



**SOUTHERN CALIFORNIA UNIVERSITY
OF HEALTH SCIENCES**

Annual Security Report

2017

THIS PAGE INTENTIONALLY LEFT BLANK

Message from Campus Safety:

We would like to welcome all new and returning faculty, staff, and students to SCU. As members of our campus community, each of us shares the responsibility to promote and maintain a safe and secure environment. Ensuring the viability of such an environment is the chief concern of the Campus Safety Department. The chief manner by which we communicate our safety services, policies, and prevention data is this *Annual Security Report*. The document contains a host of information and we encourage you to read it thoroughly and contact us with any and all questions at (562) 902-3333 or come by our office located at the east-side of Building F. More information about our department can be found on the “Campus Safety” page at [MySCU](#). Further, we strongly encourage all members of the campus community to download both the Rave Guardian and Crisis Manager mobile apps. These apps have been customized by the SCU Campus Safety Department and provide a host of resources as well as additional methods by which individuals may make contact with the department.

Sincerely,

The SCU Campus Safety Department

The Jeanne Clery Act and Violence Against Women Re-Authorization Act:

Originally known as the Campus Security Act, the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (20 USC § 1092(f)) requires colleges and universities across the United States to disclose information about crime on and around their campuses. The Act is enforced by the Department of Education's (DoE) Office for Civil Rights (OCR) and requires institutions to: publish an Annual Security Report, maintain a crime log, issue timely warnings about crimes which poses a serious or ongoing threat to the students and employees, devise an emergency response notification and testing policy, disclose criminal statistic concerning incidents related to the campus proper, the public area surrounding the campus, and at certain non-campus buildings.

More information on the Clery Act can be found at: <http://clerycenter.org/summary-jeanne-clery-act>

Additionally, Section 304(b) of the Violence Against Women Re-Authorization Act of 2013 (VAWA) (Pub. Law 113-4), signed by President Obama in March of 2013, adds three new crime classifications that must be reported in an institution's Annual Security Report. These new definitions are: "dating violence," "domestic violence," and "stalking." Section 304 and the Final Regulations of VAWA also amend certain portions of the Annual Security Report related to sexual assault and requires that all institutions report the contact information for their lead Title IX coordinator in the Campus Safety and Security Survey as well as the Annual Security Report (ASR). Additionally, the final regulations require institutions to report how many crimes are found to be "unfounded" in both the ASR and on the Campus Safety and Security Survey beginning with 2014 calendar year statistics.

More information on VAWA & Section 304(b) can be found at:

<http://www.ifap.ed.gov/dpccletters/GEN1515.html>

TABLE OF CONTENTS

<u>1. PREPARATION OF ANNUAL DISCLOSURE OF CRIME STATISTICS AND AVAILABILITY OF ANNUAL SECURITY REPORT</u>	<u>7</u>
<u>2. REPORTING CRIMES OR OTHER INCIDENTS & CAMPUS SECURITY AUTHORITIES</u>	<u>7</u>
<u>3. PROMPT AND ACCURATE REPORTING OF CRIMES</u>	<u>10</u>
• COUNSELORS AND THE REPORTING OF CRIMES	11
<u>4. TIMELY WARNING REPORTS</u>	<u>11</u>
<u>5. EMERGENCY RESPONSE AND EVACUATION POLICIES AND PROCEDURES</u>	<u>12</u>
<u>6. SECURITY, ACCESS, AND MAINTENANCE OF CAMPUS FACILITIES</u>	<u>14</u>
<u>7. CAMPUS LAW ENFORCEMENT</u>	<u>14</u>
<u>8. ADVISEMENT OF CAMPUS SECURITY PROCEDURES AND PRACTICES</u>	<u>16</u>
• OFF-CAMPUS MONITORING OF CRIMINAL ACTIVITY	17
<u>9. CRIME PREVENTION AND SAFETY AWARENESS POLICIES AND PROGRAMMING</u>	<u>18</u>
<u>10. SCU POLICIES AND PROCEDURES RELATED TO ALCOHOL AND OTHER DRUGS</u>	<u>18</u>
• DRUG OR ALCOHOL ABUSE EDUCATION PROGRAMS	19
<u>11. DISCLOSURE OF DISCIPLINARY PROCEDURE OUTCOMES</u>	<u>20</u>
<u>12. AWARENESS & PREVENTION (SEXUAL ASSAULT, DATING VIOLENCE, DOMESTIC VIOLENCE, & STALKING)</u>	<u>20</u>
• DEFINITIONS	20
• ONGOING PREVENTION AND AWARENESS CAMPAIGNS	21
<u>13. POLICIES & PROCEDURES (DATING VIOLENCE, DOMESTIC VIOLENCE, SEXUAL ASSAULT, AND STALKING)</u>	<u>26</u>
• SEX OFFENSE DEFINITIONS	26
• CONSENT SUMMARY	30
• TITLE IX COORDINATORS	32
• REPORTING PROCEDURES	33
<u>14. SEXUAL VIOLENCE, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING</u>	<u>37</u>
• GRIEVANCE PROCEDURE AND PRELIMINARY INVESTIGATION	38

• DEFINITIONS	40
• INFORMAL GRIEVANCE PROCEDURE	40
• STUDENT FORMAL GRIEVANCE PROCEDURE	41
<u>15. SEX OFFENDER REGISTRY</u>	51
<u>16. DISCLOSURE OF CRIME STATISTICS</u>	52
• HATE CRIMES	55
• UNFOUNDED CRIMES	55
• NON-CAMPUS PROPERTY/BUILDINGS	56
• PUBLIC PROPERTY	56

1. Preparation of Annual Disclosure of Crime Statistics and Availability of Annual Security Report

The Campus Safety Department collects information about reported crimes from Campus Security Authorities (CSAs) on an on-going and timely basis. The information gathered from the CSAs is combined with the Incident Reports recorded by members of the Campus Safety department throughout the year as well as any incidents communicated via the “[Report It](#)” tool on MySCU. The Campus Safety Lieutenant, Sgt., and Executive Director of Auxiliary Operations and Physical Plant review and classify the information contained within the reports to determine the crime statistics for the campus. Once the statistics have been determined, the Executive Director of Auxiliary Operations and Physical Plant drafts the Annual Security Report itself, which is then approved for distribution by the Vice President for Administration and Finance/CFO.

The Annual Security Report is made available by October 1st each year to all members of the campus community. It is distributed via email to all employees and students. The most recent report, as well as the last six reports, is available on the “[Annual Security Reports and Daily Crime Log](#)” page on MySCU. Hard copies of the Annual Security Report can be attained at the Campus Safety office located in Bldg. F and the HR office, located in Bldg. C.

In addition, all credible documentation that substantiates the institution’s crime statistics are housed inside the Campus Safety Office located in F Bldg.

2. Reporting Crimes or other Incidents & Campus Security Authorities

The University encourages all campus community members to report any criminal activity or suspicious behavior to the Campus Safety office. Please preserve all evidence if possible so as to allow for an effective investigation.

Campus Safety officers can be reached at (562) 902-3333, by dialing extension 333 from any campus phone, or by utilizing the yellow emergency phones located throughout campus or the Code Blue Emergency Poles located in the parking lots. Additionally, individuals may utilize the “Report It” tool located on the “Campus Safety” page on MySCU.

Crimes can be reported voluntarily by any member of the campus community or the general public and may be done so confidentially. However, it should be noted that the University cannot guarantee complete confidentiality where it would conflict with the obligation to investigate meaningfully and, where warranted, take disciplinary action.

The procedure for victims or witnesses to report crimes on a voluntary and confidential basis is to utilize the “Report It” tool (mentioned above) and simply type in the crime or incident into the text box and hit submit. The tool is intentionally designed to submit information confidentially by default. In order to have your contact information made available to University officials, victims or witnesses would need to check the box marked “Check To Include Your SCU E-Mail” before pressing submit.

Additionally, members of the campus community may use either the Rave Guardian or Crisis Manager app, both customized by SCU Campus Safety to contact the department, report crimes, and provide safety tips.

This following partial list of CSAs (Campus Security Authorities) is provided below. These individuals provide information for the annual crime report and work with the Campus Safety department and law enforcement (when appropriate) to issue timely warnings and provide resources to victims.

CSAs

Title	Name	Contact Information
VP of Administration and Finance; Title IX Coordinator	Tom Arendt	tomarendt@scuhs.edu ; 562-902-3355
Chief of Staff	Chuck Sweet	chucksweet@scuhs.edu ; 562-902-3305

VP of Academic Affairs	Dr. Sheryl Berman	sherylberman@scuhs.edu ; 562-902-3360
Dean of the Los Angeles College of Chiropractic	Dr. Jonathon Egan	jonathonegan@scuhs.edu ; 562-902-3433
Dean of the College of Acupuncture and Oriental Medicine	Dr. Jenny Yu	jennyyu@scuhs.edu ; 562-947-8755x510
Executive Director of Student Affairs- Enrollment Services	Dr. Steve Jaffe	stevejaffe@scuhs.edu ; 562-902-3384
Assistant Vice-President for Auxiliary Operations; Title IX Administrator	Joseph Eggleston	josepheggleston@scuhs.edu ; 562-947-8755 x 515
Student Affairs Coordinator	Amy Vargas	amyvargas@scuhs.edu ; 562-902-3405
Chair, Clinical Internship Department; LACC	Dr. Ana Facchinato	anafacchinato@scuhs.edu ; 562-947-8755 x601

Chair, Clinical Internship Department, CAOM	Dr. Jenny Yu	jennyyu@scuhs.edu ; 562-947-8755 x510
Director of Sports Medicine	Dr. David Foster	davidfoster@scuhs.edu ; 562-947-8755 x508

3. Prompt and Accurate Reporting of Crimes

The University intends to provide a safe environment consistent with that required in an academic institution. Consequently, the Campus Safety department communicates openly with the Los Angeles County Sheriff's Department concerning any crimes witnessed or reported to them (for more information on the Campus Safety department, see 5.0 above). Even though the University takes such efforts to provide for a secure and safe environment, it must be recognized that ultimately each individual is also responsible for his or her own safety and security. Within these guidelines, the following protocols are encouraged:

- Report all crimes immediately to Campus Safety at extension 333 from a campus phone or (562) 902-3333.
 - *Prompt reporting may assist in the apprehension and prevention of future crimes. Preserve all evidence.*
- Campus Safety can also assist in notifying the Los Angeles County Sheriff's Department or individuals can independently report crimes directly to the Sheriff's Department at (562) 868-8711.
- Report all suspicious persons, circumstances, or situations to Campus Safety officers or CSAs (see 5.0 above) as soon as feasible.
- Rave Guardian
 - Utilize the "Tips" menu to send information directly to our Campus Safety officers (include photo/video) with the added option of sending anonymously.

- Utilize the “[Report It](#)” tool to confidentially report suspect, concerning, or criminal behavior.
- Please provide as many specific details that may be relevant to the crime/incident/issue (who, where, what, when, etc.) and preserve any evidence if possible.

- **Counselors and the Reporting of Crimes**

The University offers counseling resources through an external institutions [Biola University (562) 903-4800) and encourages all counselors to, if and when they deem it appropriate, inform any individuals they are counseling about their right to pursue charges as well as the ability to report crimes on a voluntary, confidential basis. Consequently, only aggregate data provided by counselors is considered for the inclusion of the incident(s) in the annual publication of crime statistics.

4. Timely Warning Reports

In accordance with Clery Act requirements, the University will issue timely warnings in the event that a situation arises, either on or off campus that, in the judgment of the Campus Safety office, University Administration, and/or local law enforcement, constitutes an ongoing or continuing threat. The warning will be issued through the University email system and MySCU portal “News Feed” feature, by members of the Campus Safety Department, the Executive Director of Auxiliary Operations & Physical Plant, the Vice President for Administration & Finance, or by the University President. In the event a given incident jeopardizes the technological infrastructure, a hard copy of the warning will be posted throughout the campus.

Timely warnings are usually issued for arson, burglary, robbery, aggravated assault, criminal homicide, motor vehicle theft, sex offenses, hate crimes, arrests/referrals for disciplinary actions, and any other crimes as deemed necessary. The primary goal of timely warnings is to aid in the prevention of additional occurrences and – if issued – will withhold the names of victims (if there are any) as confidential. Anyone with information warranting a timely warning should immediately report the circumstances to the Campus Safety office, by phone

(562 902-3333), in person (F Bldg, room 20), or by utilizing any of the yellow phone boxes located throughout campus or Code Blue Emergency Poles located in the parking lots.

The primary individuals responsible for issuing Timely Warnings are: the Vice-President for Administration and Finance and the Executive Director of Auxiliary Operations and Physical Plant. Other individuals may send out timely warnings as appropriate, including senior ranking officers of the Campus Safety Department or University Administration.

Reports documenting timely warnings issued by the University (for crimes defined by the Clery Act and all other incidents) are available on the “Campus Safety” page of MySCU and at the Campus Safety office.

5. Emergency Response and Evacuation Policies and Procedures

Each week, University administration issues an email documenting the upcoming week’s designated Senior Administrator on Call (SAOC) to University Cabinet Members. This designation is per the Emergency Management Plan (Appendix 2.3.2 of the SCU Policy Manual). The SAOC takes primary responsibility for ensuring proper response to an incident. This may include the activation of all or part of the Campus Community Emergency Response Team during a crisis that will require multi-level decision-making.

The Campus Safety department as well as the Executive Director of Auxiliary Operations and Physical Plant, and the Director of Physical Plant collectively serve as the campus’ first responders. It is their responsibility to contact the designated SAOC if required by a given incident or emergency.

Consequently, each of these individuals is authorized to issue an emergency alert via the University’s Emergency Notification System (Everbridge). If possible, the first responder will consult with the SAOC before issuing such an alert, however, if contacting the SAOC is not feasible given the situation or if – in the opinion of the first responder – members of the campus community are in immediate danger, an emergency alert may be issued independently and without delay as long as it does not compromise efforts to assist a victim or our ability to respond to, or otherwise mitigate the emergency at hand.

In order to provide the most accurate information possible in the quickest manner possible, the Campus Safety department has pre-built over 12 different emergency messages (active shooter, earthquake, fire, gas leak, etc.) that can be sent within a matter of seconds. Follow up notifications with more information will then be sent out to help clarify the matter as more information becomes available. Alternatively, should a unique situation arise – or should a situation arise in which details are immediately forthcoming – unique and custom notifications can also be sent in place of the pre-built ones. In either situation, follow up notifications will be issued to keep the campus informed of the situation and when the situation has concluded. Further, with the assistance of SCU’s IT department, Campus Safety now has the ability to utilize all VOIP phones on campus as an Emergency Public Address system if needed. The PA is used in addition to Everbridge alerts.

In the event the Emergency Notification System is utilized, all registered users of the system will be notified. For the purposes of maintaining the most accurate user database, the University automatically enrolls students upon matriculation and maintains their account until 6 months after they have graduated or left the University. Similarly, employees are registered upon date of hire and their accounts remain active until 6 months after their departure from the University.

In an emergency situation, information will be disseminated to the external public in a timely manner as it becomes available. The Communications & Brand Management department is responsible for all means of external communication related to an emergency incident. The primary form of distribution will be from the University’s main web page, www.scuhs.edu. The University will make use of its webpage and social media presence to alert the larger community of a given situation if warranted.

In order to prepare for emergency situations or other such crises the University has placed emergency supplies in each office/building with necessary survival supplies and first aid kits. Additionally, each classroom on campus has a similar kit. The first aid kits are checked monthly and refilled by Campus Safety personnel, while the emergency supplies are checked and refilled annually. These office/classroom kits are purposely placed so as to be able to support individuals that may be trapped inside a building during and after an emergency situation. The kits are the responsibility of “Building Coordinators” who are to bring the kits with them if

evacuation of the building is possible. In addition to the office/classroom kits, the University maintains an emergency supply area inside Building “B” which contains large quantities of water, food, flashlights, sanitary devices, and other survival items.

At least annually, students and employees are communicated with via email concerning the University’s emergency response and evacuation procedures; the most recent information is always available on the “Campus Safety” MySCU page. In the event of an evacuation, students and employees will be directed to safe locations away from the campus buildings. Evacuation drills are conducted twice each year once in the Fall and once in the Spring (the precise date/time of which may be either announced or unannounced). Reports documenting the drills are available in the Campus Safety office and on the “Campus Safety” MySCU page.

While no formal agreement exist between the University and local law enforcement, SCU does maintain contact with high ranking officials in the Sheriff’s Department concerning escalating situations in the region that may warrant emergency response.

6. Security, Access, and Maintenance of Campus Facilities

The University campus is patrolled by Campus Safety personnel 24 hours a day, seven days a week. From 10pm-6am, the campus is closed to normal business operations.

Each building on campus has an alarm system; security cameras and specialized digital locks are deployed throughout the campus as well.

The Physical Plant department is responsible for the general maintenance of the campus. Campus Safety personnel frequently make reports to Physical Plant concerning maintenance issues related to safety (i.e. aisle way lights, exit signs, etc.).

The Campus Safety department may, on its own or by request, conduct security and/or safety surveys of buildings and offices located on the campus.

At this time SCU does not maintain any on campus residences.

7. Campus Law Enforcement

The University’s Campus Safety department is staffed by associates provided by a security vendor. They represent the on-site security force, but do not have the privileges of law

enforcement personnel such as the ability to make an arrest. Their primary mission is to ensure the safety of all campus community members by reporting safety/security issues; conducting investigations, and monitoring security cameras. Campus Safety can be contacted by dialing extension 333 from any campus phone, calling (562) 902-3333, by utilizing any of the yellow emergency phones located throughout campus, or the Code Blue poles located in the parking lots.

The Campus Safety department also provides the following services:

- *Safety Escorts*
 - The department operates a safety escort service during business hours, 365 days a year. Escorts will only be provided within SCU's property and can be arranged by calling the department.
- *After-Hours Operator*
 - Campus Safety works closely with the campus operator who handles communication and dispatch capabilities during normal business hours. After normal business hours, Campus Safety officers serve as the primary campus operators.
- *Lost and Found*
 - The Campus Safety office is the official clearing house for all property lost or found on university grounds. Found property is retained by the department for 90 days.
- *Daily Crime Log*
 - Campus Safety personnel are responsible for updating and making available upon request the Daily Crime Log.
- *Alarm Systems/Security Cameras*
 - Campus buildings have fire and burglar alarms as well as security cameras that are monitored by the department.

- *Security/Safety Survey*
 - Campus Safety officers conduct security/safety surveys concerning university grounds, buildings, and offices.
- *Parking Enforcement*
 - Campus Safety officers may investigate collisions occurring on campus. Officers may also issue citations for parking/driving violations.
- *Investigations*
 - The Campus Safety department conducts administrative investigations involving University rules and regulations. These investigations may involve students, employees, and visitors. Appropriate referrals necessitating further review and action may be made to Student Affairs, Human Resources, or local law enforcement.

The University's local law enforcement entity is the Los Angeles County Sheriff's Department, Norwalk Station ((562) 863-8711). The Sheriffs work closely with our Campus Safety department when incidents arise. The University does not have a formal written MOU or MOA with the Sheriff's Department.

8. Advisement of Campus Security Procedures and Practices

During each graduate and undergraduate program orientation (Fall and Spring), Campus Safety personnel make a presentation to incoming students regarding the services offered by the department, how to easily file a report of crime or other incident (via the "Report It" tool), specialized information on the campus' sexual misconduct policy, emergency contact numbers, and the University's emergency alert system. Students are encouraged to further explore the "Campus Safety" page on MySCU for other helpful information including the most recent Annual Security Reports and the Daily Crime Logs maintained by Campus Safety.

The Daily Crime Logs are created, kept, and maintained by Campus Safety personnel and include all crimes reported to them including: the nature, date, time, and general location of each crime; and the disposition of the complaint, if known. If new information about an entry

becomes available to Campus Safety, then the new information will be recorded in the log within two business days from the time Campus Safety was made aware of the latest information. Entries on the Log are available for public inspection within two business days of the initial report being made; except where the disclosure of such information is prohibited by law or such disclosure would jeopardize the confidentiality of the victim (if this is one). Additionally, if there is clear and convincing evidence that the release of information from a Daily Crime Log would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence, such information may be withheld until that damage is no longer likely to occur from the release of such information. Requests to view the Daily Crime Log can be made directly to a member of the Campus Safety staff or to the Executive Director or Auxiliary Operations & Physical Plant.

Both students and employees have access to an optional training detailing the manner in which our Emergency Alert system operates and all new hires and incoming students and employees have a required training concerning Title IX which addresses sexual misconduct issues, prevention, and reporting.

Newly hired employees are also provided with a Campus Safety information document which details the department's services, contact information, and procedures along with a specialized online training concerning "Preventing Workplace Violence" which needs to be completed annually.

Additionally, as necessary, the Campus Safety department and Student Affairs may send out notifications via campus email concerning crime awareness and tips for prevention (i.e. an email alert notifying the campus of an increase in reported theft inside the lecture halls and reminders to properly store and protect their individual property).

- **Off-Campus Monitoring of Criminal Activity**

SCU does not recognize any student organizations that operate off-campus locations. Student clubs that participate as chapters of larger regional or national organizations are operated from the main campus and are subject to the rules, regulations, and monitoring documented here as well as in the Student Code of Ethics (§6.5.1.3 and §2.2.1.1 of the SCU Policy Manual).

9. Crime Prevention and Safety Awareness Policies and Programming

The International Association of Campus Law Enforcement defines crime prevention as “the anticipation, the recognition, and the appraisal of a crime risk and the initiation of action to remove or reduce it.” Consequently, the University has created a new online program to address one of the most serious crimes facing educational institutions: the Active Shooter scenario. Given that there is yet no tangible way to preclude such an incident, the online program offers a training video and other resources focused on mitigating an individual’s personal exposure should such an incident occur. This program is made available to all students, staff, and faculty and is on the Campus Safety Department page at MySCU. Active Shooter preparedness and resources posters are also prominently displayed in all entry ways to classrooms and office.

Further, the University has put in place a mandatory “Preventing Violence in the Workplace” training for all employees. This online training is part of the on-boarding process and is required annually thereafter. The training covers topics such as: types of violence, risk factors, red flags, dealing with volatile situations, and reporting procedures.

The Campus Safety department also promotes crime prevention and safety awareness by way of its “Did You Know” campaign which utilizes the campus’ digital signage displays to highlight the various services provided by the department as well as addressing helpful tips on how to reduce the potential of becoming a victim of certain crimes. The information is presented in an image format which appears on screen multiple times each day of the week. At a minimum, there are twelve images in rotation (one per month). Direct advisement of less severe crime, frequency, and manners in which to prevent/preclude becoming a victim (such as petty theft, larceny, etc.) are distributed at the discretion of the Campus Safety department or at the request of HR or Student Affairs by email.

10. SCU Policies and Procedures Related to Alcohol and Other Drugs

The University’s policies and California State Law regarding alcohol and drugs are covered in the Student Code of Ethics (§6.5.1.3 and §2.2.1.1 of the SCU Policy Manual). The possession, sale, or furnishing of alcohol on the University campus is governed by the above mentioned policies and California State Law. Laws regarding the possession, sale, consumption, or furnishing of alcohol are controlled by the California Department of Alcohol and Beverage

Control (ABC). However, the enforcement of alcohol laws on-campus is the responsibility of the Campus Safety department. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the Campus Safety department. Campus Safety will assist any law enforcement agency conducting a narcotic or alcohol investigation on campus. Violators of the SCU policy on alcohol and drugs will be subject to various sanctions including termination or dismissal from the University.

The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal. It is also a violation of SCU Policy for anyone to consume or possess alcohol in any private area of campus without prior University approval. Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the University.

- **Drug or Alcohol Abuse Education Programs**

The University's Drug and Alcohol Abuse Program includes minimally a written annual distribution to each student and employee stating the standards of conduct that clearly prohibits the unlawful possession or distribution of illicit drugs and abuse of alcohol by students and employees; a description of applicable legal sanctions under local, state or federal law; a description of health risks associated with the use of illicit drugs and the abuse of alcohol; a description of available drug or alcohol counseling, treatment or rehabilitation or re-entry programs; a clear statement of the disciplinary sanctions that the University will impose on students and employees; and a biennial review by the University of its program to determine its program effectiveness and to ensure that disciplinary sanctions are consistently enforced. Additionally, the University is committed to upholding federal and state laws as they relate to the usage and distribution of alcohol and illicit drugs and as such will immediately notify the appropriate law enforcement agency should any infractions that necessitate their involvement be observed.

The University has also established a referral resource for those employees or students who wish to avail themselves to any drug or alcohol counseling, treatment, rehabilitation, or re-

entry programs. All inquiries are held in the strictest of confidence and will not affect an employee's job security or a student's participation in the University.

The University does not subsidize any costs associated with such referral services or treatment programs. An employee may use sick leave to which he or she is entitled for the purpose of entering and participating in an alcohol or drug rehabilitation program. Once sick leave has been used, the employee may request a leave of absence as covered in the University's Leave of Absence Policy.

11. Disclosure of Disciplinary Procedure Outcomes

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

12. Awareness & Prevention (Sexual Assault, Dating Violence, Domestic Violence, & Stalking)

- **Definitions**

- ✓ *Awareness programs*

- Community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

- ✓ *Bystander Intervention*

- Safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm,

understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

✓ *Ongoing Prevention & Awareness Campaigns*

- Programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout the institution.

✓ *Primary Prevention Programs*

- Programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

✓ *Risk Reduction*

- Options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence.

• **Ongoing Prevention and Awareness Campaigns**

SCU prohibits the crimes of dating violence, domestic violence, sexual assault, and stalking as those terms are defined for the purposes of the Clery Act (defined in Section 16.0 below). In an effort to inform our campus community about the prevention of these crimes, the University has developed the following ongoing prevention protocols and awareness campaigns:

✓ *Mandatory Online Training*

- SCU's primary and most sophisticated program is our mandatory 30 minute online training for all students and employees upon matriculation or hire, and annually thereafter. The training is titled "Preventing Sexual Misconduct (Title IX)" and separate versions of the training exist for employees and students. While Title IX and Clery specifically are two separate pieces of legislation, the content of the training, which focuses on key laws and policies to be aware of, why sexual misconduct (which includes domestic violence, dating violence, stalking, and sexual assault) is of concern, explanations on how to comply with our own policy, examples of inappropriate sexual behavior, and what to do if you are the victim of such behavior or observe it.
 - The training is delivered via our intranet, MySCU, and both students and employees are automatically registered for the class upon logging into the intranet for the first time. Students have 72 hours from the time the training is assigned to them to complete the training. If they fail to complete the training in the allotted time, access to MySCU is restricted and they are no longer allowed to access the resources therein – including registration, online class assignments, etc. Once a student is locked out of MySCU, they need only to complete the training and their account access is immediately restored. Once the training has been completed, it is automatically reassigned to appear once more as a required training 365 days later.
 - Further, students enrolled in the University's "Practice Management" course are required to take the comprehensive, two hour, CA Preventing Discrimination and Harassment training which touches on a variety of issues including sexual violence.

✓ *Mandatory Post-Orientation Live Presentations (Do This Not That)*

- While Campus Safety does make a presentation about crime prevention, policies, prevention, and resources during each orientation, a more thorough 45 minute session is allotted approximately 4-5 weeks after the start of a trimester for Campus Safety and Student Affairs to collectively speak towards issues concerning alcohol, drug use, and sexual assault prevention. The session is entitled “Do this Not That” and focuses heavily on the understanding of consent and relies on audience participation to flesh out the complexity of the situation in order to encourage critical reflection rather than just lecturing concerning the rules and regulations. Additionally, during this session reporting options and resources are covered once more to reinforce what was discussed during orientation.
- ✓ *Web Resources – Prevention & Awareness (VAWA)*
 - In an effort to assist campus community members in easily identifying and accessing resources concerning sexual violence, the University created a unique site under MySCU titled “Prevention and Awareness (VAWA).”
 - The site features in depth information concerning:
 - Awareness Programs;
 - Bystander Intervention;
 - Ongoing Prevention and Awareness Campaigns;
 - Primary Prevention;
 - Risk Reduction; and
 - Special Materials for Faculty and Staff for consideration in preventing and addressing issues of sexual violence.
 - Additionally, the site prominently displays the definitions of stalking, domestic violence, and dating violence.

- While the University hosts unique programs and campaigns, our “Prevention and Awareness (VAWA)” site is a vibrant source of additional information, links to other resources, and helpful tips to aid the campus community that can be accessed at any time without the confines of program dates or the assignment of the above mentioned mandatory training.

✓ *Awareness Wall*

- Twice a year, large paper is placed over the oversized bulletin board located behind the University’s Campus Store (chosen for its centralized location) where students and staff are encouraged to post responses to questions such as “What does consent mean to you?” or “How can we discourage sexual assault on our campus?” as well as allowing individuals to write anything they feel pertinent to the discussion or sexual assault prevention in general.
 - The aim is to encourage a visible dialogue that provokes thought and encourages responses as well as action.
 - Addresses: Awareness, Bystander Intervention, & Risk Reduction

✓ *Denim Day*

- As part of Sexual Assault Awareness Month, SCU participates in Denim Day whereby members of the campus (both employees and students) are encouraged to wear jeans in order to raise awareness of rape and sexual assault.
 - During the weeks leading up to the event, images related to misconceptions about consent and sexual assault are displayed on the SCU.tv digital signage system on campus (located inside both student lounges and the Campus Store).

- Addresses: Awareness

✓ *Restroom Poster Campaign*

- Inside every restroom on the SCU campus, including those inside the University Health Center are posters entitled “Protect Yourself Against Sexual Assault.”
 - The posters empower individuals to say “NO” to unwanted or unsolicited sexual advances with examples of what does not constitute consent.

- Addresses: Awareness, Risk Reduction

✓ *Restroom Mirror Campaign*

- Beginning in the Fall of 2016, each restroom mirror is to be outfitted with mirror decals stating “Break Through... Prevent Sexual Assault.”
 - The decals – and the location of their placement – is meant to remind individuals on a consistent basis that sexual assault prevention is something everyone is responsible for and to further empower them to be part of the change that the University is fostering by seeing their own reflection next to the image.

- Addresses: Awareness, Risk Reduction, Bystander Intervention

✓ *Circle of 6*

- During the orientation events (and always available on the “Prevention and Awareness” site) Campus Safety makes an appeal for students to download and program a mobile phone app known as Circle of 6.
 - The app is free of charge and allows individuals to connect with friends quickly and easily in order to stay safe and prevent violence before it happens.

- Students are also encouraged to add the direct line to the Campus Safety field radio as one of their 6 pre-programmed contacts in case they need immediate assistance while on campus.
 - Addresses: Risk Reduction, Bystander Intervention

13.Policies & Procedures (Dating Violence, Domestic Violence, Sexual Assault, and Stalking)

The University considers issues of sexual misconduct and discrimination (including harassment, rape, sexual assault, stalking, dating violence, and domestic violence) serious violations of campus policy and the law. As such, SCU has adopted a thorough “[Title IX: Policies and Procedures](#)” document which addresses issues regarding the reporting of such behavior, the University’s investigation process, the grievance procedure, and steps related to taking action following any sexual violence/assault. The information is updated when appropriate to reflect the most current information possible and is easily accessible to all members of the campus community on the “Campus Safety” page on [MySCU](#).

- **Sex Offense Definitions**

- ✓ *Sexual Violence/Assault*

Sexual violence is defined as any physical sexual act perpetuated against a person’s will or where the person is incapable of giving consent due to that person’s mental faculties or use of substances. Sexual violence/assault may include: the intentional touching, either of the victim or when the victim is forced to touch, directly or through clothing, of another person’s genitals, breasts, groin, or buttocks; sexual penetration or sexual penetration with an object. It should be noted that the lack of consent exists when force, intimidation or threat, temporary or permanent mental incapacity on the part of the victim, temporary or permanent physical helplessness on the part of the victim, or incapacity to consent due to the youth of the victim are factors.

Example(s)

- Rape
 - Definition:
 - The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
 - Federal Bureau of Investigation's (FBI) updated definition from *Uniform Crime Reporting (UCR) Summary Reporting System*.
 - Any nonconsensual sexual intercourse accomplished by means of threat, force, or fraud
 - *California Penal Code 261*
- Sexual Assault with An Object
 - Definition:
 - To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental or physical incapacity.
 - Federal Bureau of Investigation's (FBI) updated definition from *Uniform Crime Reporting (UCR) Summary Reporting System*.
- Statutory Rape
 - Definition:

- The engaging in of sexual intercourse wherein at least one individual is a minor (under 18 and not the spouse of the other individual), even when the underage party consents to the act.
 - *California Penal Code 261.5*
- Oral Copulation by Force
 - Definition:
 - Oral copulation is defined as any contact between the mouth of one person and the sexual organ or anus of another person. The act is accomplished once the contact has been made, regardless of whether or not there was penetration. These acts become sexual assault when they are
 - Performed with a minor (who cannot legally consent to a sexual act)
 - Performed on an adult who has not consented to the act
 - Accomplished through force or fear
 - *California Penal Code 266c*
- Sexual Battery
 - Definition:
 - Any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse.
 - *California Penal Code 243.4*
- Drug Facilitated Sexual Assault

- “Date Rape”
 - So called “date rape” is also known as “acquaintance rape” or “hidden rape” and usually occurs between individuals who know each other.
 - Substances can be willingly ingested or surreptitiously administered which can render an individual incapable of providing consent
- Sexual Coercion
 - Pressuring an individual to perform sexual acts after a date because individual feels that it is “owed” to them
 - Pressuring an individual to perform sexual acts after they have stated “NO”

- Stalking

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to: fear for their safety, the safety of others, or suffer substantial emotional distress.

Example(s)

- ✓ Intentionally following an individual
- ✓ Appearing at a person’s home, class, or place of work
- ✓ Making frequent phone calls, emails, SMS messages, tweets, digital posts, etc. to an individual
- ✓ Leaving frequent written messages or objects for an individual
- ✓ Vandalizing an individual’s property
- Dating Violence

Dating violence is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim and; where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

- **Domestic Violence**

Domestic violence is a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, a person with whom the victim shares a child in common, a person who is cohabiting with or has cohabited with the victim as a spouse or intimate partner, a person similarly situated to a spouse of the victim under the domestic or family violence laws of the state of California, or 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 state of California.

- **Consent Summary**

The term “consent” means a freely given agreement to the conduct at issue by a competent person.

Under California Law, Penal Code Section 261-269, the word “consent” as it relates to sexual activity is defined as:

- *Positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved. A current or previous dating or marital relationship shall not be sufficient to constitute consent where consent is at issue...*

Additionally, in 2014, California passed AB 967, known commonly as “Yes means Yes,” which established an affirmative consent standard concerning sexual activity. The term “affirmative consent” means:

- *Affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact or past sexual relations between them, should never by itself be assumed to be an indicator of consent.*

Any sexual act that is without consent is considered sexual violence.

Below are some additional examples to aid in understanding the meaning of consent and when it has (or has not) been established:

- Consent is informed, freely, and actively given; it requires clear communication between all persons involved in the sexual encounter
- There is no such thing as “assumed” consent
- Silence, by itself, cannot constitute consent
- Consent can be communicated verbally or by actions, but in whatever way consent is communicated, it must be mutually understandable
- It is the responsibility of the initiator of sexual contact to make sure they understand fully what the person with whom they are involved wants and does not want sexually
- Consent to one form of sexual activity does not imply consent to other forms of sexual activity
- Previous relationships or consent does not imply consent to future sexual acts
- Consent cannot be procured by use of physical force, compelling threats, intimidating behavior, or coercion

- Effective consent cannot be given by minors, mentally disabled individuals, or person's incapacitated as a result of drugs or alcohol
- If you have sexual activity with someone you know to be – or should know to be – mentally or physically incapacitated (by alcohol or other drug use, unconsciousness or blackout), you have not established consent
- Incapacitation is a state where one cannot make a rational, reasonable decision because they lack the ability to understand the who, what, when, where, why or how of their sexual interaction
- **Title IX Coordinators**

The University has identified the following individuals as those responsible for addressing concerns, conducting investigations, and ensuring compliance concerning sexual misconduct, non-discrimination, and harassment policies. Each of the individuals listed below are openly available to meet with students and/or employees who believe that any of the above situations have occurred:

Title IX Coordinator

Thomas Arendt, Vice-President of Administration & Finance/CFO

tomarendt@scuhs.edu

562-902-3355

16200 Amber Valley Drive

Whittier, CA 90604

Building "A"

Title IX Administrator

Joseph Eggleston, Assitant Vice-President of Auxiliary Operations

josepheggleston@scuhs.edu

562-947-8755 x515

16200 Amber Valley Drive

Whittier, CA 90604

Building “C”

Title IX Deputy Coordinator

Steven Jaffe, Executive Director of Student Affairs

stevejaffe@scuhs.edu

562-902-3384

16200 Amber Valley Drive

Whittier, CA 90604

Building “B”

Should the alleged perpetrator be either the designated Coordinator or one of the Deputy-Coordinators, a non-alleged Coordinator from the above list will handle the complaint.

Should neither of the Deputy Coordinators nor the Coordinator be eligible to handle the complaint because they are alleged perpetrators, the University President, John Scaringe, will investigate and process the complaint.

- **Reporting Procedures**

Southern California University of Health Sciences (SCU) considers all complaints seriously and will diligently strive to remedy the situation and ensure the safety of victims. SCU encourages those who have experienced or observed any form of sexual misconduct, discrimination, harassment, assault, stalking, dating violence, or domestic violence, regardless of whether the offense occurred on campus or elsewhere, to report the incident(s) immediately to either Campus Safety at 562-902-3333, the Los Angeles County Sheriff’s Department at 562-863-8711, or both. You may also submit an anonymous complaint via the [“Report It”](#) tool on MySCU.

When a student or employee reports to the intuition that the student or employee has been a victim of dating violence, domestic violence, sexual assault or stalking,

whether the offense occurred on or off campus, the institution will provide the student or employee a written explanation of the student's or employee's rights and options.

- Available reporting options
 - Report the incident to Deputy Coordinator Joseph Eggleston (contact information above) or Deputy Coordinator Cindy Scheibel (contact information above).
 - If neither Deputy Coordinator is available, report the incident directly to the Coordinator, Tom Arendt (contact information above)
 - Victims can also report incidents via the "[Report It](#)" tool located on the Campus Safety page at MySCU
 - Victims can call the on duty Campus Safety Officer at 562-902-3333 or by picking up any yellow "Emergency" phone on campus, or by utilizing the Code Blue Emergency Poles located in the parking lots (victims have the right to not file a formal complaint with Campus Safety)

A written copy of these resources is available at the Campus Safety Office located in Bldg. F as well as the Human Resources Office located in Bldg. C.

Regardless of location, resources are available to you at any time. The next page lists detailed information concerning attaining assistance as soon as possible if you are the victim of sexual violence/assault.

Taking Action Following Sexual Violence/Assault

These steps & resources are meant to immediately assist an individual involved in a sexual violence or sexual assault situation.

A. Seek Medical Attention

If you need immediate medical attention call 911

St. Jude Medical Center

714-871-3280

101 E. Valencia Mesa Drive, Fullerton
CA, 92835

(Link provides directions from SCU)

Presbyterian Intercommunity Hospital

562-698-0811

12401 Washington Blvd, Whittier CA,
90602

(Link provides directions from SCU)

UCLA Medical Center, Rape Treatment
Center

310-319-4000

1250 16th Street, Santa Monica, CA 90404

(Link provides directions from SCU)

B. Seek Available Assistance

Los Angeles Area Community Sexual
Assault Crisis Center

408-843-7138

Peace Over Violence (24/7 hotline)

310-392-8381

213-626-3393

626-793-3385

www.peaceoverviolence.org

Cleveland Rape Crisis Center (24/7 hotline)

216-619-6192

www.clevelandrapecrisis.org

RAINN (Rape, Abuse, & Incest National
Network)

1-800-656-HOPE

www.rainn.org

C. Preserve

Do everything possible to not disturb the crime scene;

Preserve all evidence in paper bag (plastic can contaminate evidence);

Try NOT to: Bathe, Urinate, Douche, Brush Teeth, or Drink Liquids.

D. Pursue University conduct charges & policy violations

Per the details found in this document.

E. Pursue criminal prosecution of the offender

Los Angeles County Sheriff's Department
– Norwalk Station

562-863-8711

12335 Civic Center Dr., Norwalk, CA
90650

F. File a formal complaint with the:

Office of Civil Rights (OCR)

415-486-5555

ocr.sanfrancisco@ed.gov

www.ed.gov/ocr

U.S. Equal Employment Opportunity
Commission

800-669-4000

www.eeoc.gov

G. Contact

Contact the appropriate Title IX Deputy Coordinator, Administrator or the Coordinator (see Section 5.0 below);

Call the Biola Counseling Center at
562-903-4800.

14. Sexual Violence, Domestic Violence, Dating Violence, and Stalking

Pursuant to adoption of Resolution No. 46 adopted September 8, 1987 by the California State Assembly, the University does hereby adopt a Rape and Sexual Assault policy (which includes the crimes of Domestic Violence, Dating Violence, and Stalking), which shall be incorporated into the disciplinary policies and practices of the University.

Appropriate disciplinary action shall be taken against students or members of the University community who participate directly or indirectly in rape or sexual assault that occurs on University property or at a University related function or activity.

Due process shall be guaranteed by the University to any individual accused of the crime of rape or sexual assault. Appropriate consideration shall also be given to the rights of victims pursuant to the specific requirements of Assembly Concurrent Resolution No. 46.

If discipline of the individual(s) accused of sexual assault is warranted, the actions to be taken by the University may include: required participation in counseling services, required participation in behavior education, issuance of no-contact orders, designations of persona non grata, suspension, termination, or dismissal/expulsion from the University.

Students who are victims of rape or sexual violence are encouraged to report the crime to Campus Safety, the appropriate Title IX Coordinator (a list of Title IX Coordinators can be found on the "Campus Safety" page at MySCU), and the local police department as soon as possible, as well as to preserve evidence which may be needed for presentation during criminal prosecution for the offense; however, victims are under no obligation to report the crime to either Campus Safety or local law enforcement. Victims may also report crimes related to sexual violence and rape to counselors at either Biola University or the Intercommunity Counseling Center, both of whom provide counseling resources for SCU. Additional resources for reporting crimes related to sexual violence can be found in Section 15.4, and in writing at the Campus Safety Office located in Bldg. F as well as the Human Resources Office located in Bldg. C. Reports to counselors can be made confidentially at the discretion of the victim (see Section 7.0 above for more information).

The Office of Student Affairs will assist students in identifying and contacting medical assistance, the local police, counseling assistance, and reporting an offense, if such assistance is requested by the student.

In cases of rape or sexual assault, the University's response will be equitable to both parties concerning procedural options and individual rights. In cases of confirmed rape or sexual assault, the University's primary concern is the safety of the victim as well as other campus community members.

Rape and sexual assault are considered acts of violence; if committed by students, these acts constitute the most serious violations of the code of ethics.

The University's policies prohibiting rape and sexual assault by students are stated in the Student Conduct Ethics (§6.5.1.15 and §2.3.2.9 of the SCU Policy Manual) and fall within the jurisdiction of the Vice President for Enrollment Management and Student Affairs and the Title IX Coordinator(s).

- **Grievance Procedure and Preliminary Investigation**

The University's Grievance Procedure is applicable for all complaint scenarios (student against student, employee against student, student against third party, etc.). The appropriate Title IX Coordinator or Deputy Coordinator will provide for the adequate, reliable, and impartial investigation of all complaints.

- Reporting incidents directly to the appropriate Title IX Coordinator or Deputy is the most efficient way of beginning the grievance procedure
 - Refer to 15.3 above for a list of responsible Coordinators and their contact information
 - Refer to Section 15.4 above for additional reporting options
- There is no time limit for the reporting of an incident of sexual discrimination or beginning the grievance procedure, however all incidents of sex discrimination, including sexual misconduct or retaliation, should be reported immediately

- Timely reporting is essential for an efficient investigation and the prevention of any future discriminatory actions
- Employees are obligated to report any behavior they feel is in violation of this policy

The University provides for both an informal and formal grievance procedure. Prior to either procedure, a preliminary investigation will be conducted by the relevant Title IX Deputy Coordinator of the Title IX Coordinator.

The preliminary investigation will be completed over the course of thirty (30) calendar days from the date the complaint was filed; however, if circumstances permit, more time may be required and an extension warranted. The purpose of this investigation is to establish whether there is a reasonable basis for believing that the alleged violation has occurred. The Title IX Coordinator or Deputy Coordinator responsible for the investigation shall promptly provide the person against whom the complaint is made with a copy of the formal complaint and shall notify the appropriate University officer or supervisor of the nature of the complaint and of the identity of the parties. In conducting the investigation, the Title IX Coordinator or Deputy Coordinator may interview the complainant, the person against whom the complaint is made, and any other persons believed to have relevant factual knowledge. At all times, the investigator shall make a demonstrated and documented effort to maintain confidentiality; however, the University cannot guarantee complete confidentiality where it would conflict with the obligation to investigate meaningfully and, where warranted, take disciplinary action. Additionally, the University will act to ensure that all participants involved maintain confidentiality to the degree possible.

If the investigation reveals that there is insufficient evidence to support the allegation, the complaint will be dismissed.

If, however, the Title IX Coordinator or Deputy Coordinator determines that there is sufficient evidence to support the allegation, said Coordinator will inform the complainant and accused of the rights and procedures concerning the appropriate grievance process.

In either case, the Title IX Coordinator or Deputy Coordinator will, based on the preponderance of the available evidence, issue a finding as to whether or not they, as a

representative of the University, consider that the alleged conduct which necessitated the investigation did, or did not, occur. Both of the parties involved in the allegation are to be provided this finding along with the recommendation concerning evidence.

The Title IX Coordinator and/or Deputy Coordinators have the ability to investigate concerns related to sexual misconduct and sexual discrimination without the request of a formal inquiry.

- **Definitions**

Procedure: an act or manner of proceeding in any action or process; conduct; a particular course or mode of action; any given mode of conducting legal or other business

Finding: a decision or verdict after an inquiry

Result/outcome: something that happens as a consequence; a final product; a conclusion reached through a process of logical thinking.

- **Informal Grievance Procedure**

- Informal resolution procedures are optional and may be used if the University determines that it is appropriate. The Informal Procedure is never to be applied in cases involving violence or non-consensual sexual intercourse and should further never imply that a complainant resolve issues/problems directly with the accused individual.
- Once a report of sexual misconduct has been made, informal resolution procedures will be pursued within fourteen (14) calendar days of the initial report. However, if circumstances permit, more time may be required and an extension warranted.
- An investigation into the report shall be conducted by the appropriate Title IX Coordinator or Deputy within fourteen (14) days of the report being made. However, if circumstances permit, more time may be required and an extension warranted.
- Once the informal resolution procedure is complete, written notification of the outcome shall be distributed to all parties by the responsible Title IX Coordinator or Deputy within three (3) days of the determination of the findings.
- The University shall take reasonable steps to prevent the recurrence of sexual misconduct and sex discrimination in any form. If such reoccurrence

takes place, those responsible for such behavior may be subject to actions under the Student Code of Ethics (SCU Policy Manual Vol. XI) or the Employee Handbook (SCU Policy Manual Vol. III).

- The University will take all necessary steps to remedy the discriminatory effects on the affected party and others.
- Should the reporting party be unsatisfied with the outcome of the informal procedure, the formal procedure may be pursued.

- **Student Formal Grievance Procedure**

The Student Formal Grievance Procedure for issues concerning sexual misconduct and/or sexual discrimination follows the disciplinary process below, based around the Student Code of Ethics breaches (SCU Policy Manual Vol. VI).

The designated SCU official(s) involved in the procedure are appropriately trained to handle complaints of this nature, and will be screened to confirm that they have no conflict of interest or bias for or against the accuser or accused.

- Investigation

Upon receipt of a report or other information about alleged violation(s) of the student code of ethics to the Executive Director of Student Affairs (or designee), a University official may conduct an inquiry to determine whether the allegation(s) being reported appears to have merit. The person(s) filing the report, the person(s) alleged to be involved in the violation, and/or the person(s) who may have witnessed pertinent acts or who may have pertinent information about the incident may be summoned to provide information prior to judicial charges being issued. The accused and complainant are never to have direct interaction or exchange any communication during this process. A student who fails to appear when summoned during investigations may be charged with a violation of the Student Code of Ethics.

- Judicial Charges

A student will be charged and summoned to a judicial hearing when there is reasonable basis to believe that the student may have committed a violation of the student code of ethics per the investigation by the University official. A written notice

of charges shall be presented to the accused student by the Executive Director of Student Affairs (or designee). The written notice will specify the policy or regulation that the student or organization is alleged to have violated; state the time, date, and place of the occurrence; and include the possible sanctions that will be enforced if the student or organization is determined to have violated the policy or regulation. In addition, prior to and during the hearing, the student or organization shall be afforded reasonable access to review the “Case File” and will be provided with materials concerning their student rights. The “Case File” includes documents pertaining to the matter. The personal notes of faculty and staff members and privileged information of other students are not included in the Case File, and thus are not accessible.

- Scheduling

Cases will be schedule for formal hearing, which shall be not less than three or more than fifteen business days after the accused student has been notified. Maximum time limits for scheduling hearings may be extended at the discretion of the Executive Director of Student Affairs (or a designee).

- Judicial Hearings

All hearings shall be conducted in private and both parties are allowed advisors (including attorneys) to be present at the hearing; however, advisors are not allowed to participate in or disrupt the proceedings and can be removed from the proceeding should they fail to abide by these standards. Both the accuser and the accused shall not have their choice of advisor limited, nor will the presence of any advisor be limited at hearings.

Judicial hearings will be governed by the following rules:

- In situations where more than one student is charged with an alleged violation, the Executive Director of Student Affairs (or designee) will determine whether to hold one hearing for all charged students or a separate hearing for each student.

- A student charged with alleged misconduct may offer documentary evidence for consideration prior or during the hearing. Evidence may include pertinent records, exhibits and other written statements.
- A student charged with alleged misconduct may offer names of witnesses to the Executive Director of Student Affairs (or designee), but must do so prior to the hearing.
- When a student denies responsibility for a violation of the rules governing student behavior, the Student Judicial Board or University official adjudicating the case shall assert the student's responsibility on the basis of preponderance of evidence, that is, if it more likely than not that the evidence supports the charged student violated the rule. If it is so determined, the student will be found responsible.
- When a student is charged with a violation and fails to attend the pertinent hearing, the Student Judicial Board or University official may proceed with the hearing despite the student's absence and shall base any determination upon the evidence received. If witnesses are unable to appear, a statement by the witness can be read into the record. The board can also choose to convene again when the witness(es) can appear.
- The Executive Director of Student Affairs (or designee) will inform the charged student in writing of the results of the judicial hearing. In cases where the violation involved an allegation of violence and a student is determined to be a victim of that act, the Executive Director of Student Affairs (or designee) will also inform the victim in writing of the results of the charged student's hearing and sanctions imposed, if any.
- All procedural questions are subject to the final decision of the Executive Director of Student Affairs.
- Judicial Hearing Process

Introduction

- Prior to the hearing, the Judicial Board will conduct a pre-hearing review, to familiarize themselves with the facts of the case.
- The hearing shall be in private, to protect the confidentiality of those involved.
- The Judicial Board or University official shall provide an overview of the hearing process for the student and answer any questions the student may have about the process or the Student Code of Ethics.
- The accused student may challenge any member of the committee on the grounds of prejudice. The committee shall deliberate in private and determine, by majority vote (excluding the member being challenged), whether the member should be replaced by an alternate committee member who will be designated by the University official.
- The student or organization shall have the right to be assisted by an adviser of the student or organization's choice. The adviser, upon request of the student or organization may:
 - Advise the student in the preparation of the student's or organization's presentation.
 - Accompany the student or organization's representative to the hearing, but not participate in or disrupt the hearing.
 - Advise the student or organization in the preparation of an appeal.
- The Chairperson shall read the alleged violations of the Code as identified in the notification letter to respondent and the letter of complaint. The honesty statement is also read to all participants.
- Witnesses are asked to leave the room.
- In the case of sexual misconduct, sexual harassment, sexual discrimination, rape, sexual assault, stalking, domestic violence, and

dating violence, neither party will be present in room of the proceeding at the same time.

Discussion and Questioning

- After witnesses have left the room, the Chairperson will ask the complainant or respondent if they would like to make brief opening statements.
- The complainant is asked to make a narrative statement regarding the incident.
- The respondent is asked to provide a narrative account of the incident.
- Board members direct questions to either complainant or respondent, as needed.
- The complainant is asked to identify the witnesses to be called and the relevancy of their testimony. The Chairperson should be liberal in allowing relevant witnesses. Character witnesses for the complainant are not usually appropriate. The Chairperson will approve all witness before the start of the hearing.
- The respondent is asked to identify the witnesses to be called and the relevancy of their testimony. Again, the Chairperson should be liberal in allowing relevant witnesses.
- The complainant's witnesses are heard first as follows:
 - Each witness provides a narrative account. The specific charges may be shared with the witness.
 - Questions are asked by Board members, followed by the respondent and the respondent's representative, provided the questions are not redundant.
 - The Board may ask additional questions, as necessary.

- The respondent's witnesses are heard last according to the same procedure outlined for the complainant.
- The respondent or the complainant is dismissed.

Deliberation

- When the Judicial Board or University official has gathered the pertinent information, the student's responsibility with each charge will be determined by a majority vote of the Judicial Board or by a University official, and any recommended sanctions to be imposed.
 - No charge shall be found to be substantiated unless there is clear, convincing, and reliable evidence in support of the charge established in the hearing.
 - The Judicial Board or University official may continue the judicial hearing on a future date, if needed.
 - The Judicial Board or University official will inform the student about the opportunity to appeal any decision, and inform the student of the process to appeal.
 - The Judicial Board or University official will inform the Executive Director of Student Affairs (or designee) of their recommended decision and recommended sanctions.
 - The Executive Director of Student Affairs (or designee) will make a final decision based on the recommendations and will communicate in writing the final decision and sanctions to the student within five business days of the hearing.
- **Sanctions Recommendation and Determination**

Any student found responsible for any violation of the student code of ethics may expect to receive sanctions. If discipline of the individual(s) accused of

sexual assault is warranted, the actions to be taken by the University may include: required participation in counseling services, required participation in behavior education, issuance of no-contact orders, designations of persona non grata, suspension, termination, or dismissal/expulsion from the University.

- During the final part of the hearing, board members determine disciplinary sanctions to be recommended to the Executive Director of Student Affairs (or designee).
 - The Chairperson explains the possible sanctions available to the Board and the sanctioning process.
 - Board members ask questions of the respondent to attempt to determine motivation, sense of remorse, etc.
 - The participants are dismissed while the Board determines appropriate sanctions.
 - The respondent will be notified in writing of the decision once a final determination has been reached by the Executive Director of Student Affairs (or designee). The respondent's right to appeal the decision and/or sanction will be included in the notification
 - The Board deliberates and prepares a final sanction recommendation. The Chairperson prepares a case opinion which is submitted to the Executive Director of Student Affairs (or designee).

- Appeals Process

Any decision recommended by the Student Judicial Board or University official and determined by the Executive Director of Student Affairs (or designee) may be appealed by the accused student (or by the complainant, if there is one) to the Executive Director of Student Affairs

within five business days of the decision. Such appeals shall be in writing and delivered to the Executive Director of Student Affairs (or designee). A student's notice of appeal suspends the imposition of sanctions until the appeal is finally decided.

The basis for appeal shall only include the following:

- A claim that the original hearing was not conducted fairly in light of the charges and information presented.
- A claim that the decision reached was not based on substantial evidence.
- A claim that the sanction(s) imposed was/were not appropriate for the violation of the Student Code of Ethics.
- A claim that the student has new evidence to present that is sufficient to alter a decision or relevant facts that were not brought out in the original hearing.

If the Executive Director of Student Affairs (or designee) determines there is merit for an appeal, the facts of the incident will be reviewed with the student, typically in a personal meeting between the Executive Director of Student Affairs (or designee) and the student. Appeals can result in one of the following ways:

- The student will be found not responsible for the violation of the Student Code of Conduct.
- The student's original sanction will be upheld.
- The student's original sanction will be modified.

The standard of preponderance of evidence (more likely than not) will be used in all decision-making. Once the Executive Director of Student Affairs (or designee) has rendered a decision, the student will receive a

written notice of the outcome. If the student wishes to appeal the decision of the Executive Director of Student Affairs, they may submit a request in accordance with the “Final Appeal.”

- Final Appeal

If the resolution provided by the Student Appeals Board is not satisfactory to the student filing the complaint or the respondent, the student may file a request for reconsideration via a final appeal. Such a request must be submitted in writing within a 5-day period from the date of the initial grievance decision. A request for reconsideration shall be submitted to the Vice President for Enrollment Management and Student Affairs. If the respondent is the Vice President for Enrollment Management and Student Affairs, the President will appoint another University administrator to issue a decision.

The Vice President for Enrollment Management and Student Affairs shall review the information provided concerning the grievance, the request for reconsideration, and details regarding the grievant’s desired remedy and issue a final decision with 14 calendar days of receiving the request for reconsideration. The Vice President for Enrollment Management and Student Affairs’ decision may include one of the following options:

- To support the initial grievance resolution provided by the Student Appeals Board, designating that resolution to be fair and appropriate, based on the information reviewed; or
- To determine that an alternate decision is appropriate based on his/her review of the grievance case information. This shall supersede any previously made decisions.

The Vice President for Enrollment Management and Student Affairs shall provide the decision in writing and document his/her final decision for the University record.

The decision of the Vice President for Enrollment Management and Student Affairs shall be considered final.

- Employee Grievance Procedure

No formal hearing process exists to resolve employee complaints of sexual misconduct and/or sexual discrimination. Upon the completion of the preliminary investigation described in 15.6 above, the University will take such action as is necessary and appropriate in light of the investigation's findings, consistent with the process specified in § 2.1.6 of the SCU Policy Manual. In addition, ADP (with whom SCU has a co-employment relationship with), at its discretion, may perform an independent investigation, separate from the investigation described above, which may influence the University's ultimate findings and decisions regarding appropriate corrective action.

- Additional Considerations

Students and employees charged with violating the sexual assault policy may be interim suspended until the case is resolved. Both the complainant and respondent student will simultaneously be made aware of the outcome of the hearing in writing regarding the charge.

If the accused individual is a faculty or staff member, on-campus procedures for resolving charges of misconduct will be handled through Human Resources. Students may – and are encouraged to – pursue criminal charges through the local law enforcement as well.

Information sessions and resources are provided by the Student Affairs department during the Fall and Spring orientation process and the “Professional Development” sessions. . Furthermore, Student Affairs promotes Sexual Assault Awareness Month during April and the University as a whole participates in Denim Day as a way to demonstrate the community’s commitment to awareness and prevention.

The University will make a good-faith effort to change a complainant’s academic, transportation, working, and living situations after an alleged sex offense (including domestic violence, dating violence, and stalking) if requested by the complainant

regardless of whether the complainant chooses to report the crime to campus safety or local law enforcement. The specific changes to the academic schedule will depend on numerous factors, but the resulting change will be beneficial to the complainant. If feasible and appropriate, the University may assist in altering a student's living, transportation, and working situations if requested, however the University operates no on-campus or off-campus student housing facilities and may have limited capacity to assist with a living situation change. Student participating in the Federal Work Study program on campus may be reasonably and equitably reassigned as part of this policy.

Compliance with these provisions does not constitute a violation of section 444 of the General Education Provisions Act ([20 U.S.C. 1232g](#)), commonly known as the Family Education Rights and Privacy Act of 1974 (FERPA).

15. Sex Offender Registry

The Campus Sex Crime Prevention Act is a federal law that provides for the tracking of convicted sex offenders enrolled at or employed by institutions of higher education. The University does not operate a POST accredited police department and does not maintain a sex offender registry. This information is available at the Los Angeles County Sheriff's Department, Norwalk Station, 12335 Civic Center Drive Norwalk, CA 90650 (562) 863-8711.

Additionally, individuals can access the United States Department of Justice's National Sex Offender Public Website at <http://www.nsopw.gov/>

16. Disclosure of Crime Statistics

Criminal Offenses Reporting Table				
Offense	Year	Geographic Location		
		On Campus Property	Non Campus Property†	Public Property‡
Murder/Non-Negligent Manslaughter	2014	0	-	0
	2015	0	-	0
	2016	0	-	0
Negligent Manslaughter	2014	0	-	0
	2015	0	-	0
	2016	0	-	0
Rape	2014	0	-	0
	2015	0	-	0
	2016	0	-	0
Fondling	2014	0	-	0
	2015	1	-	0
	2016	0	-	0
Incest	2014	0	-	0
	2015	0	-	0
	2016	0	-	0
Statutory Rape	2014	0	-	0
	2015	0	-	0
	2016	0	-	0
Robbery	2014	0	-	0
	2015	0	-	0

	2016	0	-	0
Aggravated Assault	2014	0	-	0
	2015	0	-	0
	2016	0	-	0
Burglary	2014	0	-	0
	2015	3	-	0
	2016	0	-	0
Motor Vehicle Theft	2014	0	-	0
	2015	0	-	0
	2016	1	-	0
Arson	2014	0	-	0
	2015	0	-	0
	2016	0	-	0

VAWA Offenses Reporting Table				
Offense	Year	Geographic Location		
		On Campus Property	Non Campus Property†	Public Property‡
Stalking	2014	1	-	0
	2015	2	-	0
	2016	0	-	0
Domestic Violence	2014	0	-	0
	2015	0	-	0
	2016	0	-	0

Arrest and Disciplinary Referrals Reporting Table				
Offense	Year	Geographic Location		
		On Campus Property	Non Campus Property†	Public Property‡
Arrests: Weapns: Carrying, Possessing, etc.	2014	0	-	0
	2015	0	-	0
	2016	0	-	0
Disciplinary Referrals: Weapons: Carrng, Possessing, etc.	2014	0	-	0
	2015	0	-	0
	2016	0	-	0
Arrests: Drug Abuse Violations	2014	0	-	1
	2015	0	-	0
	2016	0	-	0
Disciplinary Referrals: Drug Abuse Violations	2014	1	-	0
	2015	0	-	0
	2016	0	-	0
Arrests: Liquor Law Violations	2014	0	-	0
	2015	0	-	0
	2016	0	-	0
Disciplinary Referrals: Liquor Law Violations	2014	0	-	0
	2015	0	-	0
	2016	0	-	0

Changes to the Clery Act, beginning with the 2014 reporting year, replaced the reporting requirements for “Sex Offenses – Forcible” with the more clear categories of “Rape” & “Fondling.” Additionally, changes to the Clery Act, beginning with the 2014 reporting year,

replaced the reporting requirements for “Sex Offenses – Non-Forcible” with the more clear categories of “Incest” & “Statutory Rape.”

† *See “Non Campus Property/Buildings” section below for the University’s statement concerning Non Campus Property for the purposes of this report.*

‡ *See “Public Property” below for an explanation and image to better understand what is considered “public property” under the Clery Act.*

Federal law does require the reporting of fires that have occurred on campus, however this requirement is only for those universities with on-campus student housing; SCU has no such facilities at this time and does not officially document fires via this report; however, incident reports of on-campus fires are kept in the Campus Safety office.

- **Hate Crimes**

There were no reported hate crimes for the years 2014, 2015, and 2016 based on: race, religion, disability, ethnicity, ethnic origin, national origin, sexual orientation, or gender identity at Southern California University of Health Sciences, nor in the surrounding area (Clery Geography) as supplied by the Los Angeles Sheriff’s Department, Norwalk Sub-Station.

- **Unfounded Crimes**

Changes to the Clery Act per the VAWA Final Regulations now allow institutions the opportunity to remove reports of crimes that have been “unfounded” by law enforcement officials. In order for a crime to be classified as “unfounded” a sworn or commissioned law enforcement officer must make a formal determination that the crime in question is false or baseless. Additionally, an incident may be labeled “unfounded” only after a full investigation, but not, for example, when the victim refuses to cooperate with prosecution. The University must annually report in the ASR the number of crimes that were “unfounded” and subsequently withheld from their crime statistics.

There were no unfounded crimes for the years 2014, 2015, and 2016.

- **Non-Campus Property/Buildings**

SCU does not own or control any portion of the facilities at partner institutions where students may complete externships or clinical rotations. Students are encouraged to contact the partner institution for more information regarding incidents that occur at those facilities.

- **Public Property**

For purposes of Clery Act reporting, SCU's public property consists only of the area designated in yellow featured in the image below. This would include the sidewalks that make up the north and south side of Amber Valley Drive (including that in front of neighboring houses) that does not feature a fence. For purposes of this report, the private residences adjacent to and in front of the University are not to be included as they are not considered public property under Clery Act regulations.

