. If there are others of your nationality on campus, get acquainted. It will give you a support system.
- Don't hesitate to introduce yourself to someone even if you feel as though your English might not be perfect. You are here to learn!
- Visit the Office of Student Life as soon as possible to see what kinds of activities are offered to international students.
- Keep a diary or journal. This is a marvelous way to vent some of the concerns or frustrations you'd be embarrassed to speak about. It will also be a valuable record.
- Try to search out “things that are not like home.”
- Embrace the differences!

*(Portions adapted from: Wells, Paddy S., Coping with Culture Shock, “The Bridge,” Vol. 6, No. 4, Winter 1981, pp. 44-47 and Storti, Craig,*

*The Art of Crossing Cultures, 1990, pp. 710.)*

### Health Information & Medical Facilities

Ringling College international students are required to have health insurance. You are automatically enrolled in and billed for the Ringling Student Health Insurance Plan.

If you already have adequate coverage with a U.S. insurance company or if you are a sponsored student whose health insurance is provided for you by your sponsor, please contact University Health Plans at 1-800-437-6448 or [info@univhealthplans.com](mailto:info@univhealthplans.com). For more information, please visit our website at [health.ringling.edu](http://health.ringling.edu).

Ringling College has partnered with Sarasota Memorial Hospital to be the campus healthcare provider. A registered nurse or physician's assistant is available 8:30am-4:30pm, Monday through Friday with medical oversight provided by the physician group that staffs Sarasota Memorial's Urgent and Emergency Centers. The Health Center is located on the northeast corner of Old Bradenton Road and Dr. Martin Luther King Jr. Way.

The off-campus Sarasota Memorial Hospital Urgent Care Centers ([smh.com/urgent-care](http://smh.com/urgent-care)) are also available to students when the on-campus Health Center is closed.

The Health Center is equipped to diagnose and treat most common illnesses and conditions including: colds and flu, earaches, sore throats, eye injuries, bronchitis, minor lacerations and burns, sinus infection, skin rashes, urinary problems, physicals, gynecological problems, and sprains, strains, and fractures.

There are no out-of-pocket costs to see a provider for a general medical office visit.

The following services are provided at no additional cost for Ringling College students:

- Visits with a mid-level provider
- Annual flu shot for every student
- Annual routine female gynecological exam and smear
- Allergy injection therapy
- STD Testing
- On-site laboratory testing including urine dip, rapid strep, rapid flu and pregnancy.
- After-hours visit with a physician provided at the Sarasota



### Memorial Hospital Urgent

Care Center on University Parkway at no cost to students. (Costs may be incurred to the student if any additional services are provided.)

The following services can be provided at the clinic for an additional fee. Some of these

fees can be billed to insurance depending on individual coverage or can be paid for at the time of service utilizing the College's discounted self-pay prices:

- Vaccinations
- Medications administered in the clinic
- Laboratory fees for send out tests that cannot be completed in the clinic
- Medical supplies such as splints and slings
- Laceration repair and incision and drainage procedures.

The following services cannot be provided directly onsite at the clinic, but can be arranged and coordinated within Sarasota Memorial's comprehensive network of services:

- Radiology services
- Physical therapy services
- 12-lead EKG
- Follow up care for specialist visits within

Sarasota Memorials' comprehensive First Physicians Group

- Urgent or emergency room care

The student health fee helps make these services possible.

Students will be required to complete a medical questionnaire and show their Ringling

ID and insurance card when visiting the Health Center.

## Emergencies

For late night or emergency medical treatment, Sarasota Memorial Hospital at U.S. 41 and Waldemere Street is well equipped and only minutes away.

## Calling Home

If you do not have a cell phone yet, you can still call your home country. You can use any public / private telephone to make a collect call. This means the receiver will be charged for the phone call. There are some countries that do not accept collect calls. To find out, dial 00. Ask to make a collect call. Tell the operator the country you are calling, (or the country code which you can find in the phone book), the city code and the phone number. Give the operator your name so he or she will know to say who is calling.

If you are calling from your own phone, remember to dial 011 before the country code to place an international call. Remember that you need to consider the time zone differences.

## Transportation & Travel

### Automobiles

If you own an automobile, you must fill out Ringling College of Art and Design forms during registration to receive a Ringling College parking sticker. To rent a car in Florida, you typically need to be 25-years old.

### The State Of Florida

All drivers are required to possess a valid driver's license. If you have an international driver's license in addition to your driver's license from your home country it may not be necessary for you to get one in the United States. Driving without a valid driver's license can result in revocation of all privileges to drive.

A Florida driver's license can be obtained at the Department of Highway Safety and Motor Vehicles located in Sarasota or Bradenton. You will need to take your I - 20, passport, visa and I-94 arrival record to the office ([www.cbp.gov/i94](http://www.cbp.gov/i94)). Your vision and knowledge of driving laws will be tested. PIP (Personal Injury Protection) insurance covers you regardless of whether you cause an accident, up to the limits of your policy.

Auto insurance is mandatory in Florida. You must carry at least \$10,000 of personal injury protection insurance [PIP] and a minimum of \$10,000 of property damage liability [PDL]. PIP covers you if you are in your car, in someone else's car or if you are a pedestrian or bicyclist, as long as the injury is caused in an accident involving an automobile. Property Damage Liability coverage pays for damage you or members of your family cause to other people's property while driving. Note that in the United States you may need to insure each person who will be driving the car. (This will depend on each particular insurance company's policy.) When purchasing insurance, check several companies before making a selection. Don't hurry into making a decision just because the insurance sales person wants you to buy insurance immediately. If possible, ask someone who is more familiar with U.S. insurance policies. You may also obtain more detailed information from the Florida Department of Financial Services by calling their toll-free telephone number at 1.800.342.2762.

All new residents with cars are expected to obtain a Florida title and license plates. No yearly inspection is required in Florida, but you are required to renew your registration sticker each year. This sticker is to show that you have paid the required taxes. The new sticker needs to be purchased prior to your birthday each year. You can call the Department of Motor Vehicles at 941.861.8300 regarding the title, plate and sticker.

### Child Restraint Law

The Florida law concerning child restraint states any child younger than age 5 must be restrained in a motor vehicle. Children aged 3 and younger must be in an approved child seat. Children between the ages of 3 – 5 must use seat belts if in the

back, or must ride in an approved seat if seated in the front. Seat belts must be used.

### **Traffic Laws & Parking**

Traffic laws are strictly enforced in Florida and on Ringling College property. To be sure you are familiar with the different laws, obtain a copy of a Driver's Handbook from the Department of Motor Vehicles at <http://www.flhsmv.gov>.

### **Important Traffic Laws**

- Highway speed limits are 55 - 75 miles per hour (90 - 115 kmph).
- Generally speed limits in cities vary between 30 - 50 miles per hour (50 - 80 kmph).
- The use of seat belts is required by law.
- Driving and parking on campus should be exercised with caution. Always park with your license plate clearly visible as well as the Ringling sticker. (Not doing so may get you a ticket.) It is illegal to park in any disabled parking space at any time without the proper sticker on your license plate.
- Parking on campus without a permit sticker can result in a ticket or towing of your vehicle. Free parking stickers can be obtained from the Office of Public Safety.
- Pedestrians and bicyclists always have priority on the road.

### **Bicycles**

MUST Register your bicycle with Public Safety to obtain a sticker. ONLY use bike racks to lock bikes onto... not railing fences.

If you wish to ride a bicycle, it is wise to register it with the Sarasota Police Department on Ringling Boulevard, in downtown Sarasota. This way you will have a better chance of getting your bike back if it is stolen. Be sure to have a good lock and chain to secure your bicycle when leaving it unattended. A bike without a lock is an open invitation to theft.

Sarasota is a busy place to ride a bike. Bicycle regulations are somewhat unclear, but a good rule to follow is to ride single file and stay on the bike paths and/or to the right side of the road. When making a turn, you must use hand signals to inform motorists of your directions.



**Right Turn**



**Slow of Stop**



**Left Turn**

BE CAUTIOUS – motorists do not always know bikers have the right of way. If you must ride at night, wear light colored clothing and be sure to have a light as well as reflective tape on both to be visible to motorists. It is a good idea to wear a helmet while biking.

### **Bus Service**

The Sarasota County Area Transit [SCAT] and Manatee County Area Transit [MCAT] bus schedules are available from the Office of Student Life. You can also call SCAT at 941.861.1234 or MCAT at 941.749.7116 for information. Now free with your Ringling College Student I.D.! Visit the SCAT website at <http://www.scgov.net/SCAT> and MCAT website at <http://www.ridemcat.org>

### **Taxis**

Taxi service is also available. Diplomat 941.355.5155 and Yellow Cab 941.955.3341. Call well in advance to make sure you get to your destination on time.

### **Shopping Information & Locations**

Shopping in the United States may be different from what you are used to at home. Merchandise is generally sold in a "self-service" manner, and clerks might not be close at hand. It is very important when shopping in U.S. stores, especially large stores, to use a cart or a basket (if it is provided by the store for your use). Never put a piece of merchandise in your pocket, purse, etc. If you do, it may appear to a store employee you intend to take the merchandise without paying for it. Misunderstandings can result in a charge of "shoplifting," a serious federal offense.

We advise you to compare prices at different stores. The same items are frequently sold at different prices depending upon where you shop. Check with friends regarding where to buy goods at bargain prices. In U.S. retail stores, prices are set and cannot be negotiated. Do not try to bargain with the sales clerk. (An exception to this is when dealing directly with a private individual or when buying large, expensive items such as a car or a house.) In the United States, the price on the tag does not

include sales tax. This tax varies from county to county. The sales tax in Sarasota County is 7%.

## LIFE AT RINGLING COLLEGE OF ART AND DESIGN

### Introduction To The Classroom

American teaching methods and practices may be quite different from those you are used to. Regular class attendance, preparation for frequent examinations throughout the term and participation in class discussion are not only expected in our educational system, but also will be the 3 most important habits you can practice for academic success.

International students often find the classroom atmosphere and student / instructor relationship informal. In general, instructors welcome questions from students and encourage student participation in class discussion. Never hesitate to ask a question about something you don't understand. It might be useful to ask your professor how he/she/they would like to be addressed. In many cases the instructor expects discussion, questions and input by class members and part of your grade may be based on your contributions in class. If the limitations of class size and / or time do not permit questions to be asked during class periods, you may bring them to the instructor during his or her office hours.

Grading is based on letters rather than numbers. Refer to the Catalogue for further details. Instructors often use "class comparison" while grading. Class grades are distributed with the majority of students receiving grades in the mid-range. Because your grade may depend on the relative performance of your classmates, you may find students to be rather competitive and unwilling to share their work with you. Students do work together on various group projects, but the majority of students do their own work and expect others to abide by the same procedure.

Individualism is highly valued in our society and a person generally receives credit and / or recognition only for what he or she has been responsible. Plagiarism, copying or taking credit for someone else's work as if it were your own, brings serious consequences.

### Social Life In The United States

Americans place great emphasis on individuality and personal identity. This often results in a large degree of informality in appearance, interpersonal relationships and methods of communication. Such informality can give the impression Americans are too familiar. This is not the case, although in some situations individuals may be looked upon as exhibiting poor taste in their behavior or dress. As long as one does not infringe on the rights of others, he or she is permitted a great deal of flexibility in his / her personal expression.

#### Use Of Names

Here are a few tips to help you properly address someone:

- 1) First names are more readily used in the United States than in many other countries. You may use the first name to address someone of approximately your same age and status or with someone younger. If you are unsure, it is appropriate to ask if the person prefers to be called by his/her/their first name.
- 2) A man or woman older than you is often addressed as Ms., Miss, Mrs., Mr. or Dr. until the individual requests you use his or her first name or until you get to know the individual better. "Sir" or "Ma'am" are polite forms of address used by some Americans when addressing someone older.
- 3) Men and women will be confused if you use Ms., Miss, Mrs., or Mr. with a first name, as is the custom in some countries. Ms., Miss, Mrs., or Mr. is used only with the family or last name.
- 4) Some American women prefer the new form of address: Ms.[pronounced "Miz."] This is used for both single and married women and replaces Miss and Mrs.. Ms. is also an acceptable form of address if you do not know if the woman is single or married.
- 5) Make a special point to learn whether your instructors prefer to be called by their first names or by Mr. or Ms.

### Introductions

Men usually shake hands when introduced. Women also often shake hands. When an individual is introduced to another individual, it is more common to nod in acknowledgment with a phrase such as, "How do you do?" or by repeating the person's name. Some will shake hands, however. A safe rule is if someone extends his or her hand to you, shake it.

### Making Friends & Sharing Cultures

Americans are curious people. They will ask you many questions. Some of their questions may appear ridiculous, uninformed and elementary, but try to be patient in answering them. You may be the first foreign national of a particular country whom they have met and they may have little understanding about your culture. Most Americans will be sincerely interested in learning about your country and your culture.

How Americans form and maintain friendships is perhaps one of the most difficult things for international students to understand. The casualness of friendship patterns in the United States allows people to move freely into new social groups that form around work, school, shared interests or places of residence. Most Americans readily welcome new people into their social groups. Many Americans will probably greet you with considerable warmth, but find this does not always continue. Americans have many interests and engage in a variety of activities so warmth expressed in one meeting between individuals, while genuine and sincere, may be confined to that occasion. Close interactions develop between individuals as they identify similar points of view and share a variety of experiences.

### Concept Of Time

You may feel life in the United States seems rushed. Americans are usually time conscious, and being on time is important. When you accept an invitation or make an appointment, you are expected to arrive within minutes of the scheduled time.

## Social Etiquette

You may receive invitations in person, by phone, mail, or email. Most invitations are informal but all should specify time and place. A casual verbal invitation such as “come and see me sometime” or “drop in” is usually given with the understanding you will call and make more specific plans before visiting.

When you accept an invitation, be sure you understand where and when the event is to be held and how to get there. If you don’t have a car, tell the person who invites you so that transportation can be arranged.

If you receive an invitation in the mail with the letters “RSVP” it means your hostess expects you to reply and indicate whether or not you will attend. Some invitations ask for “RSVP regrets only,” which means you should respond only if you cannot attend. If you must refuse, give a short explanation. If you accept an invitation to a person’s home, it is important to keep the appointment. The host will usually expect you to call or write well ahead of time if you are unable to attend.

Most Americans don’t have domestic help, and it is important for them to know in advance the number for whom to prepare. Do not accept an invitation you do not plan to honor. Americans are more offended by the guest who accepts an invitation and then fails to appear than by a person who refuses an invitation.

## Dress

Your national dress is appropriate for any occasion and will be of interest to other guests attending a function. If you do not wear national dress, there are a few rules. Generally dressy clothes are worn to a cocktail party, casual clothes to a picnic, and “in-between” types of clothes are worn to other functions. If you are not sure about what to wear, ask your hostess or someone else who you know is attending the same event.

## Showing Appreciation

It is unnecessary to bring a gift when invited to dinner; however, should you decide to do so, flowers, dessert, bread, wine or another beverage are all good choices and any will be graciously accepted. Overnight guests often will bring a small inexpensive gift to the host. A souvenir from the home country, for example, would be quite suitable and greatly appreciated.

Before leaving, tell the host and hostess something nice about the function and thank them for inviting you. Compliments on the meal are always appreciated. It is thoughtful to send a note of thanks for an invitation, especially for an overnight or weekend visit in someone’s home.

## American Holidays

The following are some of the special days celebrated in the U.S. An asterisk (\*) next to the day indicates United States Post Offices, banks and some schools are closed on that day. (CHECK THE SCHOOL CALENDAR FOR DETAILS ON COLLEGE CLOSURE)

**\* January 1 – New Year’s Day.** Celebration of the first day of the year.

**\* 3rd Monday in January – Dr. Martin Luther King, Jr. Day.** A day of recognition to one of the great civil rights leaders.

**February 14 – Valentine’s Day.** Originally for sweethearts, it is now a day to send cards to loved ones. Red hearts are symbolic of this day and flowers are traditional gifts. Young school children make and exchange Valentine’s Day cards.

**\* February 19 – George Washington’s Birthday.** Celebration of the birthday of the first president of the United States.

**2nd Sunday in May – Mother’s Day.** A day to honor mothers and grandmothers. Mother’s Day cards are sent through the mail.

**\* Last Monday in May – Memorial Day.** A day to honor the memory of the deceased. People often decorate the graves with flowers. Military services honor the war dead. Marks the beginning of summer.

**3rd Sunday in June – Father’s Day.** A day to honor fathers and grandfathers. Father’s Day cards are sent through the mail.

**\* July 4 – Independence Day.** The “birthday” of the United States of America. The Declaration of Independence was adopted by the Continental Congress on July 4, 1776.

**\* First Monday in September – Labor Day.** A day to honor working people. Labor Organizations sponsor celebrations. It is also symbolic of the end of summer.

**October 31 – Halloween.** This is generally a children’s holiday. Children dress up as ghosts, witches, and skeletons and go out in the evening (in costume) “trick or treating” – a custom of going from house to house with a bag or container to collect “goodies.” They ring doorbells and are offered a piece of candy to protect the householder from a “trick.”

**\* November 11 – Veteran’s Day.** A special day to honor the courage and patriotism of citizens who have served in the U.S. Armed Services.

**\* 4th Thursday in November – Thanksgiving Day.** A day for families to give thanks with feasting and prayer for the blessings they have received during the year. Turkey is traditionally the main course of the meal. This day also marks the beginning of the holiday season, which lasts until New Year’s Day.

**\* December 25 – Christmas Day.** A holiday celebrated by Christians to observe the birth of Jesus Christ. A spirit of good pervades, gifts and cards are exchanged among family and friends.

# LEGAL RIGHTS & RESPONSIBILITIES OF INTERNATIONAL STUDENTS

## U.S. Immigration Laws

Like all countries in the world, the United States has laws and regulations governing internationals living temporarily within its borders. These immigration laws and regulations are complex

and difficult to understand.

Since immigration laws frequently change, it is wise to keep in touch with the Director of International Student Affairs, Amy Pettengill. Always consult prior to adjusting your course of study or enrollment status, and when contemplating travel outside of the United States.

## U.S. Citizenship & Immigration Services (CIS)

Enforcement of United States immigration laws is the responsibility of the Citizenship and Immigration Services, (formerly INS) now called the CIS. The CIS is part of the Bureau of the U.S. Department of Homeland Security, and like most government agencies, is headquartered in Washington, D.C.

The closest CIS field office is:

United States Citizenship and Immigration Services  
5524 West Cypress St.  
Tampa, FL 33607  
Telephone: 800.375.5283  
Website: [www.uscis.gov](http://www.uscis.gov)

## General Information

### Passports

Remember to keep your passport valid at least 6 months into the future. It is your responsibility to note the expiration date of your passport and have it extended at least 6 months before it expires.

### Visas

Your visa is the stamp in your passport, which allows you to enter the United States. The visa is usually valid for a specific period of time. The visa is important only for entry to the United States. The expiration date on the visa does not affect how long you may stay in the United States. Please remember that your I-94 record is not your visa. If you need to renew your visa, it must be renewed in your home country.

### I-94

Your I-94 is your arrival record available electronically at [www.cbp.gov/i94](http://www.cbp.gov/i94). This record indicates how long you may stay in the country and your current immigration status.

### I - 20

When you are accepted for admission you are issued a form I - 20 by Ringling College, which serves as evidence of your admission. Before issuing an I - 20, the College must make sure you have sufficient financial resources to study full-time without working illegally.

## Important Tips To Remember

You need to maintain full-time student status, which is at least 12 credit hours per semester.

If you move from one residence to another, you must report your new address to the Director of International Student Affairs within 10 days after you change it.

Any or all changes in academic objectives, particularly those

involving a transfer to another school, should be discussed with your Academic Advisor and the Director of International Student Affairs.

## Visa Revalidation Information

- F - 1 visas cannot be revalidated in the United States. If your visa has expired, you must renew your visa in your home country or a third country.
- If your visa has expired, you may travel to Canada or Mexico with an expired Visa. It may be revalidated once and this depends on your country of origin.

## Travel Outside The U.S.

If you will be leaving the United States temporarily, you must have certain documentation with you in order to re-enter the United States:

- 1) Valid passport
- 2) Valid F - 1 visa stamped in your passport
- 3) Valid signature on your Form I - 20 (Past 12 months)

If you are traveling outside the United States to a country other than your own, you need to call that country's embassy or consulate to find out if an entry visa is required.

**NOTE: Any time you leave the United States you need to confirm that your I-20 has a valid travel signature past 12 months.**

## Duration Of Status

All F - 1 students are admitted to the United States for "Duration of Status" [D/S], which means:

- the period during which you are pursuing a full-time course of study in the educational program.
- the period during which you are pursuing any authorized training.
- the 60-days you are given after graduation or practical training to depart from the United States or apply for a change of status.

You are entitled to one quarter of vacation each year:

- if you are eligible and intending to register for the next term.
- if you have completed the equivalent of a full year of study.

## Transferring Schools

You must follow the transfer procedure if you are transferring schools. See your International Student Advisor for transfer information.

## Program Extension

If you are unable to complete your course of study by the "completion date" on your I - 20, you may apply for a program extension if the following conditions are met:

- you apply 30 days before reaching the I - 20 completion date.

- you have continuously maintained lawful F - 1 status.

- the delay in completing program requirements has been caused by compelling academic reasons (such as change of major), or compelling and documented medical reasons. Delays in completing program requirements that are caused by academic probation or suspension are not acceptable reasons for a program extension.

## Employment

### On-Campus

You may work a maximum of 20 hours per week on-campus while College is in session or during vacation periods, if you will be registering for the next term. Authorization from your Director of International Student Affairs is required for on-campus employment, but you will need a "valid for work" social security card to work on campus. To receive a Social Security card, see your International Student Advisor who will give you an overview of the process of applying for a Social Security Number.

For information about finding on-campus jobs, stop by the Center for Career Services, call 941.359.7501, or go to <http://www.ringling.edu/talent>.

### Off-Campus

#### 1) Off-Campus Employment Based on Severe Economic Hardship

If you are suffering from severe economic hardship based on unforeseen circumstances beyond your control, you may be eligible for off-campus employment. Permission is difficult. When you enrolled in Ringling College, you signed an affidavit stating you had sufficient funds to pay all expenses for the school year. See the International Student Advisor for more information.

#### 2) Curricular Practical Training [CPT - internship]

CPT is employment performed for academic credit or which is a requirement as part of the specific program. For more information, see the International Student Advisor.

#### 3.) Optional Practical Training

When work experience is not part of the degree program but is related to your field of studies you may engage in OPT for a total of 12 months. You may work before you complete your degree or work after you graduate, but you are limited to no more than 12 months of Optional Practical Training and it must be in your field of training.

4. All off-campus employment, including internships, must have the approval of the Director of International Student Affairs and the Immigration Office. All students applying for off-campus employment must complete specific forms relevant to that type of training. You will be issued a new I - 20.

Any international student who works off-campus without approval is out-of-status. International students may not do freelance work or sell their work through a gallery. Students who are out-of-status are at risk of deportation from the United States.

## F - 2 Status

If you are a student with F - 1 status and wish to bring your spouse, and / or unmarried minor children (younger than age 21) to the United States, you will need a new I - 20. See the Director of International Student Affairs to receive the most complete and current information.

**Dependents in F - 2 status are never allowed to accept employment.**

## F - 1 To B - 2 Status

If you have finished your studies and wish to stay in the United States as a "visitor for pleasure," you may apply to change your immigration status from F - 1 to B - 2. As an F - 1 student your duration of status ends 60 days after your program ends. This means you may remain in the United States for 60 days before returning home. If you wish to remain in the U.S. for a longer period of time, you must apply for a change of status no later than 60 days after the completion of your studies. Contact the Tampa Office of Citizenship and Immigration Services for details at 800.375.5283, or speak to the International Student Advisor.

**Be advised this option may be changed due to new regulations.**

## Legal Assistance

If you need legal advice you may consult with International Student Affairs for referrals. Immigration concerns may require an immigration lawyer.

## Travel To Mexico Or Canada

## United States Tax Information

### Social Security

If you are employed in the United States, you are required to have a Social Security number. If your salary is processed by payroll, you must have a Social Security number to open savings and checking accounts. If you are applying for a Social Security card, you must apply in person and present your passport with an I-94, three letters: supervisor, Human Resources and the International Student Affairs office and one other form of identification to the Social Security Office. This office is located at 2001 Siesta Drive, Suite 301, Sarasota. Be sure to allow extra time for this visit as you will have to wait to be called. The Sarasota Social Security Office requires an authorization letter from your Director of International Student Affairs and a letter showing an offer of employment has been made to you for on-campus employment.

### Filing Tax Returns

Effective in 1992, all persons in F status must file a tax return, even if they have no U.S. source of income. International Students with on campus jobs must file Federal Tax returns between 01 January and 15 April of every year; those without wage income must file by 15 June. You will receive information about filing your taxes through Glacier Tax Prep, a system the college has licensed for this purpose.

## PERSONAL SAFETY

Ringling College of Art and Design is a small campus with a close-knit faculty, staff and student population. Criminal activity on campus is rare and when crimes do occur they are usually minor. However, whether or not you become a victim of a crime depends largely on your personal habits. It is up to you as an individual to make good decisions and to live safely. The following personal safety tips may be useful:

- 1) Keep emergency numbers in your cell phone, whether you live on campus or off. If on campus, call 941.359.7500.
- 2) At night, walk in well-lighted areas. Travel in groups of 2 or more. Do not ignore intuition or feelings. If you think you are being watched or followed, head for a populated area.
- 3) Do not wear headphones – they block audible warnings of a person or vehicle approaching.
- 4) Avoid working in classrooms, labs or isolated locations alone at night. Again, try to do these activities in groups.
- 5) Never leave your purse, book bag, wallet or valuables unattended.
- 6) Never leave your residence hall room or apartment unlocked for any amount of time, no matter how short. In a residence hall facility, lock your door and wear the key around your neck on a chain when you go to the shower.
- 7) If a vehicle stops for directions, keep your distance. Don't stand so close you can be grabbed and pulled inside. Avoid being too friendly with strangers.
- 8) Placing a single key between your forefinger and middle finger when walking to or from your vehicle provides you with a very discreet, but effective weapon for self-defense if you are assaulted. Also consider keeping a noisemaker with you (a whistle or key chain alarm).

### In Your Car

- 1) Park in well-lighted areas. Look around the parking lot before exiting your vehicle. If you see anything or anyone that makes you uncomfortable, contact the Office of Public Safety (941.359.7500) immediately and they will escort you to your residence.
- 2) Always lock your car. When returning, check the back seat to be sure no one has entered and is hiding. Have keys ready when walking to your car.
- 3) Keep plenty of gasoline in your vehicle so you do not find yourself stranded in an unfamiliar area.
- 4) If you think you are being followed by another car, drive to a police station or well-lit, populated area like a shopping center and seek assistance. Do not go home if you think you are being followed.

### Sexual Assault

- 1) Make friends slowly. Do not immediately trust strangers. Get

to know your new friends and classmates well before trusting them unconditionally.

- 2) Make dating situations double dates or group outings. Do not go out alone with a new date until you know that person well enough.
- 3) Let a friend or roommate know who you are with, where you are going and what time you will return. Do not change your plans
- 4) Avoid drugs and alcohol. Most date rape situations are drug or alcohol related. Current date rape drugs including "liquid gas" or "roofies" are odorless, colorless liquids that are added to alcoholic drinks to incapacitate the victim. Always keep your drink in sight and in your hand.
- 5) If you are assaulted, you should:
  - not bathe or change clothes
  - alert police or Public Safety immediately
  - alert Office of Student Life
  - remember you are the victim

Do not let feelings or guilt influence you into making bad decisions. Sexual assault, regardless of what you may hear, is not provoked by the victim's dress or mannerisms. Remember the rapist is emotionally unstable, but may appear normal. A rapist is typically a person who has difficulty relating to others in a permanent or lasting relationship. A rapist can be a friend, a date, a relative, a co-worker or some other acquaintance of the victim.

Consult the [Student Handbook](#) for additional information.

## OTHER RINGLING COLLEGE POLICIES

Ringling College of Art and Design reserves the right to change programs, regulations, rules and / or fees noted in this Student Handbook or other Ringling College publications at any time without advance or subsequent notice. It is the intention of the College to offer uninterrupted courses of study to its students. In the event it is unable to continue some or all academic instruction because of a natural disaster or other event over which the institution has no control, tuition and other fees are not refundable.

Ringling College of Art and Design reserves the right to alter, change or add policies at any time. New policies will be distributed to all current students via a broadcast announcement to their @c.ringling.edu email addresses and will be posted online.

The following are additional Ringling College of Art and Design policies:

## Non-Discrimination Policy

Ringling College of Art and Design does not discriminate on the basis of sex, age, gender, color, race, national or ethnic origin, religion, marital status, sexual orientation, gender identity or expression, disability, veteran status, genetic information, or any other basis prohibited by law, in its programs or activities. No person, because of discrimination as defined in the Non-Discrimination Policy, will be excluded from participation in, or denied the benefits of or access to any educational program or activity provided by the College. This is not only the policy of the College, it is also the mandate under applicable federal and state laws and includes the administration of its educational policies, admissions policies, scholarship and loan programs, and other College administered programs, pursuant to the Internal Revenue Code of 1954.

The College's programs and activities are conducted in compliance with Section 504 of the Rehabilitation Act of 1973, as amended, with the Americans with Disabilities Act of 1990, as amended, and with Title IX of the Education Amendments of 1972. The College is an equal opportunity educational institution.

The College does not discriminate on the basis of sex in its education programs and activities, or in the context of employment. Sexual harassment, including sexual assault, dating violence, domestic violence, and stalking, is a form of sex discrimination prohibited by Title IX of the Education Amendments of 1972. (See Ringling College of Art and Design Sexual Misconduct and Title IX Policy). Title IX requires that:

- No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Sexual harassment is also prohibited under Title VII of the Civil Rights Act of 1964 and other applicable statutes.

Anyone engaging in practices that violate the Non-Discrimination Policy, including discrimination, harassment or retaliation against someone who complains about discrimination, will be subject to disciplinary action, up to and including expulsion or separation from the College. Anyone who believes he or she has been subjected to unlawful discrimination, harassment, retaliation or other practices in violation of the Non-Discrimination policy should immediately contact the Title IX Coordinator or Deputy Title IX Coordinator, as listed below.

### Inquiries

Inquiries regarding compliance with these statutes and referrals to designated coordinators under the ADA/Section 504 and Title IX may be directed to Christine DeGeorge, Title IX Coordinator, or to the Director of the Office for Civil Rights, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-1100, 1-800-421-3481. TDD 877-521-2172.

### Procedures for Complaints

Cases falling under the jurisdiction of the Sexual Misconduct and Title IX Policy will be handled according to that policy. All other discrimination concerns will be handled pursuant to the procedures outlined here. Student to student complaints will be processed under the Student Code of Conduct system. For student complaints against faculty, staff or others, the procedures outlined in the Non-Harassment Policy will be used for handling reports and complaints of alleged violations of this policy.

For employees and others, the procedures outlined in the Non-Harassment Policy and the Grievance Procedures in the Ringling College Faculty and Staff Handbooks, will be the mechanism for handling reports of alleged violations of this policy.

The Title IX Coordinator and Deputy Coordinator will assist any individual wishing to inquire, make a report or a complaint and will provide information concerning the options for resolving a report under this policy.

The Title IX Coordinator has the overall responsibility for the implementation of the Title IX program at Ringling College. The Coordinator oversees the administration of grievance procedures for faculty and staff and coordinates training, education and communication of all College discrimination and harassment policies. The Deputy Title IX Coordinator oversees the administration of the grievance procedures for students and coordinates training, education and communication to students.

### Title IX Coordinator

Christine DeGeorge

Vice President for Human and Organizational Development Office of Human Resources,  
Verman Kimbrough Building, 1st Floor 2700 N. Tamiami Trail Sarasota, FL 34234

941-359-7619 ccarnegi@ringling.edu

### Deputy Title IX Coordinator

Dr. Tammy S. Walsh

Vice President for Student Life and Dean of Students  
Office Location: Ulla Searing Center, Second floor  
941-359-7510  
twalsh@ringling.edu

## Sexual Misconduct and Title IX Compliance

### INTRODUCTION

Ringling College of Art and Design ("Ringling" or "the College") is committed to creating and maintaining a community in which students, faculty, and staff can work together in an atmosphere free from all forms of discrimination. Specifically, every member of the College community should be aware that Ringling College is opposed to discrimination on the basis of sex, gender, gender expression, gender identity, and sexual orientation, and that such behavior is prohibited by College policy. Such discrimination includes harassment on the basis of these traits, as well as sexual harassment, sexual assault, dating violence, domestic violence, and stalking.

Title IX of the Educational Amendments of 1972 (Title IX) is a Federal law which prohibits discrimination on the basis of sex in education, programs or activities. It provides that no person



shall, on the basis of sex, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any educational program or activity provided through the College. This is not only the policy of the College, it is also the mandate under applicable federal and state laws and applies with regard to the College's employment, admissions, academic programs, scholarship and loan programs, and other College administered programs.

While it is often thought of as a law that applies to athletics programs, Title IX is much broader than athletics and applies to all programs at Ringling College. While compliance with the law is everyone's responsibility at Ringling College, the College has a designated Title IX Coordinator and Deputy Title IX Coordinator to oversee its response to all reports of Prohibited Conduct as defined by this Policy, and coordinate compliance with the mandates of Title IX. The Title IX Coordinator and Deputy Title IX Coordinator are knowledgeable and trained in the College's policies and procedures, State and Federal laws that apply to sexual misconduct and harassment, and the dynamics of sexual misconduct and harassment.

Any individual may report Prohibited Conduct under this Policy, regardless of whether the person reporting is the person that is reported to have experienced the Prohibited Conduct. The Title IX Coordinator and Deputy Title IX Coordinator are available to meet with any individual to discuss the options for resolving a report under this policy. The College will respond promptly in a manner that is not deliberately indifferent when the College has actual knowledge of Prohibited Conduct in an educational program or activity of the College. Where a report is made regarding Prohibited Conduct, the Title IX Coordinator will promptly respond to such reports by offering supportive measures, follow the fair and equitable grievance process outlined in this Policy to resolve allegations of Prohibited Conduct where a Formal Complaint is filed, ensure that appropriate discipline is issued when Prohibited Conduct is determined to have occurred, and take remedial action to restore or preserve equal access to the College's education and activities.

The College's programs and activities are conducted in compliance with Section 504 of the Rehabilitation Act of 1973, as amended, with the Americans with Disabilities Act of 1990, as amended, and with Title IX of the Education Amendments of 1972 and its implementing regulations as amended. Sexual harassment is also prohibited under Title VII of the Civil Rights Act of 1964 and other applicable statutes.

This Policy implements the mandates of the Non-Discrimination Policy with regard to sex discrimination, sexual harassment, and other sex-related prohibited conduct as defined below.

#### SCOPE OF POLICY

The Policy applies to students, faculty, staff, visitors, vendors, independent contractors, volunteers, and others who either conduct business with the College or conduct business on College owned or controlled property.

The Policy applies to Prohibited Conduct that:

- Occurs on campus;
- Occurs in connection to any College educational program or activity, including employment and admissions, regardless of where the conduct occurred; or
- Has continuing adverse effects on campus or on any member of the College community.

The purpose of this Policy is to:

- Define the forms of Prohibited Conduct that violate this Policy;
- Identify resources and support for members of the Ringling College community who may have experienced or been accused of Prohibited Conduct;
- Identify the Title IX Coordinators and their responsibilities related to the Policy;
- Provide information as to how an individual may make a report or Formal Complaint; and
- Provide information on how a Formal Complaint will be resolved, which may include informal resolution or a formal investigation and adjudication.

#### NOTICE OF NONDISCRIMINATION AND DESIGNATION OF TITLE IX COORDINATOR

Ringling College of Art and Design does not discriminate on the basis of sex, age, gender, color, race, national or ethnic origin, religion, marital status, sexual orientation, gender identity or expression, disability, veteran status, genetic information, or any other basis prohibited by law, in its programs or activities. The College is an equal opportunity educational institution.

Title IX prohibits the College from discrimination on the basis of sex in the education programs or activities that it operates. This prohibition extends to admission and employment. This Policy provides for the prompt and equitable resolution of complaints alleging any action prohibited by Title IX, and explains the process that the College will use for doing so.

The Title IX Coordinator and Deputy Title IX Coordinator have been designated and authorized to implement the Title IX program at Ringling College. The Title IX Coordinator has been designated and authorized to coordinate the College's efforts to address concerns relating to discrimination and harassment on the basis of sex. Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person who experienced the conduct that could constitute sex discrimination or sexual harassment), at any time

including non-business hours by contacting the Title IX Coordinator as follows:

**Title IX Coordinator (Faculty and Staff):**

Christine DeGeorge – Vice President for Human and Organizational Development  
Office location: Verman Kimbrough Bldg, First Floor  
(941) 359-7619 ccarnege@ringling.edu

**Deputy Title IX Coordinator (Students):**

Dr. Tammy S. Walsh - Vice President for Student Life and Dean of Students  
Office location: Ulla Searing Student Center, Second Floor  
(941) 359-7510 twalsh@ringling.edu

Inquiries about Title IX may also be directed to the U.S. Department of Education's Office for Civil Rights by contacting 1-800-421-3481 or emailing ocr@ed.gov.

The Coordinator oversees the administration of grievance procedures for faculty and staff, and coordinates training, education and communication of all College non-discrimination and non-harassment policies. The Deputy Title IX Coordinator oversees the administration of the grievance procedures for students and coordinates training, education and communication to students. Additional policies that work in conjunction with this Policy include the *Non-Harassment Policy*, *Student Code of Conduct*, and *Non-Discrimination Policy*.

The Title IX Coordinator and Deputy Title IX Coordinator are knowledgeable and trained in the College's policies and procedures, state and federal laws, that apply to Sexual Misconduct and Harassment, and the dynamics of Sexual Misconduct and Harassment. The Title IX Coordinator and Deputy Title IX Coordinator are available to meet with any individual to discuss the options for resolving a report under this policy.

In addition to addressing complaints against a particular party, the Title IX Coordinator also facilitates the handling of reports raised that the College's policies or practices may discriminate on the basis of sex. The Title IX Coordinator conducts an assessment of such concerns and, using procedures the Title IX Coordinator determines to be appropriate given the circumstances, works with the College to ensure that its policies and practices are compliant.

Any duties or discretion assigned to the Title IX Coordinator or Deputy Title IX Coordinator by this Policy may be assigned to a designee.

## GLOSSARY OF TERMS

**Acts of Violence:** Acts of violence may include, but are not limited to:

- Recklessly causing bodily injury;
- Attempts to cause bodily injury; and
- Causing fear of immediate, physical harm through threat of force.

**Actual Knowledge:** The College has actual knowledge of allegations of Sexual Harassment – Title IX when notice of such allegations is provided to a Title IX Coordinator or any of the following College officials who have the authority to institute corrective measures on behalf of the College: President, Vice President for Human Organizational Development, Vice President for Student Life and Dean of Students, and the Vice President for Finance and Administration. The actual knowledge standard is not met when the only official of the College with actual knowledge is the respondent.

**Bias:** Bias means the tendency of an individual to share the perspective of one party over another party in a way that is unfair and not dependent on evidence. The following will not be considered evidence of bias, as indicated in the U.S. Department of Education's commentary to the Title IX regulations:

- The Title IX Coordinator's initiation of a formal complaint;
- An individual's decision that allegations warrant an investigation;
- An individual's current job title, professional qualifications, past experience, identity,
- or sex/gender;
- Use of trauma - informed practices when such practices do not rely on sex stereotypes,
- apply generalizations to allegations in specific cases, cause loss of impartiality, and result in prejudgment of the facts at issue.

The College will apply an objective (whether a reasonable person would believe bias exists), common sense approach to evaluating whether a particular person serving in a Title IX role is biased, and will exercise caution not to apply generalizations that might unreasonably conclude that bias exists.

**Complainant:** A Complainant is defined as an individual who is reported to have experienced Prohibited Conduct.

**Consent:** Affirmative consent is a clear, unambiguous, knowing, informed, and voluntary agreement between all participants to engage in sexual activity. Consent is active, not passive. Silence or lack of resistance cannot be interpreted as consent. Seeking and receiving consent is the responsibility of the person(s) initiating each specific sexual act, regardless of whether the person initiating the act is under the influence of drugs and/or alcohol. Consent to any sexual act or prior consensual activity between parties does not constitute consent to any other sexual act. The definition of consent does not vary based upon a

participant's sex, sexual orientation, gender identity, or gender expression. Consent may be initially given but may be withdrawn at anytime by outwardly demonstrating such withdrawal by words or actions that clearly indicate a desire to end sexual activity. When consent is withdrawn or cannot be given, sexual activity must stop. Consent cannot be given when a person is incapacitated. Consent cannot be given when it is the result of force. Consent cannot be given by someone under the legal age to consent.

**Education Program or Activity:** Includes all of the College's operations, including locations, events, or circumstances over which the College exercises substantial control over both the Respondent and the context in which the conduct occurs; and any building owned or controlled by a student organization that is officially recognized by the College.

**Force:** Force is the use of physical violence or physical imposition to engage in sexual activity with another person. Force also includes the use of threat, intimidation, or coercion to overcome a person's free will or resistance to freely giving consent. Threat, intimidation and coercion include:

1. Actual or implied declarations to inflict physical or psychological harm, to cause damages or to commit other hostile actions to obtain sexual activity from an unwilling participant, and
2. Applying unreasonable pressure to obtain sexual activity from an unwilling participant. Unreasonable pressure shall be assessed by factors such as the frequency, intensity, degree of isolation and/or duration of the pressure and must include a real or perceived attack on safety, character, values or morals.

**Formal Complaint:** A document filed in writing by a Complainant, or signed by the Title IX Coordinator, that alleges Prohibited Conduct against a Respondent and requests that the College officially investigate and resolve the allegation.

**Human Rights Committee:** A fact - finding committee whose purpose is to respond to and resolve harassment complaints that are not eligible for a hearing under this Policy, nor do they involve a student respondent (in which case they are handled through the Student Conduct process). The Committee is a standing committee appointed by the President and comprised of three faculty members, two staff members, and two students. The student members of the Committee will participate only in those cases where other students are involved as the complainant. The Title IX Coordinator shall assist the Committee in coordinating its responsibilities under this Policy, but shall not participate in deliberations except as needed to answer questions about the Policy or the investigation process. If a member of the Human Rights Committee is unable to carry out their responsibilities

in an impartial, unbiased manner, the Title IX Coordinator will designate an alternate official to serve on the Committee.

**Incapacitation:** Incapacitation occurs when an individual lacks the ability to knowingly consent to sexual activity. Incapacitation includes impairment due to drugs or alcohol (whether such use is voluntary or involuntary), lack of consciousness, intermittent consciousness, being asleep, being involuntarily restrained, physical helplessness, or from temporary or permanent mental impairment. A person is incapacitated when the person's perception or judgment is so impaired that the person lacks the cognitive ability to make, understand or act on considered decisions.

Incapacitation is not the same as an alcohol - induced "blackout." An alcohol - induced blackout is defined as a lack of memory for events occurring after consuming alcohol without a loss of consciousness. A blackout is memory loss during a period of impairment without the loss of other skills.

Factors that a person may use to determine incapacitation include, but are not limited to:

- Slurred speech
- Lack of motor skills or balance
- Inability to focus
- Confusion
- Vomiting
- Emotional volatility or reactivity
- Unusual behavior
- Bloodshot eyes
- Smell of alcohol on breath

A person who is incapacitated is unable to give Consent to participate in sexual activity. To engage in sexual activity with a person whom one knows or should know is incapacitated constitutes Prohibited Conduct and violates this Policy. Under this Policy, determinations as to whether a person should have known that another person was incapacitated shall be objectively based on what a reasonable sober person would have known about the condition of the incapacitated person in the same situation. Whether a person knew or should have known of another's incapacitation requires assessment of how alcohol is affecting the other person's:

- Ability to make decisions and exercise judgment;
- Awareness of surroundings and consequences of actions;
- Ability to appreciate the nature of any sexual acts and circumstances surrounding the acts

A party's own intoxication or impairment by alcohol or other drugs does not excuse Prohibited Conduct or remove a responsibility to obtain consent for all sexual acts.

**Preponderance of the Evidence:** A determination based on facts that are more likely true than not true. Using this standard, where the evidence in a case is in equipoise, the preponderance

of the evidence standard results in a finding that the respondent is not responsible. The College applies this standard of evidence for Formal Complaints against all respondents regardless of status, and applies the same standard of evidence to all formal complaints of Prohibited Conduct under this Policy.

**Respondent:** A Respondent is defined as an individual who is reported to have committed Prohibited Conduct.

Supportive Measures: Non-disciplinary, non-punitive individualized services offered to complainants and respondents as appropriate, reasonably available, and without fee or charge. This term also includes protective measures as referred to in the Clery Act.

## PROHIBITED CONDUCT

This policy addresses a broad spectrum of behavior, all of which fall under the broad definition of Prohibited Conduct. The term Prohibited Conduct includes: sexual harassment – Title IX; sexual harassment – Non-Title IX; sex discrimination; harassment on the basis of sex, gender, or sexual orientation; sexual exploitation; retaliation; and false complaints and statements. Prohibited Conduct also includes means actual, attempted or alleged criminal sexual abuse as defined by the State of Florida.

Instructional material that is reported to form the basis for Prohibited Conduct shall not be deemed Prohibited Conduct unless the material is irrelevant to the subject of the course or the cumulative presentation of specific material is unbalanced to the degree that it rises to the level of Prohibited Conduct under this Policy.

**Sexual Harassment - Title IX** means conduct on the basis of sex that satisfies the definition of one or more of the following: quid pro quo by an employee to a student; unwelcome conduct; sexual assault; dating violence; domestic violence; or stalking.

### 1. Quid Pro Quo Sexual Harassment

*Quid pro quo sexual harassment* occurs when a College employee conditions the provision of aid, benefit, or service of the College on participation in unwelcome sexual conduct.

### 2. Unwelcome Conduct

Conduct on the basis of sex that is unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the College's educational program or activity.

## 3. Sexual Assault

Sexual assault is a forcible or non - forcible sex offense as classified under the Uniform Crime Reporting system of the FBI, to include:

- a. *Penetrative Sexual Assault* – 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, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity. Attempts to commit penetrative sexual assault are also included within this definition.
- b. *Fondling* – Kissing, touching of the private body parts of another person, causing another to touch one's private body parts, or disrobing of another for the purpose of sexual gratification without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental or physical incapacity.
- c. *Incest* – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- d. *Statutory Rape* – Sexual intercourse with a person who is under the statutory age of consent.

## 4. Dating Violence

Dating Violence means an act of violence committed by a person who is or has been in a romantic or intimate relationship with the complainant. The existence of such a romantic or intimate relationship is determined by the length of the relationship, the type of relationship, and the frequency of interactions between the individuals involved in the relationship.

## 5. Domestic Violence

The term Domestic Violence includes felony or misdemeanor crimes of violence committed on the basis of sex 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 receiving grant monies, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.

## 6. Stalking

Stalking is engaging in a course of conduct on the basis of sex directed at a specific person that would cause a reasonable person with similar characteristics under similar circumstances to:

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

A course of conduct includes two or more acts, including but not limited to, those in which the alleged perpetrator directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about the complainant, or interferes with the complainant's property. The course of conduct must be committed on the basis of the victim's sex.

### **Sexual Harassment – Non-Title IX**

Sexual Harassment – Non-Title IX is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to or rejection of such conduct is an explicit or implicit condition of an individual's employment, evaluation of academic work, or participation in any aspect of a College education program or activity; or
2. Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, i.e. it is sufficiently severe, pervasive, or persistent as to create an intimidating, hostile, humiliating, or sexually offensive working, academic, residential, or social environment under both a subjective and an objective standard.

Sexual Harassment – Non-Title IX does not refer to occasional compliments of a socially acceptable nature or to welcome conduct.

### **Stalking – Non-Title IX**

Stalking – Non-Title IX is defined as stalking that meets the definition above under "Sexual Harassment – Title IX," but that does not occur on the basis of sex.

### **Domestic Violence – Non - Title IX**

Domestic Violence – Non - Title IX is defined as domestic violence that meets the definition above under "Sexual Harassment – Title IX" but that does not occur on the basis of sex.

### **Sex Discrimination**

Discrimination that occurs when conduct or a policy has the purpose or effect of restricting or denying access to opportunities, programs, or resources in relation to sex in a manner that interferes with an individual's ability to participate in any academic, extracurricular, research, occupational training, or other College education program or activity. Sex discrimination is prohibited in connection

with housing, classes, counseling, financial assistance, employment, health and insurance benefits and services, and with regard to marital or parental status.

Sex discrimination does not include behavior that differentiates between sex/gender and is explicitly permitted by federal regulations, including single - gender housing and hiring when sex/gender is a bona fide occupational qualification reasonably necessary to the normal operation of the College.

### **Harassment on the Basis of Sex, Gender, or Sexual Orientation**

Harassment on the basis of sex, gender, or sexual orientation is defined as unwelcome verbal or physical conduct on the basis of one's sex, gender, gender identity, gender expression, or sexual orientation when:

1. Submission to or rejection of such conduct is an explicit or implicit condition of an individual's employment, evaluation of academic work, or participation in any aspect of a College education program or activity; or
2. Submission to or rejection of such conduct by an individual is used as the basis for decisions affecting the individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or academic performance, i.e. it is sufficiently severe, pervasive, or persistent as to create an intimidating, hostile, humiliating, or sexually offensive working, academic, residential, or social environment under both a subjective and an objective standard.

### **Sexual Exploitation**

Sexual Exploitation is when an individual takes non - consensual or abusive sexual advantage of another, for their own benefit; or to benefit anyone other than the one being exploited; and that behavior does not otherwise constitute one of the other prohibited conduct offenses. Examples of sexual exploitation include, but are not limited to:

- Prostituting another person (i.e. personally gaining money, privilege, or power from the sexual activities of another person)
- Non - consensual video, photography, audiotaping, or any other form of recording, of sexual activity;
- Non - consensual sharing or streaming of images, photography, video, or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all parties involved;
- Allowing others to observe a personal act of consensual sex without knowledge or consent of the partner;
- Engaging in voyeurism (being a "peeping tom");
- Knowingly or recklessly transmitting an STD or HIV to another person.

## Retaliation

Retaliation consists of words or actions taken in response to reporting of a policy violation or participation in the College's complaint process or the follow up to a complaint. Neither the College nor any other person may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by this policy, or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the regulations.

Intimidation, threats, coercion, or discrimination, including charges against an individual for code of conduct violations that do not involve Prohibited Conduct, but arise out of the same facts or circumstances as a report or complaint of Prohibited Conduct for the purpose of interfering with any right or privilege secured by Title IX or the regulations, constitutes retaliation. Complaints alleging retaliation may be filed according to the grievance procedures under this Policy.

Charging an individual with a code of conduct violation for making a materially false complaint or statement in bad faith in the course of a grievance proceeding under the regulations does not constitute retaliation, as described above, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false complaint or statement in bad faith.

## False Complaints and Statements

An individual found to have made a false complaint or to have knowingly and willingly given false statements during an investigation will be subject to disciplinary action. Submitting a good faith complaint, concern or report of harassment will not affect the complainant's employment, grades, academic standing, or work assignments.

## A SPECIAL NOTE TO FACULTY, TEACHING ASSISTANTS, STAFF, AND OTHER PERSONS IN POSITIONS OF POWER

Either type of sexual harassment may occur when a person who is in a position of trust or authority engages in behaviors or creates conditions that are inappropriate, unwanted, and/or non-reciprocal. This is especially true in instances of sexual harassment when an unwelcome personal element is introduced into what should be a sex neutral situation. Because of the difference in power between faculty and students, and between supervisors and employees, a faculty member or supervisor cannot be certain that a personal relationship is truly welcome or consensual. Moreover, other individuals may be affected by such relationships. Those who abuse, or appear to abuse,

their power violate their responsibility to the community. The College expects the faculty and staff to be aware of the potential for problems and conflicts of interest.

## REPORTING PROHIBITED CONDUCT AND ACCESSING SUPPORTIVE MEASURES

Any individual who believes they have experienced Prohibited Conduct has several options for addressing Prohibited Conduct, including reporting to the Title IX Coordinator, reporting to law enforcement, seeking confidential resources, or any combination of these. These options, as well as information regarding the privacy of such reports and amnesty offered for violations of other policies, are outlined here. This section also details the supportive measures that are available to individuals who report Prohibited Conduct to the Title IX Coordinator, as well as the options for emergency removal and administrative leave.

### A. Reporting to the Title IX Coordinator

The College encourages all individuals to report information about any type of Prohibited Conduct to the Title IX Coordinator. Reports may be made **online** using the Ringling **Reporting Form**. Reports may also be submitted to the Title IX Coordinator by email, mail, telephone, or in person using the contact information listed above, or by any other means that results in the Title IX Coordinator receiving a verbal or written report. Such a report may be made at any time, including during non-business hours. Individuals may choose to make an anonymous report, however if an individual wishes to remain anonymous, it may limit the College's ability to respond.

Faculty and staff (except for College Counseling staff and the Campus Chaplain since they are confidential resources) are required to report information to a Title IX Coordinator about any type of Prohibited Conduct. Such mandatory reports cannot be anonymous and must include the name of the employee filing the report, as well as all known information relating to the report. Additionally, as required by Florida law, upon notification of known or suspected sexual abuse, abandonment or neglect of a child under age 18, employees, students and volunteers must report as described in the Ringling College of Art and Design Child Protection Policy. This policy can be found in the student and employee handbooks.

Reports may also be made 24 hours a day, 7 days a week by calling Public Safety (941-359- 7500). A complainant or third party can request a campus safety officer to respond and take a report.

The College's goal is that all students report all incidents of Prohibited Conduct so that those affected can receive the support and resources needed. To encourage reporting, the College offers amnesty. This means that personal drug and alcohol use be exempt from disciplinary action in situations where Prohibited Conduct also occurs. However, the College

may require educational programs about the use of alcohol or drugs and their impact.

Complainants may choose to put respondents "on notice" that their behavior was unwelcome, but doing so is not a prerequisite to initiating a report or Formal Complaint. Upon receipt of a report, the Title IX Coordinator will provide the complainant with a copy of or link to this Policy, offer an opportunity to discuss supportive measures, and provide information to the complainant of their rights as follows:

- 1) The right to contact or decline to contact law enforcement to pursue criminal charges, which may be done concurrently with, before, or after filing a Formal Complaint under this Policy. More information on law enforcement is below.
- 2) The right to access supportive measures under this Policy, regardless of whether the complainant chooses to file a Formal Complaint or report to law enforcement.
- 3) The right to file a civil action against the respondent, such as to request a protective order.
- 4) The right to file a complaint with the U.S. Department of Education, the U.S. Equal Employment Opportunity Commission, and other relevant legal authorities as may be applicable under the circumstances.
- 5) With regard to reports alleging sexual assault, dating violence, domestic violence, or stalking:
  - a) The right to receive information about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for those who have experienced these types of Prohibited Conduct, including resources within the College and in the community;
  - b) The right to receive information about options for, available assistance in, and how to request changes to academic, living, transportation, working situations, and other supportive measures;
  - c) The right to receive information about the procedures used to address reports and Formal Complaints as explained by this Policy, including disciplinary procedures.

The Colleges' response to reports may be limited if the respondent is no longer on campus or is unknown. Nevertheless, resources and assistance may still be available and the complainant is encouraged to report the Prohibited Conduct to explore those options.

#### B. Reporting to Law Enforcement

When Prohibited Conduct may also constitute criminal

conduct, individuals may file a report with the Sarasota Police Department or other law enforcement agency with jurisdiction, depending on the location of the incident.

If a complainant wishes to file a report with the Sarasota Police Department, a Ringling College staff member is available to assist. The College will not file a police report about the incident on the complainant's behalf unless compelling circumstances, as outlined in the statement of privacy and confidentiality section, exist. The College's response to a report is not impacted by the complainant's decision to file a criminal complaint or the outcome of the criminal investigation.

Notifying the Sarasota Police Department will generally result in the complainant and, in some cases the respondent, being contacted by a police officer. The police department determines if a criminal investigation will occur and if the case will be referred for prosecution.

Under Florida state law, sexual misconduct may constitute a criminal act. However, the College conducts investigations and hearings and renders sanctions in an educational, non-criminal context. An act not criminally prosecuted may still violate College policy. Because the goals and objectives of the Policy differ from those of the civil and criminal justice systems, proceedings under the Policy are independent of civil and criminal processes and may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus. On-campus adjudication does not preclude, limit or require a student's or employee's access to the state and federal justice system. A case not referred for criminal prosecution will still receive a College response.

To the extent permitted or required by law, the College will cooperate with law enforcement investigations. However, outside law enforcement agencies do not respond to Title IX violations, and respond only to allegations of criminal behavior. As a result, the College encourages reporting Prohibited Conduct to both the College and to local law enforcement, if the alleged sexual misconduct may also be a crime.

For those reporting to law enforcement, the Sarasota County Sheriff's Office Victim Assistant Unit may be a helpful resource. The Unit may be contacted at (941) 861-4942 or [victimassistance@scgov.net](mailto:victimassistance@scgov.net). The Sarasota County Sheriff's Office Victim Assistance Unit provides services to any victim of any crime, including secondary victims and witnesses to crime. In addition, they provide short-term crisis support for persons experiencing traumatic situations that are not crime related (such as suicides). Services include crisis intervention, accompaniment through medical, legal, and judicial appointments related to the victimization, assistance with filing Injunctions for Protection (restraining orders), assistance in applying for Crime Victim Compensation where applicable, practical assistance, exploration of options, and community information and referral.

### C. Privacy and Confidentiality

Under this Policy, the concepts of privacy and confidentiality are distinct concepts.

Privacy means that the information will be shared only with other individuals who have a “need to know” such information to implement this Policy, including to provide supportive measures. The College shall protect the privacy of individuals involved in a report of Prohibit Conduct to the extent allows by law and College Policy. The College is committed to protecting the privacy of all individuals involved in a report of Prohibited Conduct, and will balance individual privacy with its obligation to conduct a thorough review of allegations to protect the parties and the broader community and maintain an environment free from Prohibited Conduct.

The College will respect, to the greatest extent possible, the privacy of individuals who choose to report to non-confidential employees of the College, including the Title IX Coordinator and Deputy Title IX Coordinator. Except for the confidential resources identified in this policy, all other College staff and faculty who receive a report of Prohibited Conduct are required to report information regarding Prohibited Conduct to the Title IX Coordinator or the Deputy Title IX Coordinator for response. Under Florida law, the College is also mandated to report any abuse of a minor (under the age of 18) to the Florida Abuse Hotline at 1-(800) 962-2873.

Confidentiality governs the information held by certain individuals who learn of such information in the context of a privileged relationship, such as a counselor - patient relationship or in the context of confidential communications with clergy. Information that is subject to confidentiality shall not be shared except in certain situations, such as where the information indicates imminent threat to the health and safety of others, or where the individual is obligated to report child abuse or neglect. Note that limitations of confidentiality may exist for individuals under the age of 18.

Faculty, staff and students wishing to obtain confidential assistance without making a report to the College may do so by speaking with a confidential resource listed below. When an individual seeks medical treatment for sexual assault, medical personnel are required to report to the police, but such individuals are not required to file formal charges unless desired.

Where the College has received a report of Prohibited Conduct but the complainant requests that he or she remain unidentified, and/or requests that the College not pursue an investigation, the College must balance this request with its responsibility to provide a safe and non-discriminatory environment for all members of the

community. The College is required to take all reasonable steps to respond to a report, but its ability to do so may be limited by the complainant's request. However, under compelling circumstances - including evidence of a pattern of repetitive behavior, the use of force or threat of force, or the use of a weapon by the respondent - the College may pursue additional information regarding the report, file a Formal Complaint, or take other appropriate measures without the complainant's consent. If the College is unable to take action consistent with the wishes of the complainant, the Title IX Coordinator will inform the complainant about the chosen course of action.

If a report of misconduct poses an immediate threat to the community when timely notice must be given to protect the health or safety of the community, the College may not be able to maintain the same level of privacy. Immediate threatening circumstances include, but are not limited to, reported incidents of misconduct that include the use of force, a weapon, or other circumstances that represent a serious and ongoing threat to the community.

All actions to address reports of Prohibited Conduct (including Formal Complaints, if filed) are conducted in compliance with the requirements of FERPA, the Clery Act, Title IX, the Violence Against Women Act (VAWA) and College policy. The College will take great care with confidentiality of the victim including publicly available record-keeping (i.e. Clery Reporting) that excludes personally-identifiable information on the victims to the extent permissible by law. No information shall be released from these proceedings except as required or permitted by law and College policy.

### D. Confidential Resources

Individuals may seek confidential resources, in addition to or instead of making reports to the College and/or law enforcement. Such confidential resources may be helpful in assisting an individual in determining whether and how to make such reports. Examples of available confidential resources include:

Campus Chaplain (confidential)  
Office Location: Ulla Searing Student Center, Second Floor  
(941) 309-0200

Peterson Counseling Center (confidential)  
Office Location: Health Center  
(941) 893-2855

Health Center (confidential except must report sexual assaults to police)  
Office Location: Health Center  
(941) 309-4000



## Other Resources

Employee Assistance Program  
(877) 240-6863

SPARCC (Safe Place and Rape Crisis Center)  
2139 Main Street  
Sarasota, Florida 34237  
(941) 365-0208  
You can also reach SPARCC through the Florida Coalition  
Against Domestic Violence Hotline 1-800-500-1119.

HOPE Family Services  
www.hopefamilyservice.org  
24 Hour Help-line: 941-755-6805  
Outreach Office: 941-747-8499

Manatee Glens Rape Crisis Services  
www.manateeglens.org  
Rape Crisis Hotline: 941-708-6059  
Main number: 941-782-4100

Legal Aid Manasota  
Legalaidofmanasota.org  
Legal Hotline: (800) 625-2257

Florida Council Against Sexual Violence  
Fcasv.org  
Statewide Hotline: (888) 956-7273

### National Hotlines:

- National Domestic Violence Hotline, 24-hours:  
(800) 799-SAFE (7233)
- National Teen and Young Adult Dating Abuse Hotline,  
24-hours: (866) 331-9474
- National Suicide Prevention Lifeline, 24-hours:  
(800) 273-8255
- National Sexual Assault Hotline, 24-hours:  
(800) 656-HOPE (4673)
- Trans Lifeline, 10:00-4:00: (877) 565-8860
- Crisis Text Line: text HOME to 741741

Medical Attention: Individuals who experience sexual assault should consider seeking medical attention through a local hospital or health care provider to address injuries, test for sexually transmitted infections, discuss emergency contraception options, and to preserve evidence in case the individual should choose to file formal criminal charges through law enforcement. The individual should not wash, shower, urinate, defecate, change clothes or douche prior to such medical assistance, even though that may be the immediate reaction, so as to best preserve evidence. Medical providers are required to report sexual assaults to police, and any information reported to any police official is public information and is available to the local media. It is,

however, the general practice of journalists not to release names of victims of sex offenses. Sarasota Memorial Hospital provides Sexual Assault Nurse Examinations through its Emergency Department to provide specialized care and services to individuals who have experienced sexual assault.

## E. Supportive Measures

Supportive measures are non - disciplinary, non - punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to the College's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the College's educational environment, or to deter Prohibited Conduct.

Supportive measures may include counseling, extensions of deadline or other course - related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures.

After a report is received, the Title IX Coordinator will offer to confer with the complainant about supportive measures. All individuals are required to report instances of another individual's failure to abide by any restrictions imposed by supportive measures, such as the violation of a mutual no - contact order. The College will take appropriate action to enforce a previously implemented interim measure, which may include a warning to the party or discipline.

Either party may access counseling services through the Peterson Counseling Center as part of Health Services or Employee Assistance Program, or through a referral to off campus agencies. Information regarding these and other confidential resources is listed above.

## F. Emergency Removal and Administrative Leave

If, after receipt of a report or Formal Complaint and an individualized safety and risk assessment, the College determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of prohibited conduct justifies removal of a respondent, the College may remove the respondent on an emergency basis. Threats must pose more than a generalized, hypothetical, or speculative risk to health and safety for emergency removal to be appropriate. The College will take steps to continue providing the removed respondent as much access to their educational activities as possible when the individual facts and circumstances of the removal are considered.

When a respondent is removed from campus through emergency removal, the Title IX Coordinator shall provide the respondent with written notice of the individual who will hear any challenge of the removal. The respondent may file a written challenge with such individual in writing within two (2) business days of the removal, and the challenge must include supporting documentation or evidence that the respondent does not pose, or no longer poses, an immediate threat to physical health or safety of any student or other individual arising from the allegations of Prohibited Conduct. The individual hearing the challenge shall be trained, impartial, and unbiased, and shall render their decision to the respondent and Title IX Coordinator within two (2) business days of receipt of the challenge.

This section does not preclude the College from placing a non-student employee respondent on administrative leave during the pendency of a Formal Complaint. Administrative leave is not subject to the challenge procedures applicable to emergency removals.

## **GRIEVANCE PROCESS**

### **A. Formal Complaint**

A Formal Complaint is a document filed in writing by a Complainant, or signed by the Title IX Coordinator, that alleges Prohibited Conduct against a Respondent and requests that the College officially investigate and resolve the allegation. The Formal Complaint may be filed with the Title IX Coordinator in person, by mail, by electronic mail, by in-person delivery, or through the online reporting form and must contain the Complainant's physical or digital signature.

In addition to the Complainant, a Title IX Coordinator can file a Formal Complaint. In the instances when the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or a party during a Formal Resolution, and must comply with requirements for any person involved in the response and/or resolution to be free from conflicts and bias.

A Formal Complaint may be withdrawn if the Complainant informs the Title IX Coordinator in writing that they want to withdraw the complaint or the allegations. The Title IX Coordinator may choose to withdraw a Formal Complaint if a Respondent is no longer participating in or attempting to participate in the College's education or program activity, the Complainant submits a written request to withdraw the complaint, or specific circumstances prevent the College from gathering evidence sufficient to reach a determination. Such a dismissal does not preclude the College from taking action under another college policy. No matter the reason for the withdrawal of a complaint, the parties will be notified simultaneously in writing of the decision to dismiss, including the reasoning.

The College will not restrict the ability of any party to discuss the allegations under investigation or to gather and present relevant evidence, except where such discussions constitute Prohibited Conduct (for example, because they constitute retaliation as defined by this Policy).

### **B. Title IX Coordinator's Initial Review of the Formal Complaint.**

A Formal Complaint may be resolved through either an Informal Resolution or a Formal Resolution. Informal Resolution for Prohibited Conduct may only be offered after a Formal Complaint has been filed, so that the parties understand what the Formal Resolution entails and can decide whether to voluntarily attempt informal resolution as an alternative. The Informal Resolution process is outlined in Section IV.

The Title IX Coordinator may consolidate Formal Complaints as to allegations of Prohibited Conduct against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Prohibited Conduct arise out of the same facts or circumstances. The same facts and circumstances means that the multiple Complainants' allegations are so intertwined that their allegations directly relate to all parties. Where multiple complainants or respondents are involved in the same investigation, the parties will only be provided with the appropriate portion(s) of the investigative documents that relate to the complaint(s) in which they are a party.

### **C. Investigation**

The parties will receive written notice that a formal investigation has been initiated. The notice of investigation will include:

- the identities of the parties involved;
- the specific section/s of the policy allegedly violated;
- the precise conduct alleged to constitute the potential violation/s;
- the approximate date, time, and location of the alleged incident;
- a statement indicating that the respondent is presumed not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process;
- a statement that the determination of responsibility will be made at the conclusion of a Formal Resolution;
- a notice that parties have the right to an advisor of their choice, who may be an attorney;
- the result of an initial assessment to determine whether the allegations suggest a potential violation of Sexual Harassment – Title IX with an indication that this decision will be reviewed again when the investigators prepare their report;
- the name of the investigators and the ability to challenge their participation for conflict of interest or actual bias;

The notice of investigation will include (continued):

- the appropriate policy language prohibiting a party from knowingly making false statements or knowingly submitting false information; and
- a notice that Retaliation is prohibited.

The notice shall be provided reasonably in advance of any interview with the investigators, with sufficient time for meaningful preparation. The Title IX Coordinator, in consultation with the investigators, may amend the charges as part of the investigative process. The Title IX Coordinator will, if appropriate, issue amended charges in writing to both parties.

Where a party is invited or expected to participate, the College will provide written notice of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.

A party's advisor is permitted to attend any meeting or proceeding relating to the Formal Complaint. The advisor's role is to provide support and assistance during the process but not to speak on behalf of their party, unless required as part of the Hearing Resolution Process. If an advisor refuses to comply with these restrictions, or is disruptive to the process, the College may require the party to use a different advisor.

### **1. Investigator roles and participants' responsibilities.**

The Title IX Coordinator will designate a trained investigator to conduct an adequate, reliable, and impartial investigation. The investigator may be an employee or an external contractor. In complex situations, the Title IX Coordinator may engage additional trained investigators to assist in gathering the information for the primary investigator. If a party has concerns that an investigator has a conflict of interest or bias, the party should follow the process for addressing these concerns outlined in the notice of investigation. The burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rests on the College and not the parties.

The investigator will offer each party the opportunity to be interviewed. The parties will have an equal opportunity to present witnesses, including expert witnesses, and to submit evidence. The investigator will also gather any available physical evidence, including documents, communications between the parties, and other electronic records as relevant, appropriate, and available. The parties may submit questions to be asked of parties and witnesses. The investigator will review submitted questions and, in their discretion, may choose which questions are

necessary and appropriate to the investigation and conduct any follow-up, as they deem relevant.

### **2. Use of treatment records with written permission of the parties.**

A person's medical, counseling/psychological, and similar treatment records are privileged and confidential documents that a party will not be required to disclose. Where a party provides their written permission to share medical, counseling/psychological, and similar treatment records as part of the investigation, only the portion of the records directly related to the allegations raised in the formal complaint will be included in the case file for review by the other party and for use in the investigative process.

### **3. Use of Complainant's prior sexual history and prior conduct of the parties.**

Evidence related to the prior sexual history of the complainant is generally not relevant to the determination of a policy violation and will only be considered in very limited circumstances, for example, to prove that someone other than the respondent committed the alleged conduct. Where the existence of consent is at issue, the sexual history between the parties may be relevant to help understand the manner and nature of communications between the parties and the context of the relationship. However, even in the context of a relationship, consent to one sexual act does not, by itself, constitute consent to another sexual act, and consent on one occasion does not, by itself, constitute consent on a subsequent occasion.

Information regarding other acts by a party will be permitted as relevant where the nature and means of those other acts may affect credibility of the assertions in the current case. It is not required that the party have been found responsible for policy violations related to those other acts for them to be included in the current case.

Any party seeking to introduce information about prior sexual history or other acts by a party should bring this information to the attention of the investigators at the earliest opportunity. While the investigators may explore relevant areas of inquiry, the Title IX Coordinator has the discretion to make the final determination whether evidence of prior sexual history or other misconduct is relevant and should be included in the report.

### **4. Anticipated timeframe for completing investigation and process for requesting extension of time.**

The College will seek to complete the investigation in a reasonable timeframe from the notice of investigation, typically within sixty (60) business days. This time frame may be extended for good cause with written notice to the parties of the delay and the reason for the delay. Good cause may be based on delays occasioned by the complexity of the allegations, the number of

witnesses involved, the availability of the parties or witnesses, the effect of a concurrent criminal investigation, any intervening school break or vacation, or other circumstances, all of which will likely extend the length of time it takes to complete the investigation. The Title IX Coordinator will provide regular updates to all parties regarding the progress of the investigation.

#### **5. Parties' review of evidence collected during investigation**

The evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint will be made available to the parties and their advisors for review and inspection, including the evidence upon which the College may not rely in reaching a determination regarding responsibility, as well as inculpatory or exculpatory evidence. The parties will have 10 calendar days to review the evidence. The parties will be offered the opportunity to review the evidence and provide a written response that will be submitted to the investigator for consideration in their completion of the Investigation Report.

Due to the privacy of all those involved, evidence shared in an electronic format will not be printable, downloadable or electronically shareable by the parties or their advisors. Exceptions may be made in compliance with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. Individuals who share evidence in violation of this prohibition may be subject to discipline or, if advisors, to removal from participation in the process.

#### **6. Investigators will complete an investigative report.**

Once the parties have reviewed the evidence and have submitted responses, or the time period to submit such responses has passed, the investigators will complete any follow up they deem necessary, and write the investigation report. The investigation report will include, but is not limited to, the following sections:

- overview of the complaint made and summary of the investigative methodology;
- summary of relevant information gathered, including:
  - timeline of incident being investigated; o
  - complainant's account of events;
  - respondent's account of events;
  - witness accounts;
  - evidence gathered;
- areas of agreement;
- areas of disagreement;
- assessment of whether or not the complaint meets one or more of the required elements of the definition of sexual harassment under Title IX, including rationale; and
- an appendix containing all of the collected evidence.

The investigation report will not include:

- Information about the complainant's sexual predisposition or prior sexual behavior, unless:
  - The information is to prove that someone other than the respondent committed the alleged conduct; or
  - The information concerns specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent
- Information that is protected by a legally recognized privilege unless the person holding such privilege has waived the privilege; and
- A party's medical, counseling/psychological, and similar treatment records unless the party (or, in the case of a minor, the party's parent/guardian) has given voluntary, written consent.

#### **7. Dismissal from Hearing Procedure**

The investigators will consider whether the conduct alleged, if demonstrated by a preponderance of the evidence, would constitute Sexual Harassment – Title IX within the Scope of the Policy in light of the evidence gathered during the investigation, and make a recommendation to the Title IX Coordinator regarding the same. If Sexual Harassment – Title IX is properly alleged, the investigators will further determine whether those allegations meet all three of the following jurisdictional requirements:

- The Formal Complaint was filed when the complainant was participating in or attempting to participate in the education program or activity of the College;
- The reported Sexual Harassment – Title IX occurred against a person in the United States; and
- The reported Sexual Harassment – Title IX occurred in the College's education program or activity.

The Title IX Coordinator will review the recommendation of the investigators and make the final determination as to whether the conduct alleged, if demonstrated by a preponderance of the evidence, would constitute Prohibited Conduct within the Scope of the Policy and whether all three of the above jurisdictional factors are met. This determination is consequential because only cases alleging Sexual Harassment – Title IX shall be eligible for the hearing process.

The Title IX Coordinator will notify the parties, in writing, of the final assessment and whether or not the complaint will proceed to a hearing or be transitioned for adjudication under another College Policy. This decision may be appealed by either party. Instructions and grounds for the appeal will be shared by the Title IX Coordinator in the cover letter for the investigation report. Parties have 3 business days after receipt of the investigative report to submit in writing an appeal of the transition to another policy or the failure to transition to another policy, and the other party will be provided with 3 business days in which to respond to such appeal.

Cases that are eligible for hearing will continue using the Hearing Resolution Process outlined in this Policy. All other cases shall be handled as follows:

- Where the Respondent is a student, the investigative report shall be referred to the Office of Student Life, which will utilize the student disciplinary process for Non - Academic Conduct in the Student Handbook to adjudicate the case. Appeals shall be handled pursuant to that process.
- Where the Respondent is not a student, the matter shall be referred to the Human Rights Committee, which shall review the investigative report and make a determination based on the preponderance of the evidence as to whether Prohibited Conduct occurred. A designated member of the Human Rights Committee will prepare a report containing the Committee's findings and conclusions. Sanctions will be determined by an appropriate Vice President according to the list of potential sanctions in this Policy. The parties will receive copies of the report and notification of any sanctions that are issued. Appeals shall be handled as indicated in this Policy, except that an Appeals Panel consisting of three Vice Presidents selected by the Title IX Coordinator shall be used in lieu of a single Appeals Officer.

Where a case is not eligible for hearing but involves sexual assault, dating violence, domestic violence, or stalking allegations, the following procedural protections will be available to both parties through the Student Conduct or Human Rights Committee procedures outlined above:

- Continued access to informal resolution procedures until a determination is reached as to whether a Policy violation occurred;
- Continued access to supportive measures;
- Procedures are conducted by officials that receive annual training on issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of the victims and promotes accountability;
- Continued ability to bring an advisor of choice to any related meeting or proceeding;
- Both parties receive simultaneous written notice of the result of the disciplinary proceeding, the procedures for appeal, any changes to the result, and when such results become final.

## 8. Responses to Investigative Report

The parties have 10 calendar days beginning at the conclusion of the 3 - day appeal window, if no appeal is filed, or beginning at the receipt of the appeal decision if an appeal is filed, to submit their written response to the Investigation Report. The response may include an assertion that evidence not summarized in the report, but

present in the case file, should be considered as relevant.

## II. Hearing Resolution Process

A Hearing Resolution will be used to resolve cases that include charges of Sexual Harassment – Title IX and meet the jurisdictional requirements listed in the section above regarding “Dismissal from the Hearing Process.” If such cases also include other charges, all the charges in that case will be handled at the same time through the Hearing Resolution process. A Hearing Resolution includes a pre - hearing conference, a live hearing, decisions about responsibility and sanctioning by the Decision - maker, and an optional appeal process.

A single Decision - maker will typically conduct the live hearing. The Title IX Coordinator chooses a trained, impartial decision - maker, who may be but is not required to be an employee. The Decision - maker cannot be the Title IX Coordinator or the investigator(s) who investigated the case.

The Hearing Resolution Process typically concludes in thirty business days from receipt of the parties' responses to the investigative report. This time frame may be extended for good cause with written notice to the parties of the delay and the reason for the delay. Good cause may be based on delays occasioned by the complexity of the allegations, the number of witnesses involved, the availability of the parties or witnesses, the effect of a concurrent criminal investigation, any intervening school break or vacation, or other circumstances, all of which will likely extend the length of time it takes to complete the Hearing Resolution Process.

Each party must have an advisor at the hearing. If a party does not have an advisor present at the live hearing, the College will provide without fee or charge to that party, an advisor of the College's choice, who may be, but is not required to be, an attorney, to conduct cross - examination on behalf of that party.

### 1. Pre - Hearing Conference

Each party will have their own Pre - Hearing Conference. The Title IX Coordinator will communicate to the parties, their advisors, and the Decision - maker, the date, time, and format for their Pre - Hearing Conference. The Title IX Coordinator, the Decision - maker, and the advisor must be in attendance. While the parties are encouraged to attend, they are not required to do so.

During the Pre - Hearing Conference, the advisors must share with the Decision - maker their list of witnesses to appear at the hearing, the identity of any requested witnesses that were not questioned during the investigation, the request for any new evidence to be considered that was not submitted previously to the investigators, and the availability of the advisor and the party for hearing dates.

Evidence and witnesses may only be presented at the hearing if

they were submitted to the investigators and made available to the parties for review, unless they were unavailable at the time of the investigation or the relevance was unknown until the investigative report was submitted. The Decision-maker will address any requests at the Pre-Hearing Conference to present new evidence and new witnesses.

The advisor is strongly encouraged to discuss lines of questioning with the Decision-maker at the Pre-Hearing Conference to obtain guidance from the Decision-maker on relevancy prior to the hearing. The Decision-maker will discuss the expectations and guidelines for appropriate behavior and decorum during the hearing.

After reviewing each party's witness list, the Decision-maker may, in their discretion, add names of other witnesses contained in the report for the purpose of appearing at the hearing and submitting to cross examination.

After the conclusion of the Pre-Hearing Conferences, the Title IX Coordinator will provide each party and their advisor with written notice of the date, time, and manner for the hearing, which will typically occur no less than 5 business days after the conclusion of the final pre-hearing conference.

## 2. Live Hearing

The live hearing may be conducted with all parties physically present in the same geographic location or, at the College's discretion, any or all parties, witnesses, and other participants may appear at the live hearing virtually. Regardless of format, the hearing will be recorded or transcribed, and the recording or transcript will be Ringling's property, and will be made available to the parties for review and inspection upon their request during the pendency of the process.

Those persons present during the entirety or at designated portions of the hearing include: Complainant; Complainant's advisor; Respondent; Respondent's advisor; Decision-maker; Title IX Coordinator; witnesses; other appropriate individuals at the discretion of the Title IX Coordinator (for example, an interpreter or someone needed to provide reasonable accommodations due to a disability).

The Decision-maker will provide an introduction detailing the purpose of the hearing, have those present identify themselves and their role, remind all parties of the expectation to be candid and honest in their response, and provide a brief overview of the procedure and the anticipated order of the hearing.

All evidence subject to the parties' inspection and review during the investigation will be available at the hearing to

give each party equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

The advisors will be responsible for orally asking relevant questions, including those questions which challenge credibility, to the other party or parties and any witnesses directly, in real-time and in a manner that, in the Decision-maker's sole discretion, is not inappropriate, harassing, intimidating, irrelevant, or redundant. Cross-examination will never be conducted by a party personally. Only relevant questions may be asked of a party or witness. Relevant questions are those tending to prove or disprove a fact at issue. The Decision-maker may ask questions and elicit information from parties and witnesses on the Decision-maker's own initiative to aid the Decision-maker in obtaining relevant evidence.

Questions that are not relevant include:

- Repetition of the same question;
- Questions related to information about the complainant's sexual predisposition or prior sexual behavior, unless:
  - The information is to prove that someone other than the respondent committed the alleged conduct; or
  - The information concerns specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent;
- Questions related to information that is protected by a legally recognized privilege; and
- Questions related to a party's medical, counseling/psychological, and similar treatment records unless the party has given voluntary, written consent.

The Decision-maker will objectively evaluate all evidence, including inculpatory and exculpatory evidence, to determine its relevance, materiality, weight and reliability. Credibility determinations will not be based on an individual's status as a complaint, respondent, or witness.

Before a party or witness answers a question by an advisor, the Decision-maker will first determine whether the question is relevant and briefly explain any decision to exclude a question as not relevant, or request rephrasing of the question. The Decision-maker is not required to give a lengthy or complicated explanation of a relevancy determination during the hearing. The Decision-maker may later send to the parties any revisions to the explanation of relevance that was provided during the hearing.

If a party or witness does not submit to cross-examination at the live hearing, the Decision-maker must not rely on any statement of that party or witness in reaching a determination regarding responsibility. The Decision-maker cannot draw an inference about the determination regarding responsibility based solely on a party's or witness's absence from the live hearing or refusal to answer cross-examination or other questions. However, video evidence showing the conduct alleged within a complaint may be

considered, even if the party does not submit to cross-examination. Further, a respondent's verbal or written conduct that is alleged to constitute the sexual harassment at issue is not considered to be the respondent's "statement" and thus, information about or evidence of such conduct may be admitted even if the respondent does not submit to cross-examination.

### **3. The Decision-maker will issue a written determination of responsibility.**

After the hearing, the Decision-maker will issue a written determination of responsibility. The determination of responsibility will be based on a preponderance of the evidence and will include:

- Identification of the allegations potentially constituting sexual harassment
- A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- Findings of fact supporting the determination;
- Conclusions regarding the application of the Policy to the facts;
- A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions Ringling imposes on the Respondent, and whether remedies will be provided by Ringling to the Complainant, and;
- Ringling's procedures and permissible bases for the Complainant and Respondent to appeal.

The determination will lay out the evidentiary basis for conclusions reached in the case. The determination will be provided to the parties simultaneously. The determination becomes final only after the time period for appeal has expired or, if a party does file an appeal, after the appeal decision has been sent to the parties.

If an appeal is filed, the determination becomes final on the date that the College provides the parties with the written determination of the result of the appeal. If an appeal is not filed, the determination becomes final on the date on which an appeal would no longer be considered timely. The Title IX Coordinator may determine whether it is appropriate to stay the sanctions pending the determination becoming final, taking into account the safety of the complainant and the campus community, the severity of the behavior, and the effect on the College's ability to address the behavior if the sanctions are stayed.

### **III. Appeals**

Complainants and Respondents may appeal the Decision-maker's determination regarding responsibility, or Ringling's dismissal of a Formal Complaint or any allegations therein to the Title IX Coordinator who will initiate the appeal process. Ringling will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties. Both parties will have a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome. The Appeal Officer, who is the decision-maker for the appeal, will issue a written decision describing the result of the appeal and the rationale for the result and provide the written decision simultaneously to both parties.

Grounds for appeal include:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter, and;
- The Title IX Coordinator, investigator(s), or Decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

All grounds for appeal will be available to all parties.

The Title IX Coordinator shall appoint a trained, impartial Appeals Officer, who shall be a Vice President of the College or shall be external to the College, depending on availability and circumstances.

When the typical or alternate Appeal Officer is unable to serve, or is not otherwise designated in this policy, the Title IX Coordinator will select a trained individual to be the Appeal Officer with notice to the parties. The Appeal Officer cannot be the same person as the Decision - maker for the hearing, the investigator, or the Title IX Coordinator.

The Appeal Officer must be a neutral and impartial decision - maker. The parties will be informed, in writing, of the specific Appeals Officer. Within 1 business day of receiving the notice of the designated Appeals Officer, the complainant and the respondent may submit a written request to the Title IX Coordinator to replace the named Appeals Officer if there are reasonable articulable grounds to establish bias, conflict of interest or an inability to be fair and impartial.

The designated Appeals Officer will only be replaced if the Title IX Coordinator determines their bias precludes impartiality or

constitutes conflict. Additionally, an Appeals Officer who has reason to believe they cannot make an objective determination must recuse themselves from the process.

A complainant or respondent must submit a written appeal to the Title IX Coordinator and within 5 business days of receipt of the Notice of Outcome. The written appeal must include the specific basis for the appeal and any information or argument in support of the appeal. Upon receipt of the appeal, the Title IX Coordinator will provide the other party notice of the appeal and the opportunity to respond in writing to the appeal. Any response to the appeal must be submitted to the Title IX Coordinator within 3 business days from the other party's receipt of the appeal. Appeal responses are shared with the other parties but no reply is permitted.

The Appeals Officer will make a decision regarding the written appeal and, within 10 business days of receipt of all appeal documents, notify the complainant and the respondent of the outcome. The Appeal Officer may affirm the finding(s); alter the finding(s); alter the sanctions; or request that additional steps be taken.

Appeal decisions are final. All appeal deadlines may be extended for good cause by the Title IX Coordinator. Any extension will be communicated to the parties.

#### IV. Informal Resolution Process

Informal resolution permits the parties to seek resolution of Formal Complaints of Prohibited Conduct. Ringling does not require as a condition of enrollment or continuing enrollment, or employment or continuing employment, or enjoyment of any other right, the waiver of the right to an investigation and adjudication of Prohibited Conduct under Ringling's grievance process. Similarly, Ringling will never require the parties in a Prohibited Conduct allegation to participate in an informal resolution process, as described below.

After the report of Prohibited Conduct or after the filing of a Formal Complaint of Title IX Sexual Harassment, if all parties voluntarily consent in writing, Ringling will assist the parties in an informal resolution process. An informal resolution process is available at any time prior to reaching a determination regarding responsibility in the grievance process, except in the cases of a report that an employee engaged in Sexual Harassment – Title IX against a student.

Before initiating an informal resolution, Ringling will: (1) provide the parties a written notice; and (2) obtain the parties' voluntary, written consent to the informal resolution process. The written notice that Ringling will provide to the parties will disclose the allegations, the requirements of the informal resolution process, and any

consequences resulting from participating in the informal resolution process, including the records that will be maintained or could be shared.

Ringling's informal resolution process enables that, at any time prior to agreeing to a resolution, any party has a right to withdraw from the informal resolution process and resume the grievance process with respect to the report or Formal Complaint. The Title IX Coordinator will appoint a trained, impartial informal resolution officer to facilitate the informal resolution process.

Upon initiation of the informal process as described above, the informal resolution officer will attempt to resolve the dispute through meetings with the parties. Although an in-person or a restorative justice conference may be suggested, parties will never be required to meet directly with one another as part of the informal resolution process unless they mutually agree to do so.

When sexual harassment allegations can be resolved through alternate resolution by mutual consent of the parties and on a basis that is acceptable to the informal resolution facilitator in consultation with the Title IX Coordinator, the resolution process shall be considered finally decided and there will be no subsequent process or appeal.

#### V. Sanctions and Remedies

Where a respondent is determined to have engaged in Prohibited Conduct, the Decision-maker shall determine appropriate sanctions, in consultation with an appropriate administrator based on the status of the respondent (student, employee, or other). The Title IX Coordinator will determine an appropriate administrator for consultation based on the circumstances.

Students determined to have engaged in Prohibited Conduct are subject to disciplinary action in accordance with the provisions of the Code of Conduct as contained in the Ringling College of Art and Design Student Handbook, whether or not formal criminal charges are filed by the victim.

A student found in violation of this Policy may be sanctioned with the following, or any combination thereof: disciplinary warning, reprimand, educational interventions, assessment by the counseling staff, community restitution, denial of privileges, work projects, restitution, fines, disciplinary probation, final disciplinary probation, behavioral agreement, no contact orders, suspension, expulsion, termination of employment, and other restrictions as to access and use of College facilities, property, or activities.

Employees determined to have engaged in Prohibited Conduct are subject to disciplinary action. Such employees may be sanctioned with the following, or any combination thereof: a warning, reprimand, educational interventions, counseling, no



contact orders, probation, suspension, transfer, demotion or immediate termination of an employee in accordance with the policies and procedures outlined in the Faculty or Staff Handbook, as well as other restrictions as to access and use of College facilities, property, or activities.

Respondents who are neither students nor employees are also subject to disciplinary action, including but not limited to the following, depending on the amount of control exercised by the College over the Respondent: warning, reprimand, educational interventions, restitution, no contact orders, termination of contract(s), and restrictions as to access and use of College facilities, property, or activities.

Ringling will provide remedies to a Complainant designed to restore or preserve equal access to Ringling's education program or activity. Such remedies may include the same individualized services provided as supportive measures; however, remedies need not be non-disciplinary or non-punitive and need not avoid burdening the Respondent where the Respondent has been found to have engaged in Prohibited Conduct.

The Title IX Coordinator is responsible for effective implementation of remedies. Where the final determination has indicated that remedies will be provided, the Complainant can then communicate separately with the Title IX Coordinator or their designee to discuss what remedies are appropriately designed to preserve or restore the Complainant's equal access to education. Remedies for a Complainant which do not affect the Respondent must not be disclosed to the Respondent.

## TRAINING

The College will ensure the Title IX Coordinators, investigator(s), decision-makers, appeals officers, and any person who facilitates an informal resolution process receive training on the definition of Sexual Harassment – Title IX, the scope of the recipient's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias. Additionally, these individuals must receive annual training on issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.

The College will ensure that decision-makers receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's

sexual predisposition or prior sexual behavior are not relevant.

The College will ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Any materials used to train Title IX Coordinators, investigators, decision-makers, appeals officers, and any person who facilitates an informal resolution process must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

Training materials shall be posted on the College's website in compliance with the Title IX regulations.

## MAINTENANCE OF RECORDS

The College shall maintain all records and documentation for each case for seven (7) years from the date a report is received. With regard to Records of Sexual Harassment – Title IX, the records will include:

- Each investigation including any determination regarding responsibility and any audio or audiovisual recording or transcript, any disciplinary sanctions imposed on the respondent, and any remedies provided to the complainant designed to restore or preserve equal access to the recipient's education program or activity;
- Any appeal and the result therefrom;
- Any informal resolution and the result therefrom;
- All materials used to train Title IX Coordinators, investigators, decision-makers, appeals officers, and any person who facilitates an informal resolution process;
- Documentation of any supportive measures taken in response to a report or formal complaint of Sexual Harassment – Title IX, including documentation regarding the basis for any conclusion that the College's response was not deliberately indifferent;
- Documentation of why a complainant alleging Sexual Harassment – Title IX was not provided with supportive measures, including the reasons why such response was not clearly unreasonable in light of the known circumstances.

## Equal Employment Opportunity Policy

The College provides equal employment opportunity to all persons without regard to sex, age, gender, color, race, national or ethnic origin, religion, marital status, sexual orientation, sexual identity, disability, veteran status, genetic information, or any other basis prohibited by law.

The policy applies to all areas of employment, including: recruitment, hiring, training and development, promotion, transfer, termination, layoff, compensation benefits, and all other conditions and privileges of employment in accordance with applicable Federal, State, and Local laws.

The College complies with all relevant and applicable provisions of the Americans with Disabilities Act of 1990 (ADA), as amended and Section 504 of the Rehabilitation Act of 1973, as amended. The College will not unlawfully discriminate against any qualified employee or job applicant with respect to any terms, privileges, access or conditions of employment because of a person's physical or mental disability. The College also will make reasonable accommodations wherever necessary for employees or applicants with disabilities, provided that the individual is otherwise qualified to safely perform the essential functions of the job and provided that any accommodations made do not impose an undue hardship on the College.

Although managers and supervisors are primarily responsible for ensuring the implementation of the College's Equal Employment Opportunity policies, all members of the faculty and staff share in the responsibility for assuring that by their personal actions the policies are effective and applied uniformly to everyone.

Anyone engaging in practices that violate the Equal Employment Opportunity Policy, including discrimination, harassment or retaliation against someone who complains about discrimination shall be subject to disciplinary action, up to and including discharge.

Anyone who believes he or she has been subjected to unlawful discrimination, harassment, retaliation or other practices in violation of the Equal Employment Opportunity Policy should immediately contact the Vice President for Human and Organizational Development.

For students, the Student Conduct system will be the mechanism for handling reports of alleged violations of these policies. For employees, the Faculty Grievance Procedures and the Staff Grievance Procedures will be the mechanism for handling reports of alleged violations of these policies.

## Non-Harassment Policy

Ringling College of Art and Design maintains a professional work and academic environment in which all employees and students are treated with respect and dignity. A vital element of this atmosphere is the College's commitment to equal opportunities and the eradication of discriminatory practices including harassment, with the goal to provide an academic and institutional climate of non-harassment. Forms of harassment that are encompassed by this policy include harassment based on sex, age, gender, color, race, national or ethnic origin, religion, marital status, sexual orientation, gender identity or expression, disability, veteran status, genetic information, or any other basis prohibited by law. Harassment is specifically prohibited by state and federal law and instances of harassment may result in both civil and criminal liability on the part of the individual harasser as well as the College. Harassment's destructive impact wastes human potential, demoralizes employees and students, and perpetuates the tendency for further unacceptable behavior. For these reasons, the College is opposed to harassment in any form in its workplace and activities. This policy establishes procedures to address problems and questions regarding harassment in a prompt, discreet and fair manner. All employees and students are expected to comply and cooperate with its provisions and in accordance with the code of professional ethics.

**Sexual Harassment:** Due to the inherent complexity of sexual harassment, the maintains a Sexual Misconduct and Title IX Policy to address reports and formal complaints of sexual harassment, including sexual assault, dating violence, domestic violence, and stalking. Individuals who have experienced this type of conduct are encouraged to contact a Title IX Coordinator for more information about supportive measures, available resources, reporting to law enforcement if desired, and the formal complaint process for investigating and adjudicating sexual harassment:

**Title IX Coordinator (Faculty and Staff):**

Christine DeGeorge – Vice President for Human and Organizational Development  
Office location: Verman Kimbrough Bldg, First Floor  
2700 N. Tamiami Trail, Sarasota, FL 34234  
(941) 359-7619  
ccarnegi@ringling.edu

**Deputy Title IX Coordinator (Students):**

Dr. Tammy S. Walsh – Vice President for Student Life and Dean of Students  
Office location: Ulla Searing Student Center, Second Floor  
2700 N. Tamiami Trail, Sarasota, FL 34234  
(941) 359-7510  
twalsh@ringling.edu

**A Special Note to Faculty, Teaching Assistants, Staff, and Other**

**Persons in Positions of Power:** Harassment occurs when a person who is in a position of trust or authority engages in behaviors or creates conditions that are inappropriate, unwanted and/or nonreciprocal. This is especially true in instances of sexual harassment when an unwelcome personal element is introduced into what should be a sex neutral situation. Because of the difference in power between faculty and students and supervisors and employees, a faculty member or supervisor cannot be certain that a personal relationship is truly welcome or consensual. Moreover, other individuals may be affected by such relationships. Those who abuse, or appear to abuse, their power violate their responsibility to the community. The College expects the faculty and staff to be aware of the potential for problems and conflicts of interest. Conduct that rises to the level of Prohibited Conduct under the Sexual Misconduct and Title IX Policy will be handled according to that Policy.

**The Human Rights Committee:** The Human Rights Committee is a fact-finding committee whose purpose is to respond to and resolve harassment complaints, except as otherwise indicated in the Sexual Misconduct and Title IX Policy. The Committee is a standing committee appointed by the President and comprised of three faculty members, two staff members, and two students. The student members of the Committee will participate only in those cases where other students are involved. The Vice President for Human and Organizational Development will serve as coordinator without vote. If the complaint should be against the Vice President for Human and Organizational Development, one of the committee members is to serve as the coordinator, with vote.

**Student to Student Harassment:** Student-to-Student harassment complaints are to be processed under the disciplinary procedure established and operated by the Office of Student Life, except as otherwise indicated in the Sexual Misconduct and Title IX Policy. All other harassment complaints are to be processed by the procedures outlined in this policy.

**"On Notice" Option of Complaint:** Individuals who feel they have been harassed may choose to put the offender "on notice" that the offender's behavior is unwelcome. Often this direct communication by the individual brings a stop to the

harassment, and no further action is necessary.

Use of the "on notice" option is not a prerequisite to initiating the complaint procedures set forth in this policy, and the College will not refuse to investigate a complaint on the grounds that the victim did not have a discussion with the offender. In other words, the victim always retains the right to avoid direct interaction with the offender and to initiate the complaint procedure explained in this policy.

**Procedures for Informal Complaint:** Individuals who believe they have been the victim of harassment that does not fall under the Sexual Misconduct and Title IX Policy may seek an informal resolution of the problem. Use of the informal complaint procedures is not a prerequisite to initiating a formal complaint.

Informal complaints may be oral or written and directed to the Vice President for Human and Organizational Development or to any member of the Human Rights Committee. Informal resolution will generally involve the Vice President for Human and Organizational Development or the Human Rights Committee serving as mediators in an effort to resolve the complaint. The accused will be informed of the existence and nature of the informal complaint and will have an opportunity to respond. The Human Rights Committee or the Vice President for Human and Organizational Development, serving as intermediaries, will seek a resolution that both the complainant and the accused can agree upon. If no mutually satisfactory resolution can be found, the Human Rights Committee, the Vice President for Human and Organizational Development, and/or the complainant can decide if further action is appropriate.

**Procedures for a Formal Complaint:** Harassment complaints that do not fall under the Sexual Misconduct and Title IX Policy are to be directed to the Vice President for Human and Organizational Development or to a member of the Human Rights Committee. The Vice President for Human and Organizational Development or the contact person on the Committee will prepare a written record of the individual's factual allegations which the complainant will then have the opportunity to review before signing. Although complaints should be brought as soon as possible, preferably within six months after an offensive incident, the College recognizes that the sensitivity involved in certain situations may cause individuals to delay taking action.

Once the initial complaint is prepared, the Vice President for Human and Organizational Development or the contact person on the Committee shall convene the entire Human Rights Committee to review the complaint, and to conduct an appropriate investigation of the allegations. This investigation may be limited to mediation and a negotiated settlement between the complainant and the accused. Based on the evidence collected, a designated member of the Human Rights Committee will prepare a report containing the Committee's findings and conclusions.

Possible outcomes of the investigation are that the allegations are substantiated, or that allegations are not substantiated, i.e. an inconclusive investigation. In the event the allegations are substantiated, the Vice President for Human and Organizational Development or the Human Rights Committee may endeavor, through mediation, to reach a negotiated settlement of the complaint.

If a negotiated settlement cannot be reached, the Human Rights Committee will refer the matter to the College's Vice Presidents for resolution. The Vice Presidents will not reopen a completed investigation unless it can be shown that the investigating individuals made specific errors in reviewing the facts. The Vice Presidents will consider the findings and recommendations of the Human Rights Committee and, in consultation with the President, render a decision. Decisions will be made using the preponderance of evidence standard (i.e. it is more likely than not that the alleged conduct occurred).

Protection of Complainant and Others: All information regarding harassment will be kept in confidence to the greatest extent practicable and appropriate under the circumstances. The College cannot guarantee that the identity of the complainant will be concealed from the accused harasser, but any retaliation committed by the accused harasser by way of irresponsible, malicious or unfounded complaints will be investigated. If an investigation reveals that the complainant falsely accused another of harassment knowingly or in a malicious manner, the complainant will be subject to appropriate sanctions and/or discipline.

In order to ensure that a complete investigation of harassment claims can be conducted it may be necessary for the College to disclose to others portions of the information provided by the complainant. The College will try to honor any complainant's request that the College not disclose certain information provided, consistent with the College's obligation to identify and correct instances of harassment.

Penalties: Every claim of harassment will be considered on its own merits. The College will take whatever corrective action and/or disciplinary measures it considers appropriate under the circumstances, including but not limited to counseling, reprimand, probation, suspension, transfer, demotion or immediate termination of an employee or student in accordance with the provisions, policies and procedures outlined in the appropriate Faculty, Staff or Student Handbook.

## Drug & Alcohol Laws

The illegal use of drugs or alcohol is a violation of State and / or Federal laws, punishable by fine, imprisonment or both. Florida State law prohibits the sale to, and the consumption or possession of alcoholic beverages by persons younger than 21 years of age.

The "Controlled Substance Act" [(970, amended 1984) and the "Anti-Drug Abuse Act of 1986" provide penalties for unlawful manufacturing, distribution and dispensing of controlled substances.

Other penalties are sanctioned under Florida State and Local laws.

The sale of tobacco products to persons under the age of 18 is against Florida law. Proof of age is required for purchase. Selling, delivering, bartering, furnishing or giving tobacco products to persons under 18 years of age is prohibited. Possession, misrepresenting age to purchase and purchasing from a vending machine is prohibited.