



**SOUTHERN CALIFORNIA UNIVERSITY  
OF HEALTH SCIENCES**

# Annual Security Report

**2021**

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**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. Further, we strongly encourage all members of the campus community to download the Crisis Manager mobile app ([IOS Download](#) / [Google Play Download](#)). This apps has been customized by the SCU Campus Safety Department and provides 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/dpcletters/GEN1515.html>

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## **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. Each trimester, CSAs are required to complete a document certifying that all crimes they have been made aware of were properly reported or – alternatively – that they were not made aware of any crimes during the trimester. 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 and AVP for Auxiliary Operations review and classify the information contained within the reports to determine the crime statistics for the campus. Once the statistics have been determined, the AVP for Auxiliary Operations drafts the Annual Security Report itself, which is then approved for distribution by the Vice President for Operations/COS.

The Annual Security Report is made available by October 1<sup>st</sup> 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 the Crisis Manager app, customized by SCU Campus Safety to contact the department, report crimes, and provide safety tips.

This following 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

<b>Title</b>	<b>Name</b>	<b>Contact Information</b>
VP of Finance and Business Affairs	Tom Arendt	<a href="mailto:tomarendt@scuhs.edu">tomarendt@scuhs.edu</a> ; 562-902-3355
VP of Operations; Chief of Staff	Chuck Sweet	<a href="mailto:chucksweet@scuhs.edu">chucksweet@scuhs.edu</a> ; 562-902-3305
Assistant Provost	Dr. Jonathon Egan	<a href="mailto:jonathonegan@scuhs.edu">jonathonegan@scuhs.edu</a> ; 562-902-3433
Dean of the Department of Acupuncture and Chinese Medicine	Dr. Jenny Yu	<a href="mailto:jennyyu@scuhs.edu">jennyyu@scuhs.edu</a> ; 562-902-3359
Assistant Provost	Dr. Michael Ramcharan	<a href="mailto:michaelramcharan@scuhs.edu">michaelramcharan@scuhs.edu</a> ; 562-902-3144
AVP for Student Affairs	Shelby Gugel	shelbygugel@scuhs.edu 562-947-8755



AVP for Auxiliary Operations; Title IX Coordinator	Joseph Eggleston	<a href="mailto:josepheggleston@scuhs.edu">josepheggleston@scuhs.edu</a> ; 562-902-3357
Director of UHC Operations	Lou Ann Keroak	louannkeroak@scuhs.edu 562-947-8755
HR Generalist	Cindy Scheibel	cindyscheibel@scuhs.edu 562-947-8755
ASO Dean	Sam Sadri	<a href="mailto:samanehsadri@scuhs.edu">samanehsadri@scuhs.edu</a> ; 562-947-8755
ASO Advisor	Rose Ann Towers	<a href="mailto:roseanntowers@scuhs.edu">roseanntowers@scuhs.edu</a> ; 562-947-8755

### 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 7.0 below). 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 as well as the security of others. 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 2.0 above) as soon as feasible.
- 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 institution [All One Health (800) 756-3124] 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 AVP for Auxiliary Operations, the Vice President for Operations, or by the any other member of the University Cabinet. 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 “Clery Crimes:” arson, motor vehicle theft, burglary, aggravated assault, robbery, statutory rape, incest, fondling, rape, negligent manslaughter, non-negligent manslaughter, stalking, domestic violence, dating violence, 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 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 Operations and the AVP for Auxiliary Operations. 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.

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 the issuance of timely warnings.

## **5. Emergency Response and Evacuation Policies and Procedures**

The groups authorized to implement the below documented emergency response and evacuation procedures are the University Cabinet and the Campus Safety Department. The University Cabinet is comprised of: University President/CEO, Vice-President for Operations/COS, Vice-President for Finance and Business Affairs/CFO, Provost, and the Vice-President for University Health System/CCO. The Campus Safety Department is comprised of the AVP for Auxiliary Operations and security professionals supplied by an outside business partner.

Each week, University administration issues an email documenting the upcoming week’s designated Senior Administrator on Call (SAOC) to University Cabinet Members and campus first responders. This designation is per the Functional Annexes 2.8 and 2.13 of the University’s Multi-Hazard Emergency and Crisis Operations Plan (MECOP). The SAOC takes primary responsibility for ensuring proper response to an incident. This may include the activation of all or part of the Emergency Management Team and/or Executive Policy Group during a crisis that will require multi-level decision-making. SAOCs are required to complete monthly “check-ins” in an effort to maintain their familiarity with relevant emergency response resources and procedures.

The Campus Safety department as well as the AVP for Auxiliary Operations 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 and/or to execute the commands given them by the SAOC.

Consequently, each of these individuals is authorized to issue an emergency alert via the University's Emergency Notification System (Singlewire) – made up of a combination of text messages, phone calls, and emails. All members of the campus community are automatically enrolled into the Singlewire database (either upon matriculation or hire) and are further encouraged to add/ensure the accuracy of additional contact methods by visiting the [Emergency Notification section](#) under Campus Safety's MySCU page.

The University will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

If possible, the first responder will consult with the SAOC before issuing such an alert to confirm that there is a significant emergency or dangerous situation, 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 as long as it does not conflict with the parameters detailed in the paragraph above.

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 (armed intruder, earthquake, evacuation, 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.

In the event the Emergency Notification System is utilized, SCU has determined – out of an abundance of caution to its campus community – that 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 30 days after they have graduated or left the University. Similarly, employees are registered upon date of hire and their accounts remain active until 30 days 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](http://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 and on the University’s “Crisis Manager” mobile app. In the event of an evacuation, students and employees will be directed to safe locations away from the campus buildings. Full evacuation drills are conducted at least once each year in the Fall (the precise date/time of which may be either announced or unannounced). Additionally, the University conducts campus wide safety exercises in line with the “Standard

Response Protocol” (Lockout, Lockdown, Shelter in Place) at least once a trimester (the precise date/time of which may be either announced or unannounced).

While no formal agreement exists 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 an emergency response.

## **6. Security, Access, and Maintenance of Campus Facilities**

The University campus is patrolled by Campus Safety personnel from 6:00am-10:30pm, seven days a week. From 10:30pm-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 in key areas 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.
- *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.
    - Log is available for view inside the Campus Safety office in Building "F" or via the Campus Safety MySCU Department page.
- *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 orientation, students are required to watch a Campus Safety presentation focused on 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, the University's emergency alert system, and the University's "Drug and Alcohol Prevention Program." Students are encouraged to further explore the "Campus Safety" page on MySCU and download the Crisis Manager mobiles app for additional 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 AVP for Auxiliary Operations.

All hires and incoming students and employees have a required training concerning Title IX which addresses sexual misconduct issues, prevention, and reporting (this training is required annually).

Newly hired employees are also provided with an in person Campus Safety information session 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 as 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.

Additionally, the Campus Safety department holds an in person voluntary “Immediate Action and Response Training” (IART) at least once per trimester that focuses on familiarity with the “Standard Response Protocol” and identifying personal responsiveness/situation awareness. During the training the Crisis Manager mobile app (also covered during orientation) is reviewed with attendees and the audience is engaged in hands-on learning concerning the deployment and utilization of the University’s barricade hardware.

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 and email system to highlight the various services provided by the department as well as address 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 “SCU.tv” 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. Additionally, students and employees are encouraged to be responsible for their own security and the security of others.

## **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 – 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.

The University's complete Drug and Alcohol Abuse Prevention Program (DAAPP) as well as related Biennial Reviews can be located at the [Campus Safety MySCU Department](#) page.

## **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.

• **Primary 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. In addition to the above mentioned training, SCU employees are also annually required to complete the 1-hour California State specific "Preventing Discrimination and Harassment."
  - Once the training has been completed, it is reassigned to appear once more as a required training 365 days later.
  
- ✓ *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

✓ *Sexual Assault Awareness Month*

- Each April, SCU promotes practices that are apart of Sexual Assault Awareness Month, culminating in participation 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).
- Posters, coffee sleeves, pins, and other items help promote the concept of consent as well as how power impacts consent.
  - Addresses: Awareness, Bystander Intervention, Risk Reduction

✓ *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*

- Each restroom mirror is 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*

- Always available on the “Prevention and Awareness” site is information concerning the 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)**

Southern California University of Health Sciences (SCU) prohibits all types of discrimination against any protected characteristic; SCU prohibits all manifestations of sexual misconduct, discrimination, harassment, violence, and all forms of retaliation. Consequently, SCU does not discriminate on the basis of sex in its education programs or any activities that the University operates as required by Title IX of the Education Amendments of 1972. Questions regarding Title IX may be referred to the University’s Title IX Coordinator, or Title IX Administrator. Additionally, individuals may bring their questions or complaints directly to the Department of Education’s Office of Civil Rights (OCR) which is responsible for overseeing Title IX compliance (see section 5.0). The following policy & procedures focus on those types of prohibited behavior(s) concerned with – but not limited to – sex, gender, sexual orientation, pregnancy status, gender identity, gender expression, and gender transition. For all other situations of prohibited behavior and harassment (e.g. not related to Title IX), refer to Section 2.1.6 of the SCU Policy Manual.

Southern California University of Health Sciences (SCU) takes positive action to insure that students and employees are treated in compliance with applicable laws and regulations governing non-discrimination on the basis of race, color, creed, religion, sex, national origin, disability, age,

sexual orientation, gender identity, genetic characteristics, marital status, pregnancy, childbirth or related individual conditions, medical condition (as defined by state law), military status, political affiliation, or any other characteristic protected by federal, state or local law. It is therefore a violation of University policy to discriminate in the provision of educational or employment opportunities, benefits, programs, activities, or privileges; to create discriminatory work or academic conditions; or to use discriminatory evaluative standards in employment or educational settings if the basis of that discriminatory treatment is, in whole or part, the person's race, color, creed, religion, sex, national origin, disability, age, sexual orientation, gender identity, genetic characteristics, marital status, pregnancy, childbirth or related individual conditions, medical condition (as defined by state law), military status, political affiliation, or any other characteristic protected by federal, state or local law.

Our institution prohibits the crimes of 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: 2020 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 receive annual training on the 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. Each individual is openly available to meet with students and/or employees who believe that any of the above situations have occurred:

**Title IX Hearing Office**

Chuck Sweet, Vice-President of Operations/COS

[chucksweet@scuhs.edu](mailto:chucksweet@scuhs.edu)

562-902-3305

16200 Amber Valley Drive

Whittier, CA 90604

Building "A"

**Title IX Coordinator**

Joseph Eggleston, Assistant Vice-President of Auxiliary Operations

[josepheggleston@scuhs.edu](mailto:josepheggleston@scuhs.edu)

562-902-3357

16200 Amber Valley Drive

Whittier, CA 90604

Building "C"

**Title IX Administrator**

Afton Rodriguez, Auxiliary Operations Specialist



[Aftonrodriguez@scuhs.edu](mailto:Aftonrodriguez@scuhs.edu)

16200 Amber Valley Drive

Whittier, CA 90604

Building “C”

Should neither the Coordinator nor the Administrator 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 institution 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 Title IX Administrator Afton Rodriguez (contact information above). If the Title IX Administrator is not available, report the incident directly to the Coordinator, Joseph Eggleston (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)
- Victims can notify the Los Angeles County Sheriff’s Department at 562-863-8711 (victims have the right to not file a formal complaint with Law Enforcement)

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**

*Links provide directions from SCU campus*

St. Jude Medical Center

714-871-3280

101 E. Valencia Mesa Drive, Fullerton  
CA, 92835

Presbyterian Intercommunity Hospital

562-698-0811

12401 Washington Blvd, Whittier CA,  
90602

UCLA Medical Center, Rape Treatment  
Center

310-319-4000

1250 16<sup>th</sup> Street, Santa Monica, CA 90404

### **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](http://www.peaceoverviolence.org)

Cleveland Rape Crisis Center (24/7 hotline)

216-619-6192

[www.clevelandrapecrisis.org](http://www.clevelandrapecrisis.org)

RAINN (Rape, Abuse, & Incest National  
Network)

1-800-656-HOPE

[www.rainn.org](http://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.

This may assist in proving that the alleged offense occurred or may be helpful in obtaining a protection order.

### **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](mailto:ocr.sanfrancisco@ed.gov)

[www.ed.gov/ocr](http://www.ed.gov/ocr)

U.S. Equal Employment Opportunity  
Commission

800-669-4000

[www.eeoc.gov](http://www.eeoc.gov)

### **G. Contact**

Contact the appropriate Title IX Deputy Coordinator, Administrator or the Coordinator (see pages 34-34);

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 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. Additionally, the University will comply – to the extent feasible – when presented with orders of protection such as no contact orders, restraining orders, or similar lawful ordered issued by a criminal, civil, or tribal court. Such compliance efforts may include, but are not limited to: security escorts for victims, potential of augmented academic schedules, and/or the issuance of separation orders for involved individuals while present on campus.

Students who are victims of rape or sexual violence are encouraged to report the crime to Campus Safety, the appropriate Title IX officials (a list of Title IX officials can be found on page 36-37 above) 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 Biola University who 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. For recordkeeping purposes, sexual assault and harassment cases are kept in confidential file maintained by the Title IX Coordinator and Title IX Administrator. In those instances where a sexual assault and harassment crime must be publicly recorded on the Daily Crime Log, in order to withhold personally identifiable information about the victim, the “Date/Time Occurred” field and “General Location” field may be marked as “Withheld (n)” whereby “n” represents a randomly assigned number known only to the Title IX Coordinator and Title IX Administrator and subsequently noted in the confidential file mentioned above. The same method shall be utilized should the crime require the issuance of a timely warning in order to protect the identity of the individual. For the records addressed above as well as any other University public record, the individual’s name shall never be disclosed. For purposes of Annual Crime Statistics, records of crimes are reported in aggregate form only.

The Office of Student Affairs will provide written notification and assist students in identifying and contacting medical assistance, counseling assistance, mental health providers, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, local law enforcement, and other services available to the victim, both within the institution and in the community, to the extent feasible, and only if such assistance is requested by the student.

The Human Resources office will provide written notification and assist employees in identifying and contacting medical assistance, counseling assistance, mental health providers, victim advocacy, legal assistance, visa and immigration assistance, local law enforcement, and other services available to the victim, both within the institution and in the community, to the extent feasible, and only if such assistance is requested by the employee. 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 Title IX Coordinator.

- **Grievance Procedure**

The University's Grievance Procedure is applicable for all complaint scenarios (student against student, employee against student, student against third party, etc.) and the greatest detail concerning the Procedure can be located in the University's *Title IX 2020* document. The appropriate Title IX official will provide for the adequate, reliable, and impartial investigation of all complaints.

- Reporting incidents directly to the appropriate Title IX Coordinator or Administrator is the most efficient way of beginning the grievance procedure
  - Refer to pages 33-34 above for a list of responsible Coordinators and their contact information
  - Refer to pages 34-36 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's Grievance Procedure consists of an Initial Investigation, Formal Investigation (Preliminary Report), Formal Investigation (Final Report, Live Hearing/Final Determination, and Appeal (if appropriate)). The first step in addressing any complaint is for the Title IX Administrator to conduct an initial assessment which will determine whether or not the

allegation constitutes a potential violation under Title IX. If this policy is invoked, a Formal Investigation shall be conducted to determine whether or not there has been a violation of policy.

The formal investigation will be completed over the course of forty-five (45) 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 policy has been violated.

The individual responsible for the investigation shall promptly notify the person against whom the complaint is made (respondent) with a notification of investigation. If warranted, the Title IX Coordinator and/or Administrator shall notify the appropriate University officer or supervisor concerning the nature of the complaint and of the identity of the parties.

In conducting the investigation, the assigned investigator may interview the complainant, the person against whom the complaint is made, and any other person(s) believed to have relevant factual knowledge. During the formal investigation, the complainant and respondent are never to be questioned in the same room or directly question each other (for cross-examination see below). Additionally, the investigator will make a good faith effort to provide adequate notice prior to any interview so as to allow the party being interviewed to prepare for meaningful participation. Both parties are afforded the right to fully participate in the investigation, provide evidence and witnesses as they deem necessary, and to be accompanied by an advisor (see below).

In order to promote accuracy, for each conducted interview, the investigator shall produce a transcript within five (5) calendar days and provide to the party being interviewed for commentary. 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.

Lastly, the Title IX Coordinator and Administrator have the authority to investigate concerns without the request of a formal inquiry.

- Preliminary Report and Commentary Period

Upon completion of the investigation, a Preliminary Report documenting the facts and conclusions will be compiled and issued to both parties as well as the Title IX Coordinator. This report will not contain a recommendation concerning whether policy was violated.

Both parties will have ten (10) calendar days from the date of issuance to respond to the report with commentary, additional information, recommended corrections, and/or written cross-examination questions for witnesses and/or parties when necessary and appropriate. All cross-examination questions will be submitted to the appropriate party indirectly by way of the investigator. Additionally, the investigator reserves the right to modify or reject a question if deemed inappropriate at which point the submitting party will be notified. Further, under no circumstances will a party be compelled to answer questions that may lead to criminal prosecution.

- Final Report

The investigator shall produce a Final Report within twenty (20) calendar days of the issuance of the Preliminary Report; however, additional time may be granted if warranted. This Final Report will document the facts, conclusions, and recommended sanctions (if any). For each alleged violation, the Final Report will, based on the preponderance of the available evidence, recommend a finding as to whether or not the investigator considers that the alleged conduct which necessitated the investigation did, or did not, occur.

The Final Report will be issued to both parties simultaneously as well as the Title IX Coordinator.

- Final Determination/Hearing

After receiving the Final Report, the Title IX Coordinator will – within fourteen (14) calendar days – schedule a live hearing with the complainant, respondent, advisors, and witnesses (if any/necessary). Said hearing will be conducted by the Title



IX Hearing Officer using teleconference technology and will be recorded. Said recording will be made available to both parties no later than three (3) calendar days after the hearing has concluded. All parties participating in the hearing must attend using both a camera and microphone.

- Structure

The Title IX Hearing Officer will structure and conduct the live hearing as they see fit so as to maintain the integrity and efficacy of the hearing so long as it does not conflict with any policies herein.

- Witnesses and Evidence

Both parties have an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.

- Cross-Examination and Advisors

During the hearing, the Title IX Hearing Officer must permit each party's advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Only relevant cross-examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination or other question, the Title IX Hearing Officer must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

If a party does not have an advisor present at the live hearing, the University shall provide without fee or charge to that party, an advisor of the University's choice, who may be, but is not required to be, an attorney, in order to conduct cross-examination on behalf of that party. Said advisor shall only be provided for the purposes of cross-examination during the live hearing.

Questions about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's sexual

behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

Cross-examination at the live hearing must be conducted directly, orally, and in real time by the party's advisor of choice and never by a party personally.

- **Hearing Officer Limitations**

If a party or witness does not submit to cross-examination at the live hearing, the Title IX Hearing Officer must not rely on any statement of that party or witness in reaching a determination regarding responsibility.

The Title IX Hearing Officer 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.

- **Final Determination**

At the conclusion of the hearing, the Title IX Hearing Officer will issue a final determination as to whether policy was violated, and whether sanctions are appropriate. Said determination will also be provided in written format to both parties. The written determination will include the following:

- a) Identification of the allegations potentially constituting sexual harassment;
- b) 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;
- c) Findings of fact supporting the determination;
- d) Conclusions regarding the application of the University's code of conduct policies to the facts; and
- e) A statement of, and rationale for, the results as to each allegation, including:

- a. Any disciplinary sanctions the University imposes on the respondent; and
  - b. Whether remedies designed to restore or preserve equal access to the University's educational program or activity will be provided by the University to the complainant.
- **Sanctions**

Violation(s) of this Policy may result in the imposition of one or more of the sanctions listed below. Sanctions that may be imposed are not limited to those listed. In certain limited situations, the Title IX Hearing Officer may impose a sanction but suspend or postpone its actual implementation. Failure to comply with the sanction(s) imposed by the Title IX Officer may result in further disciplinary action, including but not limited to, a registration hold, placement on, or extension of, University probation, suspension, or permanent dismissal.

Sanctions are based on general principles of fair treatment. While attempting to be consistent in its disciplinary decisions, the University also seeks to be fair and sensitive to the facts and circumstances of each individual case. The following are the potential sanctions that may be imposed but the University reserves the right to impose others depending on the circumstances presented.

    - a) **Warning:** Oral or written notice to the individual that the individual is violating or has violated the University's Title IX Policy and that continuation or repetition of misconduct may result in a more severe sanction.
    - b) **University Probation:** A status which indicates that an individual's relationship with the University is tenuous. Probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the individual is found in violation of the University's Title IX Policy or other policy violations. Probation may also result in the loss of privileges, depending on the policies of various University departments and organizations.
    - c) **Loss of Privileges:** Such loss may include, but is not limited to, financial assistance, eligibility to represent the University officially, or use of specific University facilities, or services.

- d) Restitution: Compensation for loss, damage or injury. Failure to pay such charges may result in additional sanctions (including, but not limited to, denial of re-enrollment or refusal to release official transcripts and records).
  - e) Educational Sanctions: Reading/writing assignment, drug or alcohol assessment/treatment, seminar attendance, or other discretionary sanctions as deemed appropriate.
  - f) Suspension: Temporary separation of the individual from the University for a definite period of time, after which the individual (if a student) is eligible to return without reapplying through the office of admissions. Conditions for readmission may be specified.
  - g) Expulsion: The individual is permanently separated from the University with a notation of the reason(s) for the termination in their file. No refunds are made and the individual will suffer the academic consequences of their actions.
  - h) Termination: The individual's employment with the University is permanently severed with a notation of the reason(s) for the termination placed in their file. No opportunity for reemployment will be afforded.
- Appeals Process
- Any decision made by the Title IX Hearing Officer may be appealed by the respondent (or by the complainant, if there is one) to the Title IX Appellate Officer within five (5) calendar days of the decision.

The basis for appeal shall only include the following:

- a) A claim of procedural irregularity that affected the outcome of the matter;
- b) A claim that the Title IX Coordinator, Administrator, and/or Hearing Officer 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; or
- c) A claim that there is new evidence to present that is sufficient to alter the decision.

An individual's notice of appeal does not suspend the imposition of sanctions or interim measures until the appeal is finally decided. If an appeal is upheld, the sanctions will be reversed and the affected party will be made whole.

If the Title IX Appellate Officer determines there is merit for an appeal, the facts of the incident will be reviewed with the party, typically in a personal meeting between the Vice President for Finance and Business Affairs. Appeals, if granted, can result in one of the following:

- a) The original determination/sanction will be upheld.
- b) The original determination/sanction will be modified.
- c) A new investigation will be scheduled.

- Right to an Advisor

Both the complainant and the respondent have the right to be assisted by an advisor of their choice so long as that person is free of conflicts of interest and bias. The purpose of the advisor is to support an individual during the Grievance Procedure, including accompanying the individual to in-person interviews or other meetings during the process.

- a) The advisor may not appear in lieu of the complainant or the respondent or speak on their behalf in either in-person or written communications to the University. The advisor may not communicate directly with the investigator(s), the Title IX Coordinator, the Title IX Administrator, or any other University official involved in the Grievance Procedure and may not interrupt or otherwise delay the Grievance Procedure.
- b) Advisors may have access to information concerning a case only when accompanying a party (for in-person access to information) or when a party has given permission for the advisor to be copied on emails or other correspondence (for access to written communications). An advisor's access to such information is subject to the same limitations as those placed upon the parties and conditioned upon the advisor's agreement to maintain the confidentiality of any student educational records or other confidential information.

- c) If a party selects an attorney as an advisor, the advisor's participation in the Grievance Procedure is in the role of an advisor and not as an attorney representing a party. The advisor will have access to highly confidential information and is prohibited from sharing information obtained as an advisor during the Grievance Procedure with anyone, including other individuals who may be part of an attorney-client relationship with the party.
- d) Parties must provide the name of the person they have selected as their advisor to the either the Title IX Coordinator or Title IX Administrator. Advisors will be required to sign an Advisor Agreement acknowledging receipt and understanding of the requirements described herein. Failure to comply with these requirements, including violations of confidentiality or other forms of interference with the complaint resolution procedure by the advisor, may result in the disqualification of an advisor.
- e) The University will notify a party involved in the Grievance Procedure if another party involved has obtained an advisor, and if so, whether the other party's advisor is an attorney.
- **Emergency Removal of Student Respondent**  
The University may remove a student respondent from its education programs or activities on an emergency basis, only after:
    - a) Undertaking an individualized safety and risk analysis; and
    - b) Determining if an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal; and
    - c) Providing the respondent with notice and an opportunity to challenge the decision immediately following removal while respecting all rights under the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, or the Americans with Disabilities Act, as applicable.
  - **Placing Non-Student Employee on Administrative Leave**

The University may, if warranted, place a non-student employee respondent on administrative leave during the pendency of a grievance process under its existing procedures, without modifying any rights provided under Section 504 of the Rehabilitation Act of 1973 or the Americans with Disabilities Act.

- Temporary Delay of Grievance Process

The University may temporarily delay the Grievance Process or extend the time frames established above for good cause with written notice to the complainant and the respondent of the delay/extension and the reason(s) for the action. Good cause may include, but is not limited to, considerations such as: the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

- Dismissal of Formal Complaints/Suspension of Grievance Procedure

Formal Complaints shall be dismissed if:

- a) The conduct alleged in the Formal Complaint would not constitute sexual harassment even if proved;
- b) The conduct did not occur in the University's education program or activity;
- c) The conduct did not occur against a person in the United States;
- d) At the time of filing a Formal Complaint, a complainant is not participating in or attempting to participate in the education program or activity of the University.

Formal Complaints may be dismissed, if at any time during the investigation or hearing:

- e) A complainant notifies the Title IX Coordinator in writing that the complainant would like to withdraw the Formal Complaint or any allegations therein; and/or
- f) The respondent is no longer enrolled or employed by the University; and/or
- g) Specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein.

Should a Formal Complaint be dismissed, prompt written notice will be sent to both parties.

Further, if a Formal Complaint is dismissed until these policies (Title IX), the complaint may be reinstated under another provision of the University's code of conduct or other applicable resolution procedures.

- **Reservation of Flexibility**

The procedures set forth in this Policy reflect the University's desire to respond to complaints in good faith and in a manner that promotes fairness to all parties. The University recognizes that each case is unique and that circumstances may arise which require that it reserve some flexibility in responding to the particular circumstances of the matter. Where it is not possible or practical to follow these procedures, the University reserves the right to modify the procedures or to take other administrative action as appropriate under the circumstances.

- **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 will simultaneously be notified concerning the outcome of the hearing, the filing of appeals, any changes to initial results, and when any such results become final.

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 orientation process. 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 shall provide written notification and 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.

The University will maintain as confidential any accommodations or protective measures provided to a victim, to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures.

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

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## **16. Missing Student Notification Procedures**

Federal regulations require institutions with on-campus housing facilities to provide statements of policy and procedure concerning missing student notifications. At this time, the University does not provide such facilities. Should the University experience an issue concerning a missing student, the Campus Safety department will notify the appropriate law enforcement agency.

## **17. Fire Safety Log, Fire Safety Statistics, & Annual Fire Report**

Federal regulations 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.

## 18. Disclosure of Crime Statistics

Criminal Offenses Reporting Table				
Offense	Year	Geographic Location		
		On Campus Property	Non Campus Property†	Public Property‡
Murder/Non-Negligent Manslaughter	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Negligent Manslaughter	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Rape	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Fondling	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Incest	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Statutory Rape	2018	0	0	0
	2019	0	0	0

	2020	0	0	0
Robbery	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Aggravated Assault	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Burglary	2018	0	0	0
	2019	0	0	0
	2020	2	0	0
Motor Vehicle Theft	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Arson	2018	0	0	0
	2019	0	0	0
	2020	0	0	0

VAWA Offenses Reporting Table				
Offense	Year	Geographic Location		
		On Campus Property	Non Campus Property†	Public Property‡
Stalking	2018	3	0	0

	2019	0	0	0
	2020	0	0	0
Domestic Violence	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Dating Violence	2018	0	0	0
	2019	0	0	0
	2020	0	0	0

Arrest and Disciplinary Referrals Reporting Table				
Offense	Year	Geographic Location		
		On Campus Property	Non Campus Property†	Public Property‡
Arrests: Weapons: Carrying, Possessing, etc.	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Arrests: Drug Abuse Violations	2018	0	0	1
	2019	0	0	0
	2020	0	0	0

Disciplinary Referrals: Drug Abuse Violations	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Arrests: Liquor Law Violations	2018	0	0	0
	2019	0	0	0
	2020	0	0	0
Disciplinary Referrals: Liquor Law Violations	2018	0	0	0
	2019	0	0	0
	2020	0	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 2018, 2019, and 2020 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 2018, 2019, and 2020.

- **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.

