

Annual Security and Fire & Safety Report 2022

Prepared for San Diego Campus
Published October 1, 2023



WOODBURY
UNIVERSITY
FOUNDED IN 1884

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Introduction

Woodbury University's Annual Security and Fire Safety Report (referred to as the Annual Security Report or ASR) contains information that is important for all members of the campus community. Published in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. This report is a joint effort compiled by the Woodbury University Clery Collaboration Team, with representation from Campus Security, Human Resources, Student Affairs, and San Diego and Burbank campus administration. The report contains policies, procedures and crime statistics for the most recent three-year period.

Woodbury's ASR is prepared in conjunction with information compiled from various policies and procedures and data collection repositories across campus by Campus Security Administrators and the Title IX Coordinator. The preparation of the ASR takes into account Clery Crimes recorded throughout the year by the Campus Safety Manager who utilizes department incident and daily activity reports. Also included is all Student Conduct information provided by Student Affairs utilizing all student conduct records. All student incidents were maintained through a separate temporary system. Further, the ASR undergoes a review by a member of the President's Cabinet, along with the Title IX Coordinator / VPFA, and Campus Safety Manager to ensure any updates to internal policy are reflected.

Campus Security issues an email notification to all enrolled students, current faculty, and staff notifying the Woodbury community that the Annual Security Report is available and providing directions on how to access it online. Undergraduate and Graduate Admissions are provided with this information with the intent of making the Annual Security Report readily available to prospective students and parents, respectively. Please visit <https://woodbury.edu/policies-disclosures/>. Hard copies may be requested by contacting the Woodbury University Security Office:

Woodbury University San Diego Campus
2212 Main Street
San Diego, CA 92113
Tel: (619) 235-2900
Fax: (619) 235-2901
security@woodbury.edu

The purpose of this document is:

- To educate members of the Woodbury community about crime-reduction and victim assistance services and protocols;
- To optimize transparency regarding crimes that have occurred on campus;
- To inspire and invite all constituents to engage in our collective mission of minimizing crime and promoting safety.
- To outline safety and security strategies including but not limited to; safety tips on campus, timely warning, emergency notifications, survivors of sexual assault, domestic violence, dating violence, stalking, alcohol, drug use, and campus crime reporting processes.
- To inform of Woodbury's policies and procedures regarding prevention, preparedness, awareness campaigns and programs, student code of conduct, on-campus fire life safety systems.

The Annual Security Report provides information for the three previous calendar years; as well as information on current policies and procedures. The Office of Campus Safety publishes the Annual Security Report online at <https://woodbury.edu/policies-disclosures/> annually by October 1, as required by the Clery Act.

All constituencies are encouraged to review this report in its entirety and consider how it may assist you in preventing and responding to crime on campus.

Campus Overview

In 1884, in response to the needs of Los Angeles' growing business community, F.C. Woodbury—an educational entrepreneur—arrived from San Francisco and founded Woodbury Business College, as it was initially named, in the center of the local business community. From that storefront on North Main Street, the historical link between Woodbury and the economic infrastructure of Southern California was forged and has been maintained throughout the history of the University.

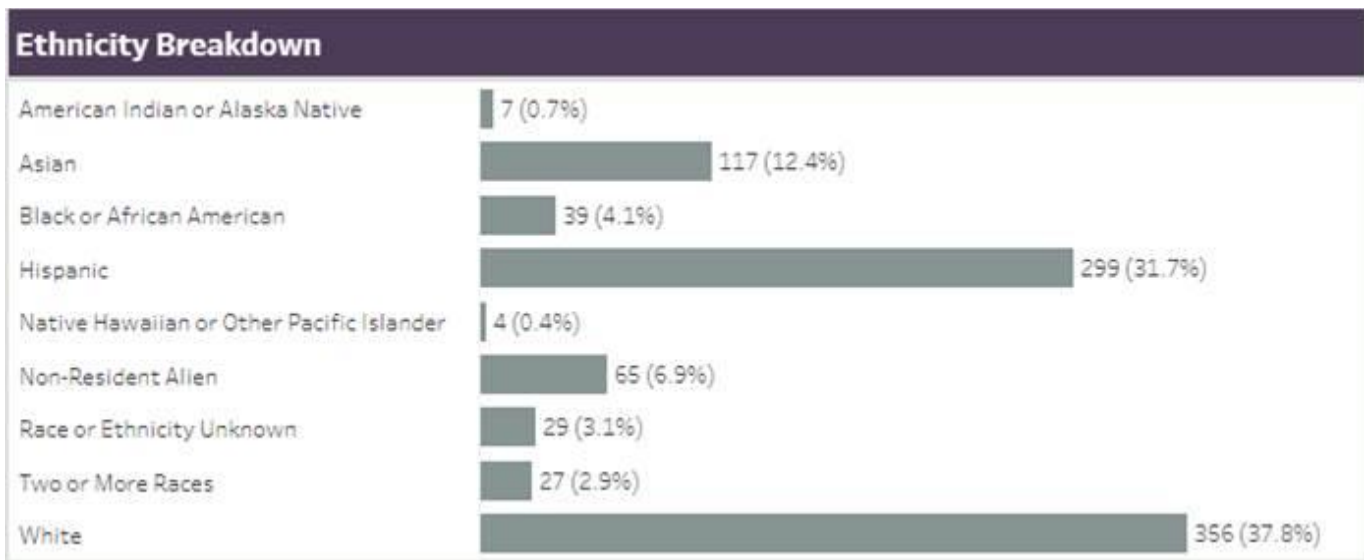
The Woodbury University San Diego campus began operation in the Fall of 1998. In response to the increasing number of transfer students from San Diego Community College programs of architecture, Woodbury University brought the last three years of a professional degree program in architecture from its main campus in Burbank/Los Angeles to San Diego. Under the leadership of President Dr. Kenneth Nielsen, we entered into a Memorandum of Understanding agreement with San Diego Mesa Community College to embark on a public private relationship allowing students the opportunity to complete a five year, accredited, first professional degree program in architecture from Woodbury University.

For the first three years, the San Diego campus was located in the Naval Training Center in Point Loma, a seaside community in the southwestern most area of San Diego County. The campus relocated in 2001 to a four-story building on the corner of 8th and C in downtown San Diego. The program expanded to offer the full five years Bachelor of Development in 2005. Since 2008 the campus has been located in a single-story renovated industrial building in the historic neighborhood of Barrio Logan. We added a professional Master of Architecture Program in 2013.

The San Diego Campus consists of nearly 25 students. We are a non-residential campus. The address for the San Diego Campus is 2212 Main Street, San Diego, CA 92113.



For 138 years, Woodbury University has helped students of diverse genders, races, ethnicities, and economic classes achieve their dreams. Today, Woodbury's student body consists of approximately 37.8% White, non-Hispanic students, 31.7% Hispanic students, 12.4% Asian students, and 4.1% African-American students. The White, non-Hispanic students comprise diverse populations as well, including a large and growing number of students of Armenian heritage. The majority of Woodbury's first-year, full-time undergraduates are the first in their families to go to college, and a far higher percentage than at other colleges come from families with limited economic means. All Woodbury students have an earnest desire to learn, and a belief that through the attainment of professional and academic skills, they can advance their lives, the lives of their families, and the communities they come from.



Non-Discrimination Policy

Woodbury prohibits unlawful discrimination on the basis of race, religious creed, color, national origin, ancestry, physical disability, mental disability, legally protected medical condition, marital status, sex, and age 40 or over, military or veteran status, sexual orientation, genetic information or any other bases protected by federal, state or local law. For more information on this policy, please visit <https://woodbury.edu/student-life/living/safety-security/>

Woodbury does not discriminate on the basis of sex in its educational programs or employment opportunities. Sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence and stalking. Woodbury University is committed to providing an environment that is free of any form of discrimination or harassment so that all members of the community are treated at all times with dignity and respect. It is the University's policy, therefore, to prohibit all forms of such discrimination or harassment among the University faculty, students, staff and administration.

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act

The Jeanne Clery Act is a consumer protection legislation enacted in 1990. The goal of the Clery Act is "to ensure students, prospective students, parents, and employees have access to accurate information about crimes committed on campus as well as campus security procedures." This law requires all colleges and universities that receive federal funding to share information about crimes that occur on campus as well as information regarding the college or university's efforts to improve campus safety. (For more information: <https://www.clerycenter.org/the-clery-act>) domestic violence and stalking.

Safety and Security Policies and Procedures

Campus Security

Campus Safety and Security's mission is to create and ensure a safe environment for the Woodbury University community. The department's mission extends to all members of the Woodbury Community, including students, faculty, staff, and guests. Campus Security consists of three functions, Patrol Operations including Parking, Investigations and Emergency Management Coordination. The department is contactable 24 hours a day, 7 days a week, 365 days per year by calling 619-633-9895 or 619-235-2900 option 1 on the San Diego campus Voicemail. Security hours are currently Monday and Thursday 24 hours, the remaining weekdays are from 7am to 11pm for the 619-633-9895.

Security responds to, investigates, and documents known dangerous incidents or those that may cause a significant emergency. To facilitate this, the Campus Safety Manager in addition to leaders throughout the campus, have been trained in Incident Command Systems. When a significant emergency or dangerous incident is reported to Campus Security, security personnel will respond to the location and will relay facts through the radio communication system to dispatch, who in turn will notify the Campus Security chain of command. As necessary coordinates its response with the San Diego Police Department Central Division in addition to other local agencies depending on the nature of the event.

The highest-ranking Administrator, who is on campus, will be notified of the facts gathered from field security personnel (and outside agencies, if applicable). If necessary, he/she may convene department representatives from other units or outside agencies to confirm the incident, respond to the incident and/or manage the recovery. When enough information is verified that a legitimate emergency or dangerous situation exists, he/she will immediately initiate the emergency notification/timely warning process. The timely warning notification is developed by the Campus Safety Manager or Title IX Coordinator. Typically, the Campus Safety Manager initiates notification with the IT Project Manager serving as backup.

If it is unsafe for security personnel to respond to the scene, as in the case of an active shooter on campus, the highest-ranking Administrator will verify that a legitimate emergency or dangerous situation exists based on the information provided through reports from the witness and immediately initiate the emergency notification system/timely warning.

Security personnel has the authority to ask persons for identification and to determine whether individuals have a lawful business purpose at Woodbury. Security officers are non-sworn and thus do not possess arrest authority. The geographical jurisdictions for Allied Universal personnel are limited to the core campus area. Any criminal incidents will be referred to the San Diego Police Department Central Division.

Campus Security maintains a highly professional working relationship with the Central Division of the San Diego Police Department. SDPD currently operates cooperatively under long-standing protocols and procedures. Woodbury is in discussion with the SDPD with respect to the terms of a comprehensive MOU. Criminal offenses are investigated by the SDPD. The prosecution of criminal offenses, both misdemeanors and felonies, occur at the San Diego Superior Court or the United States District Court, Southern District of California. All crime victims and witnesses are strongly encouraged to immediately report crimes to local law enforcement and Campus Security. Prompt reporting will assure timely support to those impacted by the incident as well as timely warning notices and disclosure of crime statistics.

Woodbury Partnerships with Local Law Enforcement

SDPD Central Division
2501 Imperial Ave
San Diego, CA 92102
619-7449500

Campus Security liaises with the local law enforcement agencies on an ongoing basis, including cooperating in crime prevention strategies and exchanging information whenever crimes are committed. Campus Security relies on close working relationships with SDPD Central Division to receive information about incidents involving students or any member of the Woodbury Community and will actively investigate any crime information it receives concerning or involving a member of the campus community. If Campus Security is notified of a situation in which a campus community member is the victim of a crime, the department may issue a Campus Safety Alert, detailing the incident and providing tips to avoid similar incidents.

In addition, a list of registered sex offenders in California is available at the San Diego Police Department or online at <https://www.meganslaw.ca.gov/>.

Reporting a Crime or Other Emergency

Woodbury University encourages the reporting of crime as soon as possible to campus security and/or the San Diego Police Department Central Division when the victim of crime elects to or is unable to make such a report. Accurate and prompt reporting can reduce crime on campus and aid in the dissemination of timely warnings to the campus community. Campus security personnel can be reached 24 hours a day, seven days a week by calling (619) 235-2900 on the San Diego campus. Contact information for additional resources is outlined in the "Phone Numbers and Resources" section of this document.

See Something? Say Something!

You may be the first person to notice that someone on campus needs help. With that in mind, Woodbury University has several means by which any member of the campus community may report behavior that may impact the safety of any individual or our campus community as a whole.

- If you observe an imminent threat to anyone's personal safety, call 911 immediately, then notify campus security at (619) 235-2900 or 619-633-9895 on the San Diego campus.
- For less immediate concerns (i.e., decline in academic performance, excessive absences from class, a marked change in personal dress or hygiene), any faculty, staff or student may submit an Early Alert to Student Affairs following this page: https://woodbury-advocate.symphlicity.com/care_report/index.php/pid534726?

- Students who wish to submit a concern anonymously may do so via the Anonymous Online Concern Form at <http://my.woodbury.edu/Students/Pages/home.aspx>.
- Students who wish for the details of any incident to be kept confidential may speak with on-campus mental health counselors in Counseling Services. Counselors are available to all students free of charge and may be reached at (619) 235-4404 or via email at counseling.services@woodbury.edu.
- Faculty and staff seeking confidential support may contact Woodbury's Employee Assistance Program at (800) 460-4374 or by visiting www.guidanceresources.com.
- Confidential Reporting is available 24 hours a day. Any victim of sexual abuse, domestic violence or stalking or witness may report incidents or crimes on a confidential basis by calling (818) 252-5105, 24 hours a day.

Phone Numbers and Resources

San Diego Campus Security – 7am -11pm	(619) 235-9895
On Site Security Liaison – San Diego Campus	(619) 693-4405
Allied Universal	(858) 265-9166
Facilities Burbank Campus	(818) 252-5171
Facilities San Diego Campus	(619) 693-4412
Student Affairs	(818) 252-5232
Health Services / First Aid Burbank Campus	(818) 252-5238
Counseling Services San Diego Campus	(619) 693-4404
Counseling Services Burbank Campus	(818) 252-5237
Interim Dean of Students	(818) 252-5252
Human Resources	(818) 252-5110
Title IX Coordinator	(818) 252-5110
San Diego Campus General Information	(619) 235-2900
San Diego Police Department Central Division	(619) 235-2900

Campus Access

Woodbury University, while a private university, is in many aspects, usually a public resource. Our facilities are used not only by Woodbury community members but also by people drawn to campus for a variety of reasons. There is a mutual benefit from such use. Those with legitimate business are welcome on campus, though specific buildings are not open to the general public. Entrance may be denied, and trespass laws invoked for persons found in or around campus buildings without reasonable cause.

Public or commercial access to any campus location must be cleared in advance with the appropriate campus official.

Security Officers and Administrators may deny entrance, any may invoke trespass laws for persons found in or around campus buildings without reasonable cause.

Public or commercial access to any campus location must be cleared in advance with the appropriate campus official.

San Diego Campus

The San Diego campus has two primary entrances—one off of the parking lot and one directly off Main Street. The double doors at the Main Street entrance are locked at all times. During business hours (weekdays from 8:30 am to 4:00pm) students can access the front door by key card. After business hours, students must use the side entrance. The entrance closest to the parking lot is accessible by key card entry when the campus is open, seven days a week and is staffed by a security officer when open.

Public or commercial access to any campus location must be cleared in advance with the appropriate campus official.

All Woodbury community members are required to have a Woodbury University Identification card, which serves as the official university ID card. The ID must be carried at all times while on campus. If for any reason a university official requests that you present your ID for identification, you must do so. Your ID is the only readily positive means of identifying you as a member of the Woodbury Community. Replacement ID cards are available at the library. To view the Woodbury ID policy in its entirety, please refer to the Woodbury ID Policy located in the Woodbury University Student Handbook.

Tobacco & Smoking Policy

Woodbury is a smoking/tobacco free campus. Woodbury University recognizes that using tobacco products is harmful to the health of tobacco users and that exposure to secondhand smoke poses a health risk to non-smokers.

This policy was implemented at the start of the fall 2020 semester. All smoking by faculty, staff, students, and visitors is not allowed anywhere on campus. This policy also includes the use of electronic smoking devices, vapes, and Juuls. After carefully examining our previous policy, we decided that by making Woodbury a non-smoking campus, we are better representing the City of Burbank's values and respect for one another's health. Smoke-free means that smoking, vaping, utilization of unregulated nicotine products is prohibited in all indoor and outdoor spaces, including parking lots and any area on Woodbury property. To ensure compliance, Woodbury is taking a non-punitive approach while promoting education on smoking cessation resources. However, violations of this policy may be subject to correction action via the student code of conduct process and Human Resources.

Woodbury's official Tobacco & Smoking Policy can be found online by visiting <https://woodbury.edu/student-life/living/safety-security/>

Buildings and Grounds

Facilities & Maintenance Department
(818) 252-5171

Facilities Management maintains university buildings and grounds ensuring safety hazards and measures are in place in accordance with applicable policies and procedures and local and federal guidelines. Campus Security and the Residence Hall Personnel maintain the responsibility for reporting all safety hazards found in residential halls, such as any broken windows, locks, leaks and poorly lit areas. Campus Security detects and identifies any potential safety risks in all campus facilities by patrols and inspections. While Campus Security also reports minor issues that are considered an inconvenience for faculty, staff, students, and visitors through maintenance requests, immediate contact to Facilities & Maintenance (including after hours) is done if the potential safety risk has a direct impact on faculty, staff, students, or visitors' safety or ability to remain in the area or on campus.

Campus Community may report all safety hazards to Facilities & Maintenance by emailing helpdesk@woodbury.edu or calling (818) 252-5171. Utilizing an online work system, all reports are logged as they are assigned to maintenance team personnel and tracked for completion. Any Safety & Hazard work order is prioritized over other standing work orders.

Campus Safety Personnel

Woodbury University contracts with Allied Universal, a private security company which serves the San Diego campus to provide non-sworn officers 24 hours day, seven days a week. All campus security officers are registered with the Bureau of Security and Investigative Services as licensed security guards. Security personnel receives training in patrol procedures, report writing, first aid, CPR, and the use of Automatic External Defibrillators (AED). Security officers are uniformed, unarmed, and have the same powers to arrest as any private citizen. Security's primary responsibilities are to monitor activities throughout the institution, respond to requests for service, enforce policies, and provide escorts to and from vehicles, classrooms, or common spaces. Campus Security is also supported by enhanced security features such as cameras, card access control systems and intrusion & panic alarms. Security deployment and posture is also enhanced based on the size and scope of campus events. A full-time Campus Safety Manager oversees security, which reports to the Vice President of Finance & Accounting. The Security office is located in the Whitten Student Center on the Burbank Campus.

Campus Security works closely with a day porter managed by Buildings & Grounds to report safety hazards & risk for all campus facilities. Security officers capture these issues either through their numerous patrols or when they are reported by other personnel. Safety hazards & risks include but are not limited to: bodily fluids, broken windows, issues with door locking mechanisms, flooding/broke pipe/water overflows, loss of power/water, major vandalism (hate speech, spray paint), and smoke/fire evacuations. Should Security detect any issues that have a direct impact on anyone's safety or can cause immediate damage to campus facilities are considered maintenance emergencies, and an immediate phone call is made to Buildings & Grounds.

Authority and Jurisdiction

When and if the need arises, security personnel are authorized to make a citizen's arrest of any and all persons creating disturbances against the general peace, interfering with the security of campus facilities or grounds, or interfering with or disturbing the safety and general welfare of the university community. When such a citizen's arrest is necessary, security will, as promptly as possible, notify the San Diego Police Department Central Division to render assistance as needed and necessary.

While campus security personnel are responsible for handling all calls and responding to emergencies and crimes in progress, jurisdiction for investigating crimes on campus ultimately lies with the San Diego Police Department. All crime victims and witnesses should immediately report crimes to campus security and/or the local police. Prompt reporting will aid in the apprehension of offenders and ensure timely warnings to the campus community.

Woodbury University does not maintain any off-campus student organization facilities. As such, no officially recognized Woodbury student organizations own or control property.

Emergency Notification and Timely Warning

Timely Warning

When a violent crime or crime listed in the Clery Act is reported, it is the consistent practice of Woodbury to notify the Title IX Coordinator / Vice President, Finance and Accounting (VPFA), and/or designee, who then confers, as necessary and applicable, with the administrators, Student Affairs, legal counsel and law enforcement agencies, to determine if the circumstances or facts represent an on-going or continuing threat to the Woodbury Community. Once the Title IX Coordinator / VPFA and/or designee have reached a determination that a serious, continuing threat exists, the Title IX Coordinator / VPFA and/or designee will arrange to disseminate "timely warning" crime alert information through the *Alert Media* system. Criteria for notifying the entire Woodbury University community would be determined by the format of: nature of the problem, its location, and action required. Timely warnings are reserved for situations where a Clery crime occurs in Clery geography which poses a serious or ongoing threat to the campus community.

Senior administrators—including but not limited to the Senior Vice President, Academic Affairs and Title IX Coordinator— have the authority to activate the *Alert Media* system. Notifications are composed in consultation with security personnel with the goal of ensuring that individuals are aware of the situation and know what steps to take to safeguard their personal and community safety. All students, faculty, and staff are prompted to update their contact information when they log on to the university network at the beginning of each semester. Woodbury tests the emergency notification system at the beginning of each academic year.

This policy and the process in which Timely Warnings are launched can be found by visiting <https://woodbury.edu/student-life/living/safety-security/>

Emergency Notification

When there is an immediate threat to the health or safety of the campus community, it is the consistent practice of Woodbury Security Administrators (The Security Coordinator or Security Specialist) to report the entire campus community or a portion of the campus community of incidents broader than Clery crimes. Incidents broader than Clery crimes that may have a direct or indirect impact on the campus community include but are not limited to: fire, chemical or hazardous waste spill or a gas leak. Senior administrators also may order security administrators to send an emergency notification should they become aware of any situation where there is an immediate threat to the health or safety of the campus community.

Situations may only affect a portion of the campus community. As such, once it is determined who is affected by an immediate threat to the health or safety of community members, security administrators will deliver the message to the appropriate audience. This process is determined by the extent of the threat and who may be affected. The emergency notification system content is developed & initiated by the Campus Safety Manager, with the IT Project Manager serving as backup.

The Emergency Notification Policy and the process by which an Emergency Notification is delivered can be further reviewed by visiting <https://woodbury.edu/student-life/living/safety-security/>

Evacuation Procedures

Emergency response procedures are published and disseminated to all campus community members at the beginning of each academic year via Emergency Response Guidebook. Additionally, evacuation maps are posted in each campus building, and an evacuation drill is held during the fall semester.

The San Diego campus has one primary evacuation zones—located at the adjacent parking lot east of the main building, used as the central evacuation zone for the campus.

Faculty and staff serve as building captains to assist in the safe evacuation of campus facilities, while zone captains monitor each of the three evacuation points. In the event of an emergency, zone captains are accountable to an incident commander.

Sexual Misconduct Programs and Policy

Prevention Programs

All students are required to complete the online training via Vector Solutions *Sexual Assault Prevention*, online substance abuse, and sexual assault prevention program that prepares students to confront and prevent dating violence, domestic violence, sexual assault and stalking. These topics are also discussed during new student orientation and during programs offered by Counseling Services, Residence Life, and Greek Life throughout the academic year.

All faculty and staff are also required to complete an online training focused on recognizing and reporting sexual misconduct in accordance with the U.S. Department of Education requirements. Adjunct faculty cannot renew employment contracts without completing the mandatory training.

Institutional Values

Woodbury University is committed to providing a non-discriminatory and harassment-free educational, living and working environment for all members of our community, including students, faculty, staff, and guests. All members of the campus community are expected to conduct themselves in a manner that does not infringe upon the rights of others. This policy prohibits all forms of sexual misconduct, including sexual harassment, sexual assault, stalking, intimate partner violence, and sexual exploitation. Misconduct of this nature is contrary to Woodbury's institutional values and prohibited by state and federal law.

Woodbury University encourages the prompt reporting of any incident of sexual misconduct to the University's Security Office and/or Title IX Coordinator/Member listed on page 22. In addition, you may anonymously report via <https://woodbury.edu/policies-disclosures/>. Upon receipt of a report, the University will take prompt and effective action to end the misconduct, remedy the effects, and prevent its recurrence. This policy has been developed to reaffirm these principles, define community expectations, provide recourse for those individuals whose rights have been violated, and provide fair and equitable procedures for determining when this policy has been violated. The prohibited conduct mentioned above is included as part of the content of prevention programs for students and employees.

Scope of Policy

This policy applies to all Woodbury University community members including students, faculty, staff, volunteers, vendors, independent contractors, visitors, and any individuals regularly or temporarily employed, studying, living, visiting, conducting business, or having any official capacity with the University or on University property. This policy applies to conduct occurring on Woodbury University property or at University-sanctioned events or programs that take place off-campus, including study away or internship/work experience programs, and may also apply to other off-campus locations when the University determines that the off-campus conduct has

a direct impact on the educational mission and interest of the University.

This policy addresses all forms of sexual misconduct, including sexual harassment, sexual assault, stalking, intimate partner violence, and sexual exploitation against Woodbury community members of any gender, gender identity, gender expression, or sexual orientation. Woodbury University does not discriminate on the basis of sex in its educational, co-curricular, or other programs or in the context of employment. Sex discrimination is prohibited by Title IX of the Education Amendments of 1972, a federal law that states the following:

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

When used in this policy, "Complainant" refers to the individual who identifies him/herself as being a victim or survivor of sexual harassment, sexual assault, stalking, intimate partner violence, or sexual exploitation. "Respondent" refers to the individual who has been accused of prohibited conduct under this policy. A third-party refers to any other participant in the process, including a witness to the incident or an individual who makes a report on behalf of someone else.

Please visit <https://woodbury.edu/policies-disclosures/> to view Woodbury's complete Title IX policy.

If you have been Assaulted

Individuals who have been a victim of sexual assault attempted sexual assault, or other forms of sexual violence are encouraged to visit

<http://www.peaceoverviolence.org/emergency/sexual-assault-rape/what-to-do/> for comprehensive information regarding what to do, where to get support, and legal options including filing a report with law enforcement. Members of the University's Title IX team, listed below, are also available for information and support.

Individuals who are victims of domestic violence, or any other forms of abuse are encouraged to seek support and assistance by calling the Confidential Reporting hotline at (818) 252-5105 or by contacting one of the following local support agencies:

California Victims Resources

<https://1800victims.org/>

National Abuse Resource Hotline

<https://ncadv.org/resources;>

National Domestic Violence Hotline

<https://www.thehotline.org/>

Reporting, Confidentiality, and Privacy

Woodbury University has designated a Title IX Coordinator to oversee the University's review, investigation, and resolution of reports of sexual misconduct. The Title IX Coordinator:

- Responsible for the oversight of the investigation and resolution of all reports of sexual harassment, sexual assault, stalking, intimate partner violence, and sexual exploitation involving students, faculty, staff, vendors, and visitors;
- Assisted by designated Title IX team members, who are accessible to any member of the campus community for consultation and guidance;
- and trained in University policies and procedures and relevant state and federal laws;
- Available to advise any individual about the courses of action available within the University, both informally and formally, as well as within the community;
- Responsible for monitoring full compliance with all procedural requirements and time frames outlined in this policy; and
- Responsible for training, prevention, and education efforts and periodic reviews of campus climate.

Title IX Coordinator:
Hensel Hall HH102
(818) 252-5110

Naira Zakarian, Sr. Director of Human Resources

Title IX Investigator:
Whitten Student Center
(818) 252-5252

Interim Dean of Students

Title IX Investigator:
Hensel Hall HH102
(818) 252-5188

Deanna Frias, Human Resources Assistant

Title IX Investigator:
Whitten Center W136
(818) 252-5250

Keith Gibbs, Campus Safety Manager

Anyone wishing to report an incident of sexual misconduct is encouraged to speak with one of the above individuals. Additionally, the University considers any faculty or staff member (other than Counseling Services or Health Services staff) who have a responsibility for student welfare to be "responsible employees." This means that informing them of an incident of sexual misconduct constitutes official notice to the institution; all such faculty and staff (including student staff such as Resident Advisors) are required to report such incidents to the Title IX Coordinator. All members of the University community, even those who are not obligated by this policy, are strongly encouraged to report information regarding any incident of sexual

misconduct to the Title IX Coordinator. Reporting an incident of sexual misconduct does not mean that a disciplinary process will automatically be initiated. The Title IX team will conduct an initial assessment of the incident and will determine—keeping in mind the Complainant's expressed preferences—the appropriate course of action to support and protect the safety of the Complainant and the community.

Woodbury University is committed to protecting the privacy of all individuals involved in a report of sexual misconduct. All University employees who are involved in the University's Title IX response, including the Title IX Coordinator, team members, investigators, and hearing board members receive specific training about respecting and safeguarding private information. Throughout the process, every effort will be made to protect the privacy of all individuals involved.

Individuals with complaints of this nature also always have the right to file a formal complaint with the United States Department Education:

Office for Civil Rights, Region IX

U.S. Department of Health and Human
Services 90 7th Street, Suite 4-100
San Francisco, CA 94103
800.368.1019 or 202.619.3257
800.537.7697 TDD

Additionally, any employee who believes that he or she has been the victim of sexual misconduct may file a complaint with the California Department of Fair Employment and Housing at www.dfeh.ca.gov or the United States Equal Employment Opportunity Commission at www.eeoc.gov.

¹ Under California law, any health practitioner employed in a health facility, clinic, physician's office, or local or state public health department or clinic is required to make a report to local law enforcement if he or she provides medical services for a **physical condition** to a patient/victim who he or she knows or reasonably suspects is suffering from (1) a wound or physical injury inflicted by a firearm; or (2) any wound or other physical injury inflicted upon a victim where the injury is the result of assaultive or abusive conduct (including Sexual Violence, Domestic Violence, and Dating Violence).

To Report Confidentially

Students who wish for the details of an incident to be kept confidential may speak with on-campus mental health counselors in Counseling Services. Counselors are available to all students free of charge and may be reached at (818) 252-5237 or via email at counseling.services@woodbury.edu

Faculty and staff seeking confidential support may contact Woodbury's Employee Assistance Program at (800) 460-4374 or by visiting dual may contact 24- hour off-campus rape crisis counselors at (626) 793-3385. Or may contact Confidential Reporting at (818) 252-5105.

Amnesty for Alcohol or Other Drug Use

Woodbury University encourages the reporting of prohibited conduct under this policy. It is in the best interest of this community that as many incidents as possible are reported and that witnesses come forward to share what they know. To encourage reporting, an individual who reports sexual misconduct, either as a Complainant or third-party witness, will not be subject to disciplinary action by the University for his or her own personal consumption of alcohol or drugs at or near the time of the incident, provided that any such violations did not and do not place the health or safety of any other person at risk. The University may, however, initiate an educational discussion or pursue other educational remedies regarding alcohol or other drugs.

Bystander Intervention

The University expects all community members to take reasonable and prudent action to prevent or stop an act of sexual misconduct. Taking action may include direct intervention, calling law enforcement, or seeking assistance from a person in authority. Community members who choose to exercise this positive moral obligation will be supported by the University and protected from retaliation. As such, the above suggested actions are taught as preventative programming for students and employees in our training.

Federal Statistical Reporting Obligations

Certain campus officials have a duty to report sexual misconduct for federal statistical reporting purposes (under the Clery Act). All personally identifiable information is kept confidential, but statistical information regarding the type of incident and its general location (on- or off-campus, in the surrounding area, but no addresses are given) is compiled for publication in the Annual Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime to ensure greater community safety. Mandated federal reporters include any faculty or staff member (including student staff such as Resident Advisors) except for Counseling Services staff. The information to be shared includes the date, the location of the incident (using Clery location categories), and the Clery crime category. This reporting protects the identity of the Complainant and may be done anonymously.

To close the gap and ensure that Campus Security can provide accurate information about crimes committed on campus, Instead, individuals may share information about a crime with trusted faculty, staff, or student employees. The Clery Act requires that certain faculty, staff, or student employees report any information they receive pertaining to a crime—whether in progress or in the past—to Campus Security. Those faculty, staff, and students are referred to as Campus Security Authorities or CSAs.

Public Safety includes all reported incidents in the University's Clery crime statistics.

The Clery Act provides four sets of criteria for universities to identify CSAs:

1. A campus police department or a campus security department of an institution.
2. Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department as explained in definition number one such as an individual who is responsible for monitoring entrance into institutional property.
3. Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses. This includes Woodbury's Title IX Coordinator.
4. An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor, the official is not considered a campus security authority when acting strictly in the capacity as a pastoral or professional counselor. 34 C.F.R. 668.46(a)

CSAs, all of whom have completed an online Woodbury CSA training and certification indicating that they have reported to Campus Security all incidents which have been disclosed to them.

Federal Timely Warning Reporting Obligations

Complainants of sexual misconduct should also be aware that University administrators must issue immediate timely warnings for incidents reported to them that are confirmed to pose a substantial threat of bodily harm or danger to members of the campus community. The University will make every effort to ensure that a Complainant's name and other identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger. However, all publicly available record keeping will be maintained without the inclusion of personally identifiable information about victims. The reporters for timely warning purposes are exactly the same as detailed at the end of the above paragraph.

Prohibited Conduct and Definitions

Sexual misconduct includes, but is not limited to:

1. Sexual Harassment
2. Non-Consensual Sexual Contact (or attempts to commit same)
3. Sexual Assault (or attempts to commit same)
4. Sexual Exploitation
5. Stalking
6. Intimate Partner Violence
7. Retaliation

Sexual Harassment

Sexual Harassment is:

- Any unwelcome sexual advances, requests for sexual favors, or other unwelcome written, verbal, or physical conduct of a sexual nature when:
 - submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress, and/or
 - submission to or rejection of the conduct by the individual is used as the basis of employment or academic decisions affecting the individual, and/or
 - submission to, or rejection of, the conduct by the individual is used as the basis for any decision affecting the individual regarding benefits and services, honors, programs, or activities available through the University, and/or
- the conduct has the purpose or effect of having a negative impact upon the individual's work or academic performance or of creating an intimidating, hostile, or offensive work, educational, or living environment.

Sexual harassment can occur regardless of the relationship, position, or respective sex of the parties. It can occur between equals (e.g., student to student, staff to staff, faculty member to faculty member) or between persons of unequal power status (e.g., supervisor to subordinate, faculty member to student).

Harassment based on gender, gender identity, gender expression, sex or gender stereotyping, or sexual orientation, but does not involve conduct of a sexual nature, is also prohibited by this policy. This policy also prohibits harassment of a faculty or staff member by a student.

The conduct alleged to constitute harassment under this policy will be evaluated from the perspective of a reasonable person similarly situated to the Complainant and considering all of the facts and circumstances.

A single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe. The more severe the conduct, the less need there is to show a repetitive series of incidents to provide a hostile environment, particularly if the harassment is physical.

Examples of behavior that might be considered sexual harassment include, but are not limited to:

- Pressure for a date or a romantic or intimate relationship;
- Unwelcome touching, kissing, hugging, or massaging;
- Pressure for or forced sexual activity;
- Unnecessary and unwelcome references to various parts of the body;
- Belittling remarks about a person's gender or sexual orientation;
- Inappropriate sexual innuendos or humor;
- Obscene gestures of a sexual or gender-based nature;
- Offensive sexual graffiti, pictures, or posters;
- Sexually explicit profanity;
- Use of email, the internet, or other forms of digital media to facilitate any of the above- referenced behaviors.

Non-Consensual Sexual

Non-Consensual Sexual Contact is:

- any intentional sexual touching,
- however slight,
- with any object,
- by a man or a woman upon a man or a woman,
- that is without consent and/or by force.
- Sexual Contact includes intentional contact with the breasts, buttock, groin, or genitals, or touching another person with any of these body parts, or making another touch you or themselves with or on any of these body parts; any intentional bodily contact in a sexual manner, though not involving contact with/of/by breasts, buttocks, groin, genitals, mouth or other orifice.

Sexual Assault

Sexual Assault is any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent

- **Rape:** 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. This offense includes the rape of both males and females.
- **Fondling:** Touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental capacity.
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Sexual intercourse with a person who is under the age of consent (18 years old).

Sexual Intercourse includes vaginal penetration by a penis, object, tongue or finger, anal penetration by a penis, object, tongue, or finger, and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

Sexual Exploitation

Occurs when an individual takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of the other sexual misconduct offenses.

Examples of sexual exploitation include, but are not limited to:

- Invasion of sexual privacy;
- Prostituting another individual;
- Non-consensual video or audio-taping of sexual activity;
- Going beyond the boundaries of consent (such as letting your friends hide in the closet to watch you having consensual sex);
- Engaging in voyeurism;
- Knowingly transmitting an STI or HIV to another student;
- Exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals;
- Sexually-based stalking and/or bullying may also be forms of sexual exploitation.

- Stalking-occurs when a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.
- Course of conduct: Two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- Reasonable person: A reasonable person under similar circumstances and with similar identities to the victim.
- Substantial emotional distress: Significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Intimate Partner Violence

Intimate partner violence is often referred to as dating violence, domestic violence, or relationship violence. Intimate partner violence includes any act of violence or threatened act of violence against a person with whom one is, or has been involved in, a sexual, dating, domestic, or other intimate relationship. Intimate partner violence can encompass a broad range of behavior, including, but not limited to, physical violence, sexual violence, emotional violence, and economic abuse. It may involve one act or an ongoing pattern of behavior. Intimate partner violence may take the form of threats, assault, property damage, violence or threat of violence to one's self, one's sexual or romantic partner or to the family members or friends of the sexual or romantic partner. Intimate partner violence affects individuals of all genders, gender identities, gender expressions, and sexual orientation and does not discriminate by racial, social, or economic background.

Retaliation

Acts or attempts to retaliate or seek retribution against any individual or group of individuals involved in the complaint, investigation and/or resolution of an allegation of sexual misconduct. Retaliation can be committed by any individual or group of individuals. Retaliation can take many forms, including threats, intimidation, pressuring, continued abuse, violence, or other forms of harm to others.

Consent: Force, Coercion, Incapacitation, Drugs and Alcohol

Consent: Consent means 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.

Consent consists of an affirmative, conscious, voluntary decision by each participant to engage in mutually agreed-upon 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 to engage in said activity. The following are essential elements of effective consent:

- Informed and reciprocal: All parties must demonstrate a clear and mutual understanding of the nature and scope of the act to which they are consenting and a willingness to do the same thing, at the same time, in the same way.
- Freely and actively given: Consent cannot be obtained through the use of force, coercion, threats, intimidation or pressuring, or by taking advantage of the incapacitation of another individual.
- Mutually understandable: Communication regarding consent consists of mutually understandable words and/or actions that indicate an unambiguous willingness to engage in sexual activity. In the absence of clear communication or outward demonstration, there is no consent. Consent may not be inferred from silence, passivity, lack of resistance, or lack of active response. An individual who does not physically resist or verbally refuse sexual activity is not necessarily giving consent. Relying solely upon non-verbal communication can lead to a false conclusion as to whether consent was sought or given.
- Not indefinite: Consent may be withdrawn by any party at any time. Recognizing the dynamic nature of the sexual activity, individuals choosing to engage in sexual activity must evaluate consent in an ongoing manner and communicate clearly throughout all stages of sexual activity. Withdrawal of consent can be an expressed "no" or can be based on an outward demonstration that conveys that an individual is hesitant, confused, uncertain, or is no longer a mutual participant. Once consent is withdrawn, the sexual activity must cease immediately, and all parties must obtain mutually expressed or clearly stated consent before continuing further sexual activity.

Even in the context of a current or previous intimate relationship, each party must consent to each instance of sexual contact each time. The consent must be based on mutually understandable communication that clearly indicates a willingness to engage in sexual activity. The mere fact that there has been prior intimacy or sexual activity does not, by itself, imply consent to future acts.

Not unlimited: Consent to one form of sexual contact does not constitute consent to all forms of sexual contact, nor does consent to sexual activity with one person constitute consent to activity with any other person. Each participant in a sexual encounter must consent to each form of sexual contact with each participant. For the purposes of this policy, the age of consent is consistent with California Penal Code Section 261.5.

Force: Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcome resistance or produce consent ("Have sex with me, or I'll hit you. Okay, don't hit me, I'll do what you want.").

Coercion: Coercion is unreasonable pressure for sexual activity. Coercion can include a wide range of behaviors, including intimidation, manipulation, threats, and blackmail. A person's words or conduct are sufficient to constitute coercion if they wrongfully impair another individual's freedom of will and ability to choose whether or not to engage in sexual activity. Examples of coercion include threatening to "out" someone based on sexual orientation, gender identity or gender expression and threatening to harm oneself if the other party does not engage in sexual activity.

Incapacitation: Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the "who, what, when, where, why or how" of their sexual interaction).

Incapacitation may result from the use of alcohol and/or drugs. Consumption of alcohol or other drugs alone is insufficient to establish incapacitation. The impact of alcohol and drugs varies from person to person, and evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs impact an individual's:

- decision-making ability;
- awareness of consequences;
- ability to make informed judgments; or
- capacity to appreciate the nature and the quality of the act.

Evaluating incapacitation also requires an assessment of whether an individual knew, or should have known, that the other party was incapacitated. **Alcohol and Other Drugs:** In general, sexual contact while under the influence of alcohol or other drugs poses a risk to all parties. Alcohol and drugs impair a person's decision-making capacity, awareness of the consequences, and the ability to make informed judgments. It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person's level of intoxication. If there is any doubt as to the level or extent of the other individual's intoxication or impairment, the prudent course of action is to forgo or cease any sexual contact or activity.

Being intoxicated or impaired by drugs or alcohol is never an excuse for sexual harassment, sexual assault, stalking or intimate partner violence and does not diminish one's responsibility to obtain consent.

Interim Measures

Upon receipt of a report, the University will provide interim support and reasonable protective measures to prevent further acts of misconduct, and provide a safe, educational, work, and/or living environment. Interim measures will be implemented at the discretion of the University and may be imposed regardless of whether formal disciplinary action is pursued.

Potential interim measures include:

- Access to counseling services and assistance in setting up an initial appointment, both on and off-campus;
- Imposition of a campus “no contact” letter;
- Rescheduling of exams and assignments (in consultation with appropriate faculty);
- Providing alternative course completion options (with the agreement of appropriate faculty);
- Change in class schedule, including the ability to take an “incomplete,” drop a course without penalty or transfer sections (with the agreement of appropriate faculty);
- Change in work schedule or assignment;
- Change in on-campus housing;
- Arranging to dissolve a housing contract and pro-rating a refund in accordance with campus housing policies;
- Assistance from University staff in completing housing relocation;
- Limit an individual or organization's access to certain University facilities or activities pending resolution of the matter;
- Voluntary leave of absence;
- Providing an escort to ensure safe movement between classes and activities;
- Coordinating with medical services provider as needed;
- Providing academic support services, such as tutoring;
- Interim suspension or University-imposed leave;
- Any other remedy that can be tailored to the involved individuals to achieve the goals of this policy.

Options for Resolution

Upon receipt of a report, the University's Title IX team will conduct an initial assessment. The goal of this assessment is to provide an integrated and coordinated response to reports of sexual misconduct. The assessment will consider the nature of the report, the safety of the individual and of the campus community, and the Complainant's expressed preference for resolution.

At the conclusion of the assessment, the University may choose to pursue informal resolution, a remedies-based approach that does not involve disciplinary action or refer the matter for investigation. The goal of the investigation is to gather all relevant facts and, if on the basis of such facts, there is reason to believe a violation of this policy has occurred, to take further disciplinary and/or remedial action as described below.

The initial steps for resolution of a complaint against a student or against an employee will involve the same stages: an initial assessment, investigation, and either informal or formal resolution.

Initial Assessment

In every report of sexual misconduct, the University will make an immediate assessment of any risk of harm to individuals or to the campus community and will take steps necessary to address those risks. These steps may include interim protective measures to provide for the safety of the individual and the campus community.

The initial review will proceed to the point where a reasonable assessment of the safety of the individual and of the campus community can be made. Thereafter, the investigation may be initiated depending on a variety of factors, such as the Complainant's wish to pursue disciplinary action, the risk posed to any individual or the campus community by not proceeding, and the nature of the allegation.

Investigation

Where the Title IX assessment concludes that disciplinary action may be appropriate, the University will initiate an investigation. The University will designate an investigator who has specific training and experience investigating allegations of sexual misconduct. The investigator may be an employee of the University or an external investigator engaged to assist the University in its fact-gathering. The University will typically use a team of two investigators, which may include the pairing of an external investigator with a University employee. Any investigator chosen to conduct the investigation must be impartial and free of any conflict of interest.

The investigator will conduct the investigation in a manner appropriate in light of the circumstances of the case, which will typically include interviews with the Complainant, the Respondent, and any witnesses. The interviews will be supplemented by the gathering of any physical, documentary, or other evidence. As part of the investigation, the University will provide an opportunity for the parties to present witnesses and other evidence.

The investigation is designed to provide a fair and reliable gathering of the facts. The investigation will be thorough, impartial, and fair, and all individuals will be treated with appropriate sensitivity and respect. As described in the *Reporting, Confidentiality and Privacy* section, the investigation will be conducted in a manner that is respectful of individual privacy concerns.

The University will seek to complete the investigation within twenty (20) business days of receiving the report, but this time frame may be extended depending on the complexity of the circumstances of each case. At the conclusion of the investigation, the report will be forwarded to the Title IX Coordinator.

Information gathered during the review or investigation will be used to evaluate the responsibility of the Respondent, provide for the safety of the Complainant and the University campus community, and impose remedies as necessary to address the effects of the conduct cited in the report. Where there is sufficient information set forth that, if proven, would constitute a violation of policy, the University will have the discretion to institute Formal Resolution proceedings against the Respondent. At the conclusion of the investigation, the University will notify all parties in writing, at the same time, that the investigation is complete and provide information about next steps in the process.

Based on the information gathered in the initial Title IX assessment and/or full investigation, the University will take appropriate measures designed to end the misconduct, prevent its recurrence, and address its effects.

Informal Resolution

Informal resolution is a remedies-based, non-judicial approach designed to eliminate a hostile environment without taking disciplinary action against a Respondent.

Where the Title IX assessment concludes that informal resolution may be appropriate, the University will take immediate and corrective action through the imposition of individual and community remedies designed to maximize the Complainant's access to University programs and to eliminate a hostile environment. Examples of protective remedies are provided in the *Interim Remedies* section of this policy. Other potential remedies include targeted or broad-based educational programming or training, direct confrontation of the Respondent and/or indirect action by the Title IX team or the University. Depending on the form of informal resolution used, it may be possible to maintain anonymity.

The University will not compel a Complainant to engage in mediation, to directly confront the Respondent, or to participate in any particular form of informal resolution. Mediation, even if voluntary, may not be used in cases involving sexual assault or violence. The decision to pursue informal resolution will be made when the University has sufficient information about the nature and scope of the conduct, which may occur at any time. Participation in informal resolution is voluntary, and a Complainant can request to end informal resolution at any time. Informal resolution will typically be completed within thirty (30) days of the initial report.

Formal Resolution

Disciplinary action against a Respondent may only be taken through Formal Resolution procedures. Because the relationship of students, staff, and faculty to the University differ in nature, the procedures that apply when seeking disciplinary action necessarily differ as well. Each of the procedures, however, is guided by the same principles of fundamental fairness and respect for all parties, which require notice, an equitable opportunity to be heard, and an equitable opportunity to respond to a report under this policy.

The specific procedures for Formal Resolution will vary based upon the role of the Respondent:

- For a *complaint against a student*, disciplinary action may be taken by the Interim Dean of Students or his/her designee following a finding of responsibility by a Hearing Officer or Hearing Board in accordance with the Conduct Process outlined in the Code of Student Conduct.
- For a *complaint against a staff member*, disciplinary action may be taken at the conclusion of the investigation by the Senior Director of Human Resources and Title IX Coordinator, or his/her designee in accordance with procedures outlined in the Employee Handbook.
- For a *complaint against a faculty member*, disciplinary action may be taken at the conclusion of the investigation by the Senior VP, Academic Affairs or Faculty Executive Committee in accordance with procedures outlined in the Faculty Handbook.

Time Frame for Resolution

The University seeks to resolve all reports within sixty (60) days of the initial report. All time frames expressed in this policy are meant to be guidelines rather than rigid requirements. Extenuating circumstances may arise that require the extension of time frames, including extension beyond 60 days. Extenuating circumstances may include the complexity and scope of the allegations, the number of witnesses involved, the availability of the parties or witnesses, the effect of a concurrent criminal investigation, any intervening school break or vacation, or other unforeseen circumstances.

In general, a Complainant and Respondent can expect that the process will proceed according to the time frames provided in this policy. In the event that the investigation and resolution exceed this time frame, the University will notify all parties of the reason(s) for the delay and the expected adjustment in time frames. Best efforts will be made to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness.

Resolving Complaints against a Student

As outlined in the *Reporting* section of this policy, an individual who wishes to make a report of sexual harassment, sexual assault, stalking, intimate partner violence, or sexual exploitation is encouraged to make a report directly to a member of the Title IX team. In every instance under this policy, the University, through the coordinated efforts of the Title IX team, will conduct an initial Title IX Assessment.

At the conclusion of the Title IX Assessment, the report will be referred for Informal Resolution or Investigation to determine if there is sufficient information to proceed with Formal Resolution. Informal Resolution is a non-judicial, remedies-based approach that does not involve disciplinary action against a Respondent. Formal Resolution is a judicial, sanctions-based approach that may involve discipline up to and including expulsion.

Initial Assessment

Upon receipt of a report, the University, through the coordinated efforts of the Title IX team, will conduct an initial Title IX assessment. The first step of the assessment will usually be a preliminary meeting with the Complainant and Title IX Coordinator. The purpose of the preliminary meeting is to gain a basic understanding of the nature and circumstances of the report; it is not intended to be a full forensic interview. At this meeting, the Complainant will be provided with information about resources, procedural options, and interim remedies.

As part of the initial assessment of the report, the Title IX Coordinator will:

- Assess the nature and circumstances of the allegation;
- Address immediate physical safety and emotional well-being needs;
- Notify the Complainant of his/her right to contact law enforcement and seek medical treatment, including the importance of preservation of evidence;
- Provide the Complainant with information about on- and off-campus resources, as well as the range of possible interim remedies;
- Explain the procedural options, including Informal Resolution and Formal Resolution;
- Discuss the Complainant's preference for the manner of resolution and any barriers to the proceeding;
- Explain the University's policy regarding retaliation.

This initial review will proceed to the point where a reasonable assessment of the safety of the individual and of the campus community can be made. Thereafter, an investigation may continue depending on a variety of factors, such as the Complainant's wish to pursue disciplinary action, the risk posed to any individual or the campus community by not proceeding, and the nature of the allegation.

At the conclusion of the Title IX assessment, the Title IX Coordinator will determine the appropriate manner of resolution and, if appropriate, refer the report for further Investigation, Informal Resolution, or Formal Resolution.

The determination as to how to proceed will be communicated to the Complainant in writing. Depending on the circumstances and requested resolution, the Respondent may or may not be notified of the report or resolution. A Respondent will be notified when the University seeks action that would impact a Respondent, such as protective measures that restrict his or her movement on campus, the initiation of an investigation or the decision to involve the Respondent in Informal Resolution.

Investigation

Following the initial Title IX assessment, the University may initiate a prompt, thorough, and impartial investigation. The Title IX Coordinator, in consultation with the Title IX team, will oversee the investigation.

The investigation is designed to provide a fair and reliable gathering of the facts. All individuals in the investigation, including the Complainant, the Respondent, and any third-party witnesses, will be treated with appropriate sensitivity and respect. Consistent with the need for a full assessment of the facts, the investigation will safeguard the privacy of the individuals involved.

The University will designate an investigator who has specific training and experience investigating allegations of sexual misconduct. The investigator may be an employee of the University or an external investigator engaged to assist the University in its fact-gathering. The University will typically use a team of two investigators, which may include the pairing of an external investigator with a University employee. Any investigator chosen to conduct the investigation must be impartial and free of any conflict of interest.

The investigator(s) will coordinate the gathering of information from the Complainant, the Respondent, and any other individuals who may have information relevant to the determination. The investigator(s) will also gather any available physical or medical evidence, including documents, communications between the parties, and other electronic records as appropriate. The investigator(s) may consider prior allegations of, or findings of responsibility for, similar conduct by the Respondent. The Complainant and Respondent will have an equal opportunity to be heard, to submit evidence, and to identify witnesses who may have relevant information.

The investigation will usually be completed within twenty (20) business days. Given the availability of witnesses or complexity of the circumstances, this time frame may be extended as necessary to ensure the integrity and completeness of the investigation.

Information gathered during the investigation will be used to evaluate the appropriate course of action, provide for the safety of the individual and the campus community, and impose remedies as necessary to address the effects of the conduct cited in the report.

Threshold Determination and Appeal of Insufficient Threshold

At the conclusion of the investigation, the investigator(s) will prepare a written report synthesizing the facts for review by the Title IX Coordinator. The investigator(s) is not charged with reaching a determination as to responsibility, which is a function reserved for the University Committee on Student Behavior or another hearing body as designated by the Interim Dean of Students.

Upon receipt of the investigative report, the Interim Dean of Students, in consultation with the Title IX Coordinator, will review the report and make a threshold determination as to whether there is sufficient information upon which an adjudicator could find a violation of this policy. This threshold determination does not involve making a determination of responsibility, nor does it involve a credibility assessment.

If the threshold has been established, the Interim Dean of Students will, at the same time, issue a Notification Letter to the Respondent and the Complainant and refer the report for Pre-Hearing Procedures.

If the Title IX Coordinator, in consultation with the Title IX team, determines that this threshold has not been reached, the Complainant and Respondent will, at the same time, be notified in writing. The Complainant will have the opportunity to seek review by the Interim Dean of Students (or designee) by submitting a written request for review within five (5) business days of receipt of the notification. If an appeal is filed, the Respondent will be notified and have the opportunity to respond. The Interim Dean of Students may affirm the threshold finding, reverse the finding, or remand the matter for additional investigation as warranted. The Interim Dean of Students will render a decision in writing, to both parties, at the same time, within ten (10) business days of receipt of the request for review. The decision of the Interim Dean of Students is final. Where a designee is chosen, the identity of this individual will be shared with both parties.

Informal resolution is a remedies-based, non-judicial approach designed to eliminate a hostile environment without taking disciplinary action against a Respondent.

Where the Title IX assessment concludes that informal resolution may be appropriate, the University will take immediate and corrective action through the imposition of individual and community remedies designed to maximize the Complainant's access to the educational and co-curricular activities at the University and to eliminate a hostile environment. Examples of protective remedies are provided in the section *Interim Remedies*. Other potential remedies include targeted or broad-based educational programming or training, direct confrontation of the Respondent and/or indirect action by the Title IX team or the University. Depending on the form of informal resolution used, it may be possible to maintain anonymity.

The University will not compel a Complainant to engage in mediation, to directly confront the Respondent, or to participate in any particular form of informal resolution. Mediation, even if voluntary, may not be used in cases involving sexual assault or violence. The decision to pursue informal resolution will be made when the University has sufficient information about the nature and scope of the conduct, which may occur at any time. Participation in informal resolution is voluntary, and a Complainant can request to end informal resolution at any time.

The Title IX Coordinator will maintain records of all reports and conduct referred for informal resolution. Informal resolution will typically be completed within thirty (30) business days of the initial report.

Formal Resolution (UCSB)

Formal resolution of a complaint against a student under the Sexual Misconduct Policy will occur through the University Committee on Student Behavior (UCSB). A UCSB typically consists of four members (three voting members and one, non-voting Chair) who are drawn from a pool of trained faculty, staff, and students. All UCSB members must participate in annual training on the dynamics of sexual misconduct, the factors relevant to a determination of credibility, the appropriate manner in which to receive and evaluate sensitive information, the manner of deliberation, evaluation of consent and incapacitation, the application of the preponderance of the evidence standard, sanctioning, and the University's policies and procedures. The training is coordinated by the Title IX Coordinator in conjunction with campus and external partners.

The Complainant and the Respondent may submit a written request to the Interim Dean of Students that a member of the UCSB be removed. The request must clearly state the grounds to support a claim of bias, conflict of interest, or an inability to be fair and impartial. This challenge must be raised within two (2) business days of receipt of the Notice of Hearing. All objections must be raised prior to the commencement of the hearing. Failure to object prior to the hearing will forfeit one's ability to appeal the outcome based on perceived or actual bias.

NOTE: In most cases, it is possible to convene a UCSB; however if the hearing must be heard at or after the end of the semester or academic year and/or a full UCSB cannot reasonably be convened, cases may be heard by the Interim Dean of Students (or designee), or the University may substitute an alternate method of adjudication at its discretion.

Advisors

Both the Complainant and Respondent may be supported by an advisor during all phases of the initial interview, investigation, and hearing process. The advisor cannot be a witness in the proceedings, nor may he or she participate directly in the hearing. Attorneys may not formally represent the Complainant or Respondent, as these procedures are entirely administrative in nature and are not considered legal proceedings. The UCSB Chair has the right to determine what constitutes appropriate behavior on the part of the advisor and whether the person may remain at the proceedings.

Hearing Procedures

1. Notice of Charges

Following the threshold determination that there is sufficient information to move forward with a hearing, the Interim Dean of Students (or designee) will send written Notification Letter to both the Complainant and the Respondent. The Notification Letter provides each party with a brief summary of the conduct at issue and the specific provision of the policy violation(s) that are alleged to have taken place.

2. Pre-Hearing Meeting with Complainant and Respondent

Following the Notification Letter, the Interim Dean of Students will contact the Complainant and Respondent to schedule separate meetings with each party. At this pre-hearing meeting, each party will receive an explanation of the hearing process and have the opportunity to ask any questions. If the Complainant and/or Respondent have elected to have advisors throughout the hearing process, the advisor is encouraged to accompany the Complainant/Respondent to this initial meeting.

3. Notice of Hearing

Once each party has met with the Interim Dean of Students a Notice of Hearing is sent to the Complainant and the Respondent. The Notice provides the parties with the date, time, and place of the hearing, as well as the name(s) of the person(s) hearing the case.

In general, the hearing will be scheduled within ten (10) business days of the date of the Notice of Hearing. Under extenuating circumstances, this time frame may be extended.

4. Composition of the UCSB

The Complainant and the Respondent may submit a written request to the Interim Dean of Students that a member of the UCSB is removed. The request must clearly state the grounds to support a claim of bias, conflict of interest, or an inability to be fair and impartial. This challenge must be raised within two (2) business days of receipt of the Notice of Hearing. All objections must be raised prior to the commencement of the hearing. Failure to object prior to the hearing will forfeit one's ability to appeal the outcome based on perceived or actual bias.

5. Pre-Hearing Review of Documents

The Complainant and the Respondent will each have the opportunity to review all investigative documents, subject to the privacy limitations imposed by state and federal law, at least five (5) business days prior to the hearing. The investigative documents will include the investigation report, any witness statements or interviews, statements or interviews by both parties, and any other documentary information that will be presented at the hearing.

6. Witnesses

The Complainant, Respondent, and the UCSB all have the right to call witnesses. Witnesses must have observed the conduct in question or have information relevant to the incident and cannot be called solely to speak about an individual's character.

In general, neither party will be permitted to call as a witness anyone who was not interviewed by the investigator as part of the University's investigation. If either party wishes to call witnesses, whether or not they were previously interviewed as part of the University's investigation, the following must be submitted no later than five (5) business days before the hearing to the Interim Dean of Students via e-mail or in hardcopy format:

- The names of any witnesses that either party intends to call; A written statement and/or description of what each witness observed, if not already provided during the investigation;
- A summary of why the witness' presence is relevant to making a decision about responsibility at the hearing; and,
- The reason why the witness was not interviewed by the investigator, if applicable.

The Interim Dean of Students will determine if the proffered witness(es) has relevant information and if there is sufficient justification for permitting a witness who was not interviewed by the investigator. The Interim Dean of Students may also require the investigator to interview the newly proffered witness.

If witnesses are approved to be present, the Respondent and Complainant are provided with a list of witnesses and any relevant documents related to their appearance at the hearing no later than five (5) business days before the hearing. All parties have the opportunity to ask questions of witnesses (through the UCSB), regardless of who called them to the hearing.

7. Relevance

The Interim Dean of Students will review the investigative report, any witness statements, and any other documentary evidence to determine whether the proffered information contained therein is relevant and material to the determination of responsibility given the nature of the allegation. In general, the Interim Dean of Students may redact information that is irrelevant, more prejudicial than probative, or immaterial. The Interim Dean of Students may also redact statements of personal opinion, rather than direct observations or reasonable inferences from the facts, and statements as to general reputation for any character trait, including honesty.

8. Prior Sexual History and/or Pattern Evidence

Prior Sexual History of a Complainant: In general, a Complainant's prior sexual history is not relevant and will not be admitted as evidence at a hearing. Where there is a current or ongoing relationship between the Complainant and the Respondent, and the Respondent alleges consent, the prior sexual history between the parties may be relevant to assess the manner and nature of communications between the parties. As noted in other sections of this policy, however, the mere fact of a current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Any prior sexual history of the Complainant with other individuals is typically not relevant and will not be permitted.

Pattern Evidence by a Respondent: Where there is evidence of pattern of conduct similar in nature by the Respondent, either prior to or subsequent to the conduct in question, regardless of whether there has been a finding of responsibility, this information may be deemed relevant and probative to the panel's determination of responsibility and/or assigning of a sanction. The determination of relevance will be based on an assessment of whether the previous incident was substantially similar to the conduct cited in the report and indicates a pattern of behavior and substantial conformity with that pattern by the Respondent. Where there is a prior finding of responsibility for a similar act of sexual misconduct, there is a presumption of relevance and the finding may be considered in making a determination as to responsibility and/or assigning of a sanction. The University, through the Interim Dean of Students or Title IX Coordinator, may choose to introduce this information with appropriate notice to the parties. Alternatively, a party may request in writing that information under this section be admitted. A request to admit such information must be submitted to the Interim Dean of Students. The Interim Dean of Students, in consultation with the Title IX Coordinator, will assess the relevance of this information and determine if it is appropriate for inclusion at the hearing.

To aid in an advance determination of relevance, the following must be submitted no later than five (5) business days before the hearing to the Interim Dean of Students via e-mail or in hardcopy format:

- A written statement and/or description of the proposed information, if not already provided during the investigation; and
- A summary of why this information is relevant to making a decision of responsibility at the hearing.

If this information is approved as appropriate for presentation at the hearing, the Respondent and Complainant will be provided with a brief description of the approved information no later than five (5) business days before the hearing.

9. Request to Reschedule Hearing

Either party can request to have a hearing rescheduled. Absent extenuating circumstances, requests to reschedule must be submitted to the Interim Dean of Students with an explanation for his or her request at least three (3) business days prior to the hearing.

10. Consolidation of Hearings

At the discretion of the Interim Dean of Students, in consultation with the Title IX Coordinator, multiple reports may be consolidated against a Respondent in one hearing if the evidence related to each incident would be relevant and probative in reaching a determination on the other incident. Matters may be consolidated where they involve multiple Complainants, multiple Respondents, or related conduct that would regularly have been heard under the Code of Student Conduct.

11. Alternative Testimony Options

A Complainant or Respondent may also request alternative testimony options that would not require physical proximity to the other party. Options include placing a privacy screen in the hearing room or allowing the Complainant or Respondent to speak outside the physical presence of the other by using relevant technology to facilitate participation. Any proposed alternative must be reviewed in advance of the hearing to ensure that it is consistent with the goals of a fair and equitable process. While these options are intended to help make the alleged Complainant or Respondent more comfortable, they are not intended to work to the disadvantage of the other party.

12. Hearings in Absentia

If a party does not attend a hearing for any non-emergency or compelling reason, the hearing may be held in his/her absence at the discretion of the Interim Dean of Students.

A Respondent will not be permitted to withdraw from the University prior to the conclusion of an investigation or formal resolution under this policy. If a Respondent chooses not to participate, the University will move forward with the hearing and imposition of sanction(s), if any, in absentia. The Respondent's academic transcript will be marked Withdrawal Pending Judicial Action, or, if finally resolved in absentia, with the final outcome in accordance with regular practice under this policy.

13. Standard of Proof

The standard of proof utilized in sexual misconduct hearings is a preponderance of evidence standard, meaning it is more likely than not that a policy violation occurred.

14. Notification of Outcome

Both the Complainant and the Respondent will be notified of the outcome of the hearing and any sanction(s) imposed at the same time, in writing, within five (5) business days of the conclusion of the hearing.

Appeals

Either party may appeal the final outcome in writing to the Interim Dean of Students or designee (the "Appeals Officer"). The appeal will be conducted in an impartial manner by an impartial decision-maker. The appeal must be filed in writing within five (5) business days of receiving the written outcome. The appeal should consist of a plain, concise and complete written statement outlining the grounds for appeal and all relevant information to substantiate the basis for the appeal.

The Complainant and/or Respondent may appeal only the parts of the final outcome directly relating to him/her. Dissatisfaction with the outcome of the hearing is not grounds for appeal. The only grounds for appeal are:

- i. A procedural or substantive error occurred that significantly affected the outcome of the hearing (e.g., substantiated bias, material deviation from established procedures, etc.).
- ii. New evidence, unavailable during the original hearing or investigation that could substantially impact the original finding or sanction (a summary of this new evidence and its potential impact must be included).

The receipt of the appeal will be acknowledged in writing (which can include email). Each party will be given the opportunity to respond in writing to the other party's appeal. Any response by the opposing party must be submitted to the Appeals Officer within three (3) business days from receipt of the appeal. The appeals documents from each party will be considered together in one appeal review process.

In any request for an appeal, the burden of proof lies with the party requesting the appeal, as the original determination and sanction are presumed to have been decided reasonably and appropriately. The Appeals Officer shall first consider whether the appeal is timely filed and if so, whether the appeal is properly framed based on the two grounds. If the Appeals Officer determines that the appeal is not properly framed, the appeal will be denied.

If the appeal is based on procedural or substantive error, the Appeals Officer may return the complaint to the original UCSB with instructions to reconvene to remedy the error, or in rare cases where the error cannot be remedied, the Appeals Officer can ask that a new hearing occur before a newly constituted UCSB. In the case of new and relevant information, the Appeals Officer can recommend that the case be returned to the original UCSB to assess the weight and effect of the new information and render a determination after considering the new facts. The reconsideration of the UCSB is final.

Appeals are not intended to be full rehearing of the complaint. In most cases, appeals are confined to a review of the written documentation or record of the original hearing and pertinent documentation regarding the grounds for appeal. This is not an opportunity for the Appeals Officer to substitute his/her judgment for that of the original hearing body merely because he or she disagrees with its finding and/or sanctions. Appeals decisions are to be deferential to the original hearing body, making changes to the finding only where there is clear error. The Appeals Officer can affirm or alter the original findings, depending on the basis of the requested appeal.

Sanctions imposed are implemented immediately unless the Interim Dean of Students stays implementation in extraordinary circumstances, pending the outcome of the appeal. Pending graduation, study away, internships/work experience or other events do not typically constitute extraordinary circumstances. In cases where the appeal results in reinstatement to the institution or of privileges, all reasonable attempts will be made to restore the student to their prior status, recognizing that some opportunities lost may be irretrievable in the short term.

The Appeals Officer will render a written decision on the appeal to the Complainant and Respondent within fifteen (15) business days from the date of the submission of all appeal documents by both parties. Appeal decisions are final.

Records

The Title IX Coordinator will retain records of all reports and complaints, regardless of whether the matter is resolved by means of Title IX assessment, informal resolution or formal resolution.

Complaints resolved by means of Title IX assessment or informal resolution are not part of a student's conduct file or academic record or of an employee's personnel record.

Affirmative findings of responsibility in matters resolved through formal resolution are part of a student's conduct record and an employee's personnel record. Such records shall be used in reviewing any further conduct, or developing sanctions, and shall remain a part of a student's conduct record or an employee's personnel record.

Suspension, expulsion, and withdrawal pending disciplinary action may be noted on a student's transcript. The conduct files of students who have been suspended or expelled from the University are maintained in the Interim Dean of Students Office indefinitely. Conduct files of students who have not been suspended or expelled are maintained in the Interim Dean of Students Office for no fewer than seven (7) years from the date of the incident. Further questions about record retention should be directed to the Interim Dean of Students' Office.

***Further information regarding the conduct process may be found in the Code of Student Conduct in the Student Handbook.

Megan's Law and Sex Offender Registrant Information

The Campus Sex Crimes Prevention Act (CSCPA) of 2000, a federal law, requires institutions of higher education to provide the campus community with resources regarding where they may obtain information on registered sex offenders in the state of California. The law also requires sex offender registrants who are already required to register in the state to provide notice to each institution of higher education in which the person is currently enrolled as a student or employee (either full or part-time, with or without compensation). (California Penal Code Section 290.009)

As the Woodbury University Security Department is not a law enforcement agency, the registration process must be conducted by the Los Angeles Police Department.

Megan's Law allows the public to access the sex offender registry. It also authorizes law enforcement to notify the public about high-risk and serious sex offenders who reside in, are employed in, or frequent the community. Public information regarding sex offenders in California may be obtained by viewing the Megan's Law website at <https://www.meganslaw.ca.gov/>.

Security Awareness Programs

Crime prevention is everyone's responsibility. Without aware and involved citizens, no law enforcement or security agency can be effective in preventing crime. With this in mind, Woodbury University conducts a number of programs to educate members of the campus community and to create conditions conducive to a safe and secure living and learning environment. Examples of programs offered through both the Security Department and the Student Affairs include, but are not limited to:

- **First Aid--Annual Training:** covers a wider variety of ways to assist a person who has been hurt. For example, first aid classes will teach you how to treat deep cuts or bone fractures. But first aid classes will also teach you how to help someone who is choking. You will learn to apply pressure to a bleed and how to splint a bone that has been fractured and several other life-saving skills.
- **CPR—Annual Training:** focuses on helping someone who is experiencing cardiac arrest and how to administer Cardiopulmonary Resuscitation.
- **Self-defense—Annual Training:** teaches techniques to recognize and reduce risk and increase awareness in potentially dangerous situations and to provide community members with hands-on defense training
- Personal property (operation identification)—Service Available
- **Sexual assault prevention—Annual Training:** engages community members in fostering healthy relationships and preparing them to recognize and respond to sexual assault and harassment when it occurs.
- **Responsible alcohol use—Annual Training:** encourages community members to reflect on their drinking and encourages safe decision-making, making campuses safer for all.

- **‘Do Something’ Active shooter—Annual Training:** aims to empower community members to participate in their own survival using proactive response strategies in the face of violence.

These programs are offered to the entire campus community either through in-person participation or online programming.

Designation of Emergency Contact by Residential Students

On an annual basis, each resident student, upon checking into his/her residence hall room, has the option to confidentially register an emergency contact (“missing person contact”) for Woodbury to notify when the student has been determined to be missing. The missing person contact information will be registered confidentially, will be accessible only to authorized University officials, and will not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation. Please note that at our San Diego campus, we do not have residential housing.

The missing person contact may be in addition to the general-purpose emergency contact provided during the residence hall check-in process. If a missing person contact is not formally declared, the University will notify the general-purpose emergency contact.

If a student is under age 18 and non-emancipated, the student’s custodial parent or guardian (in addition to any designated missing person contact) will be notified within 24 hours in the event the student is deemed missing.

Alcohol and Other Drugs Policy

Woodbury University’s Alcohol and Other Drugs Policy complies with the requirements set forth by the Drug-Free Schools and Community Act Amendments of 1989. This act requires the university to certify its compliance with the regulations and confirm that it has adopted and implemented an alcohol and drug prevention program to prevent the unlawful possession, use, and/or distribution of illicit drugs or alcohol by all students and employees, both on school premises or during any university-sponsored activities.

The Alcohol and Other Drugs Policy provides members of the Woodbury community with the standards of conduct regarding the unlawful possession, use, and/or distribution of alcohol, controlled substances, and marijuana, legal sanctions under local, state and federal law, as well as university sanctions.

Alcohol Policy

Woodbury must abide by state and local laws, and all campus policies reflect the application of the law to university life. The laws of the State of California specify that people under the age of 21 may not consume, possess, or distribute alcohol. In addition, it is unlawful for any person to sell, furnish, or give any alcoholic beverage to anyone under the age of 21. Minors who use false identification in order to obtain alcoholic beverages are guilty of a misdemeanor. In compliance with state and local laws, Woodbury prohibits the illegal use of alcohol on university property and as part of any university-sponsored activity. Woodbury fully supports these laws by prohibiting the possession, use, sale, and/or distribution of illegal drugs on campus.

While Woodbury University's alcohol policy reflects current interpretations of federal, state and local laws governing the possession, distribution and use of alcohol, it also expresses the University's commitment to responsible drinking and behavior. For the purposes of this policy, an "event with alcohol" is defined as an official gathering—either on- or off-campus— sponsored by Woodbury University or any of its constituent groups, at which alcohol is served. Timing and location of all events where alcohol is present must be sensitive to the academic mission and needs of the University community. The presence of alcohol at these events creates a need to manage the activity with care and to be more concerned with the conduct of those present. Those who plan or choose to attend events where alcoholic beverages will be served and consumed must assume responsibility for the consequences of their actions.

Woodbury's alcohol policy can be found in its entirety online at <https://woodbury.edu/student-life/living/safety-security/life/living/safety-security/>

Drug Policy

Federal and state statutes specify that persons involved in the use, sale, or distribution of illegal drugs² are liable for criminal action, including arrest, fines, and imprisonment. Woodbury fully supports these laws by prohibiting the possession, use, sale, and/or distribution of illegal drugs on campus.

To view Woodbury's drug policy in its entirety, please visit <https://woodbury.edu/student-life/living/safety-security/>

Substance Abuse Education

Woodbury University provides a number of substance abuse education programs throughout the year. Examples of these programs include, but are not limited to:

² "Illegal Drugs" refers to "Controlled Substances" as defined in Schedules I through V, section 22 of the Controlled Substances Act (21 U.S.C. Section 812) and also found in the Health and Safety Code Section 11054-11058.

- Responsible alcohol use/safe partying;
- Alcohol and drug use assessments provided by Counseling Services;
- Specific programming targeted toward fraternity and sororities;
- Educational meetings and workshops for students who may be sanctioned as part of the student conduct process.

Missing Student Protocol

Woodbury University strives to support the health and safety of all students and has developed a policy to assist in locating students who have been determined or suspected by Woodbury to be missing. Any cases of suspected missing students for more than 24 hours should be referred to the following individual immediately:

Interim Dean of Students

(818) 252-5252

This individual will then notify the student's designated missing person contact, general emergency contact, and/or the custodial parent or legal guardian as appropriate. Further, the individual listed above will also notify law enforcement agencies, coordinate efforts with those agencies as requested, and continue efforts to locate the student.

Crime Statistics

The statistics in this report are published in accordance with the standards and guidelines used by the FBI Uniform Crime Reporting Handbook and relevant federal law. Woodbury University submits the annual crime statistics published in this report to the Department of Education. The statistical information gathered by the Department of Education is available to the public through the Department of Education website. In addition, a Daily Crime and Fire Log is available for review in the Whitten Student Center during business hours.

The procedures for preparing the annual disclosure of crime statistics include reporting statistics to the Woodbury community obtained from the following sources: University faculty and staff, Resident Advisors, Campus Security, and the Los Angeles Police Department—Foothill Division. Counseling and Health Services staff are not required by law to provide crime statistics, though they encourage clients/patients to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure.

In reading the crime statistics table, it is important to note the following:

Woodbury University reports the number of persons who are charged with a violation of policy or law that align with Clery crime definitions that took place within Clery geography, not the number of persons who are found responsible for a violation of policy or law.

Definitions of Categories

Murder and Non-negligent Manslaughter

The willful (non-negligent) killing of one human being by another.

Negligent Manslaughter

The killing of another person through gross negligence.

Robbery

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

Aggravated Assault

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

Burglary

The unlawful entry of a structure to commit a felony or theft. For reporting purposes, this definition includes unlawful entry with intent to commit a theft or a felony.

Motor Vehicle Theft

The theft or attempted theft of a motor vehicle.

Arson

The willful or malicious burning or attempt to burn, with or without the intent of personal, public, or private property.

Hate Crimes

A hate crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender's bias. Bias is a preformed negative opinion or attitude toward a group of persons based on their race, gender, religion, disability, sexual orientation or ethnicity/national origin

Although there are many possible categories of bias, under Clery, only the following six categories are reported:

- **Race.** A preformed negative attitude toward a group of persons who possess common physical characteristics (e.g., color of skin, eyes, and/or hair; facial features, etc.) genetically transmitted by descent and heredity, which distinguish them as a distinct division of humankind (e.g., Asians, blacks, whites).
- **Gender.** A preformed negative opinion or attitude toward a group of persons because those persons are male or female.
- **Religion.** A preformed negative opinion or attitude toward a group of persons who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, atheists).
- **Sexual orientation.** A preformed negative opinion or attitude toward a group of persons based on their sexual attraction toward, and responsiveness to, members of their own sex or members of the opposite sex (e.g., gays, lesbians, heterosexuals).

- Ethnicity/national origin. A preformed negative opinion or attitude toward a group of persons of the same race or national origin who share common or similar traits, languages, customs and traditions (e.g., Arabs, Hispanics).
- Disability. A preformed negative opinion or attitude toward a group of persons based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age or illness.
- For Clery purposes, hate crimes include any offense in the following two groups that is motivated by bias.

Group A

- Murder and Non-negligent manslaughter
- Forcible sex offenses
- Non-forcible sex offenses
- Robbery
- Aggravated assault
- Burglary
- Motor vehicle theft
- Arson

Group B

- Larceny-theft
- Simple assault
- Intimidation
- Destruction/damage/vandalism of property

The offenses in Group A include all of the Clery Act offenses discussed (with the exception of Negligent Manslaughter and Weapons: Carrying, Possessing, Etc., Drug Abuse Violations, and Liquor Law Violations which cannot be classified as hate crimes). In addition to those offenses, the Group B offenses, i.e., larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property, will only be included in your Clery statistics if they are hate crimes through CSA reports and cases recorded in the Symplicity Advocate system.

Larceny-Theft is the unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. (Larceny and theft mean the same thing.) Constructive possession is the condition in which a person does not have physical custody or possession, but is in a position to exercise dominion or control over a thing.

Classify as Larceny:

- Thefts of bicycles or automobile accessories.
- Shoplifting.
- Pocket-picking.
- The stealing of any property or article which is not taken by force and violence or by fraud.
- Any of the above regardless of the value of the item or items taken. (For example, include the unlawful taking of a parking sticker that is peeled off a car windshield.)
- Attempted larcenies.

○ **Do not classify as Larceny:**

- Motor vehicle theft.
- Attempted motor vehicle theft.
- Embezzlement.
- Confidence games.
- Forgery.
- Worthless checks.

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

Include all assaults which do not involve the use of a firearm, knife, cutting instrument or other dangerous weapon and in which the victim did not sustain serious or aggravated injuries.

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

A person is assumed to be placed in "reasonable fear" if he or she reports threatening words or other conduct to law enforcement personnel. To be the victim of intimidation, one doesn't have to be the intended target of the offender. For example, a person who reports seeing anti-gay threats on a bathroom wall to law enforcement is considered a victim. (For the Intimidation to be considered a hate crime there would have to be other supporting evidence of bias as well.) Include in this category cyber-intimidation if the victim is threatened via computer while on your Clery geography.

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

Classify as Destruction/Damage/Vandalism of Property:

A wide range of malicious behavior directed at property, such as:

- Cutting auto tires.
- Drawing obscene pictures on restroom walls.
- Smashing windows.
- Destroying school records.
- Defacing Library Books.

Do not classify as Destruction/Damage/Vandalism of Property:

Incidents of burning that willfully or maliciously destroy, damage or deface property. Classify such incidents as Arson.

Geographic Reporting

Clery Geography

For the purposes of collecting statistics for submission to the Department of Education and inclusion in an institution's annual security report, Clery geography includes buildings and property that are part of the institution's campus (including a subset of on-campus student housing facilities), the institution's noncampus buildings or property, and public property within or immediately adjacent to and accessible from the campus. For the purpose of maintaining an institution's crime log, Clery geography also includes areas within the patrol jurisdiction of the campus police or the campus security department.

On-campus

- Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and
- Any building or property that is within or reasonably contiguous to paragraph (1) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

On-campus Student Housing Facility

- Any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus.

Public Property

- All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

Crime Classification	Geographic Location						
	Year	On Campus Student Housing	On Campus Non-Student Housing	Non-Campus	Public Property	Total	Unfounded
Murder/Non Negligent Manslaughter	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Manslaughter by Negligence	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Rape	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Fondling	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Incest	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Statutory Rape	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Robbery	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Aggravated Assault	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Burglary	2022	0	0	0	0	0	0
	2021	0	0	0	0	0	0
	2020	0	0	0	0	0	0
Motor Vehicle Theft	2022	0	0	0	0	0	0
	2021	0	0	0	1	0	0
	2020	0	0	0	0	0	0