

Annual Security and Fire & Safety Report 2024

Prepared for Burbank Campus
Published October 1, 2025

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 and Human Resources. 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 Personnel 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 system. Further, the ASR undergoes a review by a member of the President's Cabinet, along with the Title IX Coordinator and the Vice President of Finance and Administration (VPFA) to ensure any updates to internal policy are reflected.

The Title IX Coordinator 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 Title IX Office:

Woodbury University – Human Resources & Title IX
7500 N Glenoaks Blvd. Burbank, CA 91504-1052
Tel: (818) 252-5110
Email: hr@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.

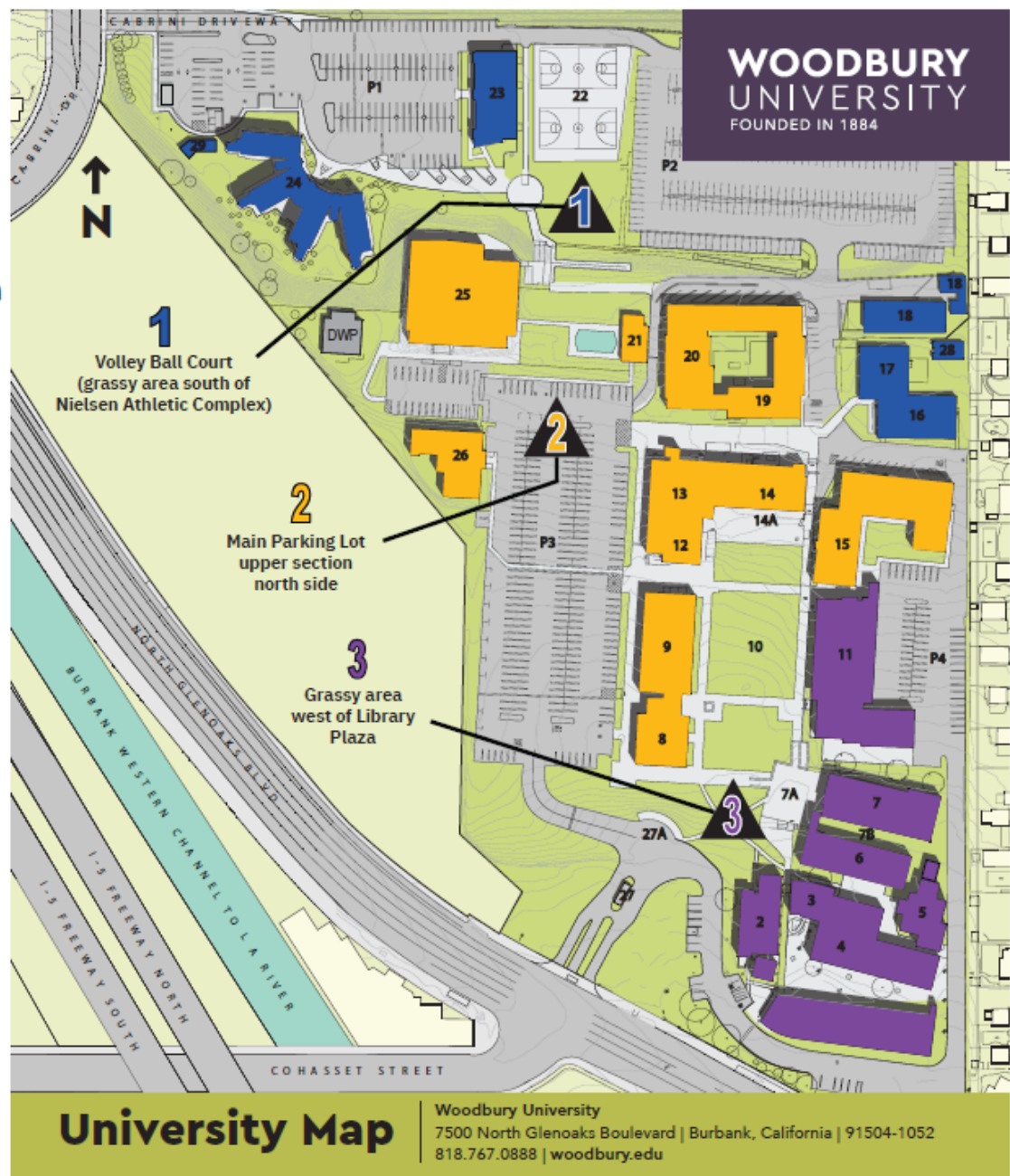
For the first 103 years, the University occupied various locations in central Los Angeles, moving whenever necessary to accommodate the growth of its student body. In 1931, the Division of Professional Arts was established to focus on the fields of design that are closely allied with business. Woodbury then became a college of business administration and design. In 1937, despite a worldwide recession, legendary President R. H. "Pop" Whitten led the effort to build new facilities at 1027 Wilshire Boulevard. For fifty years, this location served as the University's campus and saw the return of World War II and Korean War veterans, and thousands of other students who were the first in their families to attend college.

In 1969, Woodbury introduced a graduate program leading to a Master's degree in Business Administration (MBA). In 1972, Woodbury became a non-profit institution of higher education, and

in 1974, Woodbury College became Woodbury University and began its initial efforts to raise money from friends and alumni. In 1982, Computer Information Systems was added as a major, followed by Architecture in 1984. In 1985, under the leadership of then-president Dr. Wayne Miller, the University acquired its current location, a 22.4-acre campus in Burbank/Los Angeles. Classes began at these new facilities in October 1987, on the same day that the Whittier earthquake shook much of Southern California. The Burbank campus currently enrolls under 1000 students in four schools: the School of Architecture, the School of Business, the School of Media, Culture & Design, and the College of Liberal Arts and Sciences.

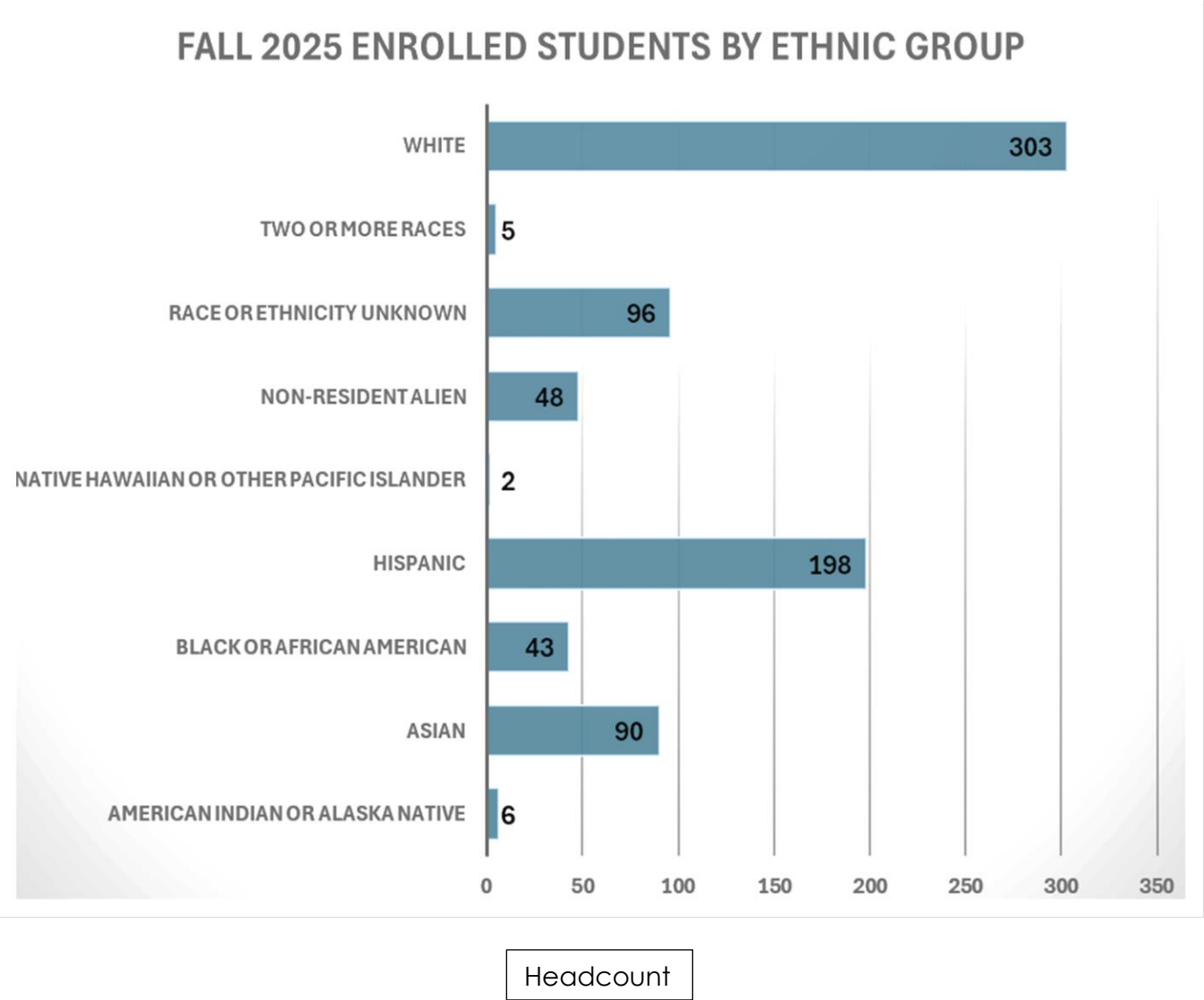
Approximately 50 full-time faculty and more than 120 adjunct faculty members constitute the group of dedicated educators who embody Woodbury University's academic mission through their intellectual pursuits, scholarly inquiries, creative works, and professional expertise. Their academic endeavors—specifically instruction and curriculum design—along with their professional practices in their respective fields, shape the educational experiences of the University's students.

Evacuation Assembly Areas



Academic Affairs.....	8	Design Center.....	25	Library Plaza.....	7A	Security.....	17
Admissions.....	9	Entertainment Media.....	23	Lynn Saffell Board Room.....	8	School of Architecture Offices.....	15
Advancement.....	11	Enkeboll Courtyard.....	7B	Malburg Atrium.....	11	School of Architecture Storage.....	28
Ahmanson Main Space.....	1	Faculty Center.....	15	Main Gate Drop-off/Pick-up.....	27A	School of Business Offices.....	11
Alumni Quad.....	10	Financial Aid.....	9	Miller Hall.....	9	School of Media, Culture	
Architecture Building.....	4	First Aid Station.....	17	Naidorf Building.....	2	& Design Offices.....	15
Architecture Lab.....	3	Fletcher Jones Foundation		Nan Rae Gallery.....	12	Shop & Physics Building.....	5
ASWU Offices/Pool House.....	21	Auditorium.....	11	Nielsen Athletic Complex.....	22	Solar Decathlon House.....	29
Annex.....	26	Hensel Hall.....	8	Nielsen Conference Room.....	15	South Hall.....	20
Bowman Conference Room.....	11	Human Resources.....	8	North Hall.....	24	Student Affairs.....	16
Business Building.....	11	Information Booth.....	27	Office of the President.....	8	Student Lounge.....	19
Business Office.....	9	Information Technology.....	9	Parking.....	P1-P5	Wedge Gallery.....	3
Cabrini Hall.....	13	Julius Shulman Building.....	1	Physical Plant Operations.....	18	Whitten Hall.....	16
Central Services.....	17	Kirkendall Conference Room.....	15	Powell Gallery.....	25	Woodshop & Quonset Hut.....	5
College of Liberal Arts Offices.....	15	Los Angeles Times Library.....	7	Radio Station.....	26	Woody's Cafe.....	14
Counseling Services.....	16	Library Annex.....	6	Registrar.....	9	Writing Center.....	16

For 141 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 303 White, non-Hispanic students, 198 Hispanic students, 90 Asian students, and 43 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 University does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX law and regulations, including in admission and employment.

Inquiries about Title IX may be referred to the University's Title IX Coordinator, the U.S. Department of Education's Office for Civil Rights, or both. The University's Title IX Coordinator is Naira Zakarian, and she may be reached at 818-252-5110, naira.zakarian@woodbury.edu. Mrs. Zakarian's office is on the first floor of the Hensel Hall, Room 102. The mailing address for Title IX is 7500 N. Glenoaks Blvd, Burbank, CA 91504-1052.

The University's nondiscrimination policy and grievance procedures are located in the policy below.

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.

<https://woodbury.edu/policies-disclosures>.

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 open 24 hours a day, 7 days a week, 365 days per year and security officers are contracted through Securitas USA. The department also employs a full time Woodbury personnel to lead the Campus Safety; VPFA.

Security responds to, investigates, and documents known dangerous incidents or those that may cause a significant emergency. To facilitate this, the VPFA, 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 Los Angeles Police Department and the Los Angeles Fire Department 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 VPFA or Title IX Coordinator. Typically, the VPFA initiates notification with the IT Team 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 nonsworn and thus do not possess arrest authority. The geographical jurisdictions for Securitas Security personnel are limited to the core campus area. Any criminal incidents will be referred to the Los Angeles Police Department or local law enforcement agencies that have jurisdiction to campus.

Campus Security maintains a highly professional working relationship with the Foothill Division of the Los Angeles Police Department. LAPD currently operates cooperatively under long-standing protocols and procedures. Woodbury is in discussion with the LAPD with respect to the terms of a comprehensive MOU. Criminal offenses are investigated by the LAPD. The prosecution of criminal offenses, both misdemeanors and felonies, occur at the Los Angeles Superior Court or the United States District Court, Central District of California (federal law). 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

LAPD Foothill Division
12760 Osborne Street
Pacoima, CA 91331
818 756-8861

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. The police also help to maintain a safer campus by providing extra campus patrols for special events that attract large crowds. Additionally, Campus Security relies on close working relationships with LAPD Foothill 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 Los Angeles Police Department or online at <https://www.meganslaw.ca.gov/Disclaimer>.

Reporting a Crime or Other Emergency

Woodbury University encourages the reporting of crime as soon as possible to campus security and/or the Los Angeles Police Department Foothill 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 (818) 252-5208 on the Burbank campus. Contact information for additional resources is outlined in the "Phone Numbers and Resources" section of this document.

Further information on how to report a crime can be found online by visiting <https://woodbury.edu/student-life/living/safety-security/>

Phone Numbers and Resources

Burbank Campus Security – 24 Hours	(818) 252-5208
Facilities	(818) 252-5171
Student Affairs (Main Number)	(818) 252-5232
Counseling Services	(909) 748-8108
Resident Advisor on Duty	(818) 303-6387
Associate Dean of Students	(818) 252-5252
Human Resources	(818) 252-5108
Woodbury University General Information	(818) 767-0888
Los Angeles Police Department-Foothill Division	(818) 756-8861
Crisis Counseling Line – 24 Hours	(909) 748-8960
Title IX Coordinator	(818) 252-5110
Office of the President	(818) 252-5101

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.

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Public or commercial access to any campus location must be cleared in advance with the appropriate campus official. Campus Parking on Woodbury's campus is restricted and controlled 24 hours a day.

All Woodbury community members are required to have a Woodbury University Identification card, which serves as the official university ID card. The ID shall 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 to identify you as a member of the Woodbury Community. Replacement ID cards can be obtained by emailing HelpDeskCampusSecurity@Woodbury.Edu. To view the Woodbury ID policy in its entirety, please refer to the Woodbury ID Policy located in the Woodbury University Student Handbook.

Burbank Campus

The Burbank campus has two primary entrances—one on Glenoaks Blvd. and one on Cabrini Drive. The Cabrini gate is usually open only for delivery services. The main entrance is open 24 hours a day, seven days a week and is staffed by a security officer.

Further, residential facilities are locked at all times and only accessible by door access keycards issued to residential students by the Security Office and Student Affairs. Specific occupancy/guest rules for the residence halls can be found in the Residence Hall Community Living Standards section of the Woodbury University Student Handbook. Keeping the residence halls on card access helps ensure that only permitted students and their approved guests are entering. Security and Resident Advisors also conduct patrols inside to ensure only authorized personnel is inside and that there are no active security issues. All exterior doors are also equipped with door prop alarms so that after a short period of time, an alarm sounds off, ensuring the door prop is detected and then shut. Interior or dorm room doors are operated by a physical key that only students in their dorm room can access. The physical keys have "Duplication Prohibited" engraved. Woodbury housing conducts key audits at the end of each semester, ensuring keys are not lost. When a key is detected as missing, the maintenance department is notified to re-key the affected doors.

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 Securitas USA, a private security company which serves the Burbank 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 residence halls. Through the 24/7 security presence, 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 VPFA oversees security, which reports to the President.

Campus Security works closely with 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. Escalation of communication from Campus Safety Personnel to Buildings & Grounds falls into two categories. Should Security detect any issues that are concerning or problematic but do not pose an immediate threat to anyone's safety are documented through maintenance requests that are collected at the start of each day. 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 Los Angeles Police Department Foothill 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 Los Angeles 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. Further, Woodbury does not have any non-campus locations of officially recognized student organizations.

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 VPFA 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 VPFA, with the IT team 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 or planned drill via Emergency Response Guidebook. Additionally, evacuation maps are posted in each campus building, and an evacuation drill is held during the fall semester. Evacuation drills are scheduled during class instruction so that most community members may participate. The Campus Safety or designee will notify the community via email of the date & time frame of the planned drill. Follow-through activities include an email to the campus community providing successes & process improvements. Further, emergency tips are also included so that the community can be better prepared for having to evacuate the campus. Health & Safety checks are also performed on the residence halls. These checks help provide specific feedback to students relating to their room. Feedback includes but is not limited to: proper wall mounting, ensuring clear paths, an inspection of approved appliances, etc.

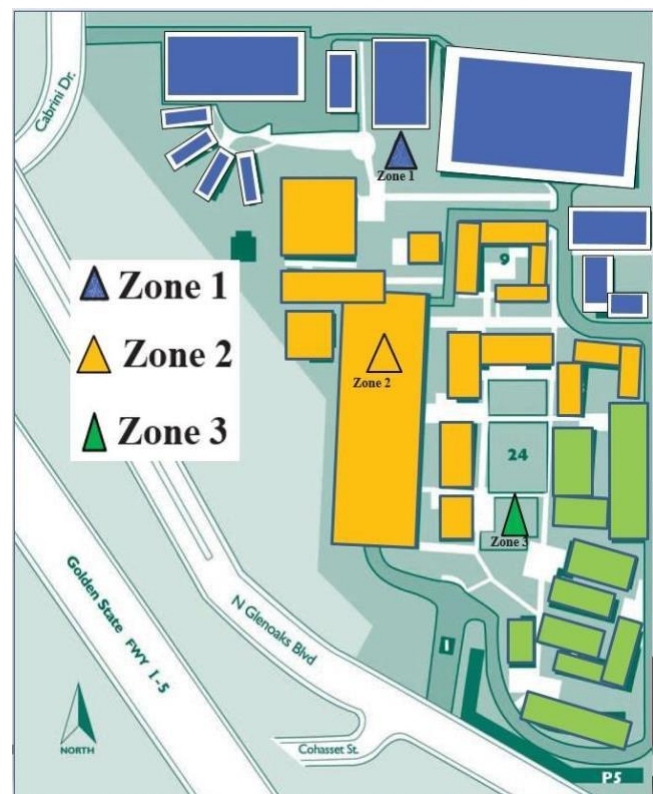
The Burbank campus has three primary evacuation zones—one for the north part of campus, one for the central part of campus, and one for the south part of campus.

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.

Emergency Drills

The Burbank campus has three primary evacuation zones—one for the north part of campus, one for the central part of campus, and one for the south part of campus.

To view the Burbank Campus Evacuation Policy in full, visit: <https://woodbury.edu/student-life/living/safety-security/>



Policy Prohibiting Discrimination, Harassment, Sexual Misconduct, and Retaliation (Title IX)

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.

Scope of Policy

This Woodbury University ("University") policy applies to **all** faculty, staff, students, student employees, contractors, vendors, volunteers, and visitors to any University campus, facility, and/or property and to University-sponsored activities and events, whether or not on University premises.

This Policy includes definitions, resources, complaint procedures and processes for:

- All Equity Matters, including non-Title IX sex-based harassment, discrimination and related retaliation.
- Title IX Sexual Harassment or discrimination, which are specific legal definitions. (Allegations of Title IX Sexual Harassment are processed under specific complaint procedures in Section VIII of this Policy as required by federal law.)

This Policy covers acts of discrimination, harassment, sexual harassment (quid pro quo harassment by a University employee, unwelcome conduct, sexual assault, and other forms of sexual misconduct), and retaliation as defined by the policy (collectively "Prohibited Conduct"). It outlines the process to report Prohibited Conduct. It includes information on making a report, supportive measures available, and the procedures available for resolving, including alternative resolution or investigation and decision-making procedures.

The University can only act to remedy and prevent specific acts of discrimination, harassment, or retaliation from reoccurring if it is made aware of such conduct. As such, all employees (excluding those who have been designated as confidential) are required to report potential violations of this Policy that they know or reasonably should know about.

Additional information and resources are available at <https://woodbury.edu/policies-disclosures/>.

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 <https://www.peaceoverviolence.org> for comprehensive information regarding what to do, where to get support, and legal options including filing a report with law enforcement. The University's Title IX Coordinator, listed below, is 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 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

With two exceptions, the University requires all University employees (faculty, staff, student employees, and administrators) to report any discrimination, harassment, or retaliation that they witness or have a reasonable basis to suspect. The reports should be made to the Title IX Coordinator, whose name, biographical information, and contact information is on the University's Title IX webpage, located at <https://woodbury.edu/policies-disclosures/>. The Office of Human Resources and Title IX is on the first floor of Hensel Hall, Room 102 The Title IX Coordinator also can be reached by email (naira.zakarian@woodbury.edu) or by phone (818-252-5110).

This reporting obligation also applies to University contractors or volunteers who are responsible for the welfare of students. The University endeavors to state this commitment for contractors in written agreements where it applies. Students are strongly encouraged to report discrimination, harassment, or retaliation, even though they are not required to do so, (unless the student is required within their role as a student-employee). Without robust student participation and engagement, the University's commitment to equality is more difficult to fulfill.

A Confidential Employee shall inform each individual who reports information regarding Prohibited Conduct of the individual's ability to report to a Responsible Employee or the Title IX Coordinator and direct the individual to those specific reporting resources.

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.

Office for Civil Rights (OCR): California	Office for Civil Rights (OCR): U.S. Department of Education
U.S. Department of Education San Francisco Office 50 Beale Street, Suite 7200 San Francisco, CA 94105-1813 Telephone: (415) 486-5555 Facsimile: (415) 486-5570 Email: OCR.SanFrancisco@ed.gov	U.S. Department of Education 400 Maryland Avenue, SW Washington, DC 20202-1100 Customer Service Hotline #: (800) 421-3481 Facsimile: (202) 453-6012 TDD#: (877) 521-2172 Email: OCR@ed.gov Web: http://www.ed.gov/ocr
Equal Employment Opportunity Commission (EEOC) (Employment Concerns)	Department of Fair Employment and Housing (DFEH) (Employment Concerns)
Los Angeles District Office Roybal Federal Building 255 East Temple Street, 4 th Floor Los Angeles, CA 90012 Telephone: (800) 669-4000 Facsimile: (213) 894-1118 Web: www.eeoc.gov	Los Angeles District Office 320 West 4 th Street, 10 th Floor Los Angeles, CA 90013 Telephone: (800) 884-1684 Email: contact.center@dfeh.ca.gov Web: www.dfeh.ca.gov

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 at [timelycare.com/woodbury](https://www.timelycare.com/woodbury).

Faculty and staff seeking confidential support may contact Employee Assistance Program at (866) 799-2728 or by visiting www.healthadvocate.com/redlands or by Email: answers@HealthAdvocate.com. Additionally, any individual may contact 24- hour off-campus rape crisis counselors at (626) 793-3385.

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 Clery Act training and understand to report 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

Discrimination

"Discrimination" involves an adverse action, impact, or decision against, or harassing treatment of, a person or class of persons because of, or because of a perception of, a Protected Characteristic or because of perceived or actual affiliation/association with other individuals based on a Protected Characteristic. Adverse actions include, but are not limited to: denying raises, benefits, promotions, or leadership opportunities; demoting, disciplining, or terminating a person's employment; interfering with the use of University facilities or services; or denying access to an educational program. "Discrimination" under this Policy does not include all unfair or inappropriate behavior, only those behaviors that take place because of a protected characteristic and cause an adverse action. The requirement not to discriminate on the basis of sex in the University's education programs and activities extends to admissions and employment.

Non-Sexual Harassment in Educational Programs and Activities

Harassment in educational programs and activities means any unwelcome behavior (physical, verbal, graphic, or written) based on a Protected Characteristic (other than sex) that, based on the totality of the circumstances, is subjectively and objectively offensive and is sufficiently severe, pervasive or persistent that it denies or limits the ability of an individual to participate in or benefit from the services, activities or privileges provided by the University. A person can commit harassment without intending to create these outcomes.

In evaluating the severity, persistence, or pervasiveness of the conduct, the University considers whether the target(s) of the conduct, as well as an objectively reasonable person considering the conduct from the perspective of the target(s), would find the conduct to be severe, persistent, or pervasive. Relevant factors for consideration may include, but are not limited to, the context, nature, scope, frequency, duration, and location of the harassment based on the Protected Characteristic, as well as the identity, number, age, and relationships of the persons involved. Generally, the less pervasive the harassing conduct, the more severe it must be to establish a hostile environment. In some instances, a single act may be sufficiently severe as to be prohibited by this Policy.

Non-Sexual Harassment in Employment (Hostile Work Environment)

Harassment in employment means any unwelcome behavior from a co-worker, supervisor, manager, student or third party with whom the employee comes into contact as part of their duties that is reasonably regarded as offensive, that is based on a Protected Characteristic, and that:

- Sufficiently offends, humiliates, distresses, or intrudes upon the individual, so as to disrupt the individual's emotional tranquility in the workplace; or
- Affects the individual's ability to perform the job as usual; or
- Otherwise interferes with and undermines the individual's personal sense of well-being.

A single incident of harassing conduct may create a hostile work environment if the harassing conduct has unreasonably interfered with the employee's work performance or created an intimidating, hostile, or offensive work environment. Whether or not the person meant to give offense or believed their comments or conduct were welcome is not significant. Rather, the policy is violated when other individuals, whether recipients or mere observers, are actually offended by

comments or conduct based on any protected category and the conduct is considered offensive by a reasonable person. Examples of conduct based on a Protected Characteristic that may constitute harassing conduct may include, but are not limited to:

- Making gestures, threats, derogatory comments, or slurs that may be reasonably regarded as offensive to individuals in a particular group;
- Bullying behavior that is threatening, intimidating, verbally abusive or results in other disruptive actions in the workplace; or
- Displaying derogatory objects, photographs, cartoons, calendars, or posters.

Non-Title IX Sexual Harassment and Sexual Violence in Educational Activities

In addition to sex-based harassment prohibited by Title IX, the University also prohibits sexually harassing conduct prohibited by the California Education Code. If the conduct falls under the definition and jurisdiction of Title IX Sex-based Harassment, it will also be processed under that definition. In either case, the Title IX Coordinator shall assess each report of alleged Prohibited Conduct and provide outreach, as appropriate, to each identifiable student who is alleged to be the victim of reported Prohibited Conduct.

- Non-Title IX Sexual Violence in Education, defined as physical sexual acts perpetrated against a person without the person's affirmative consent. Physical sexual acts include both of the following:
 - Rape, defined as penetration, no matter how slight, of the vagina or anus with any part or object, or oral copulation of a sex organ by another person, without the affirmative consent of the victim;
 - Sexual battery, defined as the intentional touching of another person's intimate parts without affirmative consent, intentionally causing a person to touch the intimate parts of another without consent, or using a person's own intimate part to intentionally touch another person's body without consent.
- Sexual Exploitation, defined as a person taking sexual advantage of another person for the benefit of anyone other than that person without that person's consent, including, but not limited to, any of the following acts:
 - the prostituting of another person;
 - the trafficking of another person, defined as the inducement of a person to perform a commercial sex act, or labor or services, through force, fraud, or coercion;
 - the recording of images, including video or photograph, or audio or the creation through artificial intelligence or other means of another person's sexual activity or intimate parts, if the individual distributing the images or audio knows or should have known that the person depicted in the images or audio did not consent to the disclosure;

- the viewing of another person's sexual activity or intimate parts, in a place where that other person would have a reasonable expectation of privacy, without that person's consent, for the purpose of arousing or gratifying sexual desire.

Non-Title IX Sexual Harassment in Employment

Sexual Harassment in Employment is a particular type of harassment under Title VII and California law. Certain types of sexual harassment may also be addressed by Title IX Sexual Harassment. Sexual Harassment in Employment can include unwelcome sexual advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when submission to such conduct meets the definition of harassment as stated above (Hostile Work Environment; Part III.C).

Examples of conduct that may constitute prohibited Sexual Harassment in Employment may include but are not limited to:

- Unwanted physical touching;
- Telling sexually explicit jokes or stories;
- Making comments or gestures reasonably regarded as lewd or offensive;
- Displaying sexually suggestive objects, cartoons, or pictures;
- Sending sexually explicit messages by letter, notes, electronic mail, social media posting, or telephone;
- Making unwelcome comments reasonably regarded as offensive about a person's body, physical appearance, or clothing;
- Frequent use of unwelcome terms of endearment;
- Repeatedly asking an individual for a date or meetings outside of working hours after they have indicated an unwillingness to go; or
- Sexual Exploitation, as defined in Sexual Harassment in Education.

Title IX And California Law (Education Code and Fair Employment and Housing Act) Sex-Based Harassment

Sex-based harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, as defined by Title IX and applicable state law, including harassment on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

Under this Policy, prohibited Sex-based Harassment includes the following conduct:

- **Quid Pro Quo Harassment.** Quid pro quo harassment occurs when someone from or in the work or educational setting, including an employee, agent, or other person authorized by the recipient to provide an aid, benefit, or service under the recipient's education program or activity explicitly or implicitly actually attempts to or purports to provide and condition an aid, benefit, or service under the recipient's University education program or activity on an individual's participation in unwelcome sexual conduct, which includes but is not limited to, unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, including under any of the following conditions:

- Submission to the conduct is explicitly or implicitly made a term or a condition of an individual's employment, academic status, or progress;
- Submission to, or rejection of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual; 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 at or through the educational institution.
- Sex-Based Hostile Environment Harassment in Programs and Activities. Sex-based Hostile environment harassment in Programs and Activities is defined as:
 - Unwelcome sex-based conduct (where sex includes sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity) that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the University's education program or activity (i.e. creates a hostile environment); or
 - Unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made by someone from or in the work or educational setting where 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 or educational environment.

Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:

- The degree to which the conduct affected the individual's ability to access the University's education program or activity;
- The type, frequency, and duration of the conduct;
- The parties' ages, roles within the University's education program or activity, previous interactions, and other factors about a party that may be relevant to evaluating the effects of the conduct;
- The location of the conduct and the context in which the conduct occurred; and
- Other sex-based harassment in the University's education program or activity.

Harassment involving a University student or employee outside of these conditions may be dealt with pursuant to the University's other definitions of prohibited sex-based harassment.

Title IX Sexual Assault

Sexual Assault is any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. Affirmative Consent is required. For the purpose of these definitions, a Sexual Act is defined as conduct between persons consisting of:

- Contact between the penis and the vulva, or between penises and vulvas;
- Contact between the penis and the anus;
- Contact between the mouth and the penis;
- Contact between the mouth and the vulva;
- Contact between the mouth and anus;
- Contact between anuses; or,
- Contact involving any of the above or the buttocks or breasts.

Private body parts include all of the body parts specified above, including genitals, groin area, breasts, and buttocks.

Sexual Assault includes:

- Rape. A "rape" is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the affirmative consent of the victim. Prohibited Conduct includes attempted rape.
- Fondling. A "fondling" is defined as the touching of the private parts of another person for the purpose of sexual gratification, without the affirmative consent of the victim, including instances where the victim is incapable of giving consent because of the victim's age or because of the victim's temporary or permanent mental incapacity.
- Incest. "Incest" is defined as sexual intercourse between persons who are related to each other within degrees wherein marriage is prohibited by law.
- Statutory Rape. "Statutory rape" is defined as sexual intercourse with a person who is under the statutory age of consent. In California, the statutory age of consent is eighteen (18). In California, there is no close-in-age exception.
- Dating Violence. "Dating Violence" is violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship is determined by consideration of the totality of the circumstances including length and type of relationship and the frequency of interaction between the persons involved in the relationship. "Violence" means physical conduct that intentionally or recklessly threatens the health and safety of the recipient of the behavior, including assault. "Violence" can include patterns of abusive behavior that may consist of or include non-physical tactics (such as threats, isolation, property destruction, abuse of pets, economic control, displaying weapons, degradation, or exploitation of a power imbalance).
- Domestic Violence. "Domestic Violence" is abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. Under California law, "cohabitant" means two unrelated adult persons living together for a

substantial period of time, resulting in some permanency of relationship. Domestic violence includes physical battery and bodily injury, as well as threats of injury.

Conduct by a party in defense of self or another is not Dating or Domestic Violence under this Policy. If either party asserts that they acted in defense of self or another, the Title IX decision-makers will use all available, relevant evidence to evaluate the assertion, including reasonableness of the defensive actions and which party is the predominant aggressor.

- Stalking. "Stalking" is engaging in a course of conduct based on sex directed at a specific person that would cause a reasonable person to fear for their safety or the safety of others, or to suffer substantial emotional distress. Stalking conduct can include willfully, maliciously, or repeatedly following or harassing a person, even if the accused does not intend harm.

Retaliation and Other Prohibited Conduct

"Retaliation" is adverse action taken against an individual because that individual has, in good faith, with respect to Prohibited Conduct under this Policy: (1) personally complained of, or opposed, actual or perceived discrimination, harassment, or retaliation; (2) testified, assisted, or participated in (or refused to participate in) an investigation, proceeding, hearing, or legal action involving a claim of discrimination, harassment, or retaliation; or (3) exercised legal rights under a relevant statute, regulation, or policy that involves a Protected Characteristic. "Retaliation" also includes adverse actions or threats or other actions that are intended to, or would, dissuade a reasonable person from engaging in the above-protected activities, including indirectly encouraging retaliation on one's behalf. Adverse action does not include perceived or petty slights, or trivial annoyances.

In addition to the actions prohibited above, retaliation includes intimidation, threats, coercion, violence or discrimination against any individual for the purpose of interfering with any right established by this Policy or because the individual has made a report or complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under this Policy.

The exercise of rights protected under the First Amendment does not constitute retaliation prohibited under this section.

Charging an individual with a code of conduct violation for making a materially false statement in bad faith in the course of a proceeding under this Policy does not constitute retaliation prohibited under of this section, provided, however, that a determination regarding responsibility, alone, is not sufficient to conclude that any party made a materially false statement in bad faith.

Other Conduct Prohibited by the Violence Against Women Act and the Clery Act

The University also prohibits sexual assault, dating violence, domestic violence and stalking as required by law. If reported conduct does not fall within the scope of this Policy, the University reserves the right to address this conduct under the equity procedures of this Policy, using the same definitions of Prohibited Conduct as the Title IX definitions. In these cases, as required by the Violence Against Women Act, the parties shall be entitled to have an advisor of choice at any meetings or proceedings and to receive simultaneous notice of the outcome and results and the available appeal procedures. The University's victim's resource packet is available from the Title IX Coordinator.

Definitions of Terms Referenced in Policy

The following definitions are intended to provide a better understanding of the meaning of certain terms as used within this Policy:

- Affirmative Consent. For “affirmative consent” to be present, the following characteristics must be met:

- Consent can be communicated by word or action;
- Consent must be mutually understandable;
- Consent must be informed, knowing, voluntary, and freely and actively given.

Consent must be obtained for every sexual activity and at each escalation in the level of sexual activity (e.g., consent to kissing is not consent to fondling; consent to fondling is not consent to intercourse).

Consent cannot result from force, threat, intimidation, duress, manipulation, or coercion. Consent cannot be given by minors, mentally disabled individuals, or individuals who are mentally or physically incapacitated (such as by alcohol or other drugs); see “Incapacitation” definition, below. Consent to one form of sexual activity does not imply consent to other forms of sexual activity. Consent at one time does not imply affirmative consent to another time (e.g., consent to intercourse last night is not consent to intercourse tonight). The existence of a dating relationship or the fact of a past sexual relationship should never, by itself, be assumed to be an indicator of consent. Consent can be withdrawn at any time before or during sexual activity by expressing in words or actions that an individual no longer wants the act(s) to continue. When consent is withdrawn, the other person must stop the act(s) immediately. Lack of protest or resistance does not mean consent, nor does silence mean consent.

Because individuals may experience a particular interaction in different ways, it is the responsibility of each party to make certain that the other has consented before engaging in the activity and throughout the duration of the activity.

The Respondent’s belief that the Complainant affirmatively consented to the sexual activity is not a valid defense unless the Respondent actually had that belief and that belief was reasonable. Consent is not a valid defense if the Respondent knew or reasonably should have known that the Complainant was unable to consent to the sexual activity under any of the following circumstances:

- The Complainant was asleep or unconscious;
- The Complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the Complainant could not understand the fact, nature, or extent of the sexual activity;
- The Complainant was unable to communicate due to a mental or physical condition.

In addition, it shall not be a valid defense to an alleged lack of affirmative consent that the Respondent believed that the Complainant consented to the sexual activity under either of the following circumstances:

- The Respondent’s belief in affirmative consent arose from the intoxication or recklessness of the Respondent;

- The Respondent did not take reasonable steps, in the circumstances known to the Respondent at the time, to ascertain whether the Complainant affirmatively consented.
- Incapacitation. "Incapacitation" exists when an individual lacks the physical or mental ability to make informed, rational judgments (e.g., to understand the "who, what, when, where, why, or how" of their sexual interactions), and thus cannot give affirmative consent to sexual activity. Incapacitation may be temporary or permanent and may result from mental disability as well as states including, but not limited to: sleep, unconsciousness, disorientation, helplessness, blackouts, etc. Incapacitation may also occur in persons who appear to be functional or coherent but still may not be able to make rational decisions or give affirmative consent. The impact of consuming alcohol or drugs will vary from person to person and being intoxicated is not the same thing as being incapacitated (although intoxication can lead to incapacitation). Evaluating incapacitation due to the use of substances requires an assessment of each individual. Warning signs that a person may be approaching incapacitation may include, but are not limited to: slurred speech, lack of balance, loss of dexterity/coordination, decreased alertness/confusion, vomiting, combativeness, and emotional instability. If, under the circumstances, it was reasonable for a Respondent to rely on another person's capacity to consent, and if affirmative consent is actually provided, there will not be a finding of incapacitation. Because incapacitation may be difficult to discern, individuals are strongly encouraged to err on the side of caution; when in doubt, assume the other person is incapacitated and therefore unable to give affirmative consent.
- Complainant. A Complainant is any individual, including a University student or employee (including applicants for employment, student-employees, unpaid interns, volunteers, contractors), or a participant in the University's education program and activities who has reported being, or is alleged to be, impacted by Prohibited Conduct as defined by this Policy, and who was employed, enrolled, or participating or attempting to participate in a program or activity offered by the University at the time of the alleged misconduct.
- Respondent. A Respondent is an individual, or individuals, who are subject to the University's disciplinary authority, and who has been reported to have engaged in conduct that could constitute Prohibited Conduct, as defined by this Policy. In some situations, an individual does not have to be enrolled or employed by the University to qualify as a Respondent under this Policy and may be a third-party participant against whom the University has the ability to take corrective action.
- Reporter. A "Reporter" is an individual who makes a report of a violation (or potential violation) of this Policy. A Reporter may or may not be a Complainant.
- Advisor. An "Advisor" is any person chosen by a Complainant or Respondent to assist the party in navigating the procedures called for in this Policy. Commonly, an Advisor is a professor or other University employee, a parent/relative, a friend, or an attorney. Any costs for an Advisor (e.g., an attorney's fee or travel for a member of the family) are at the Complainant's or Respondent's own expense. Advisors do not directly participate in proceedings under this Policy but provide emotional support and behind-the-scenes guidance.

- **Support Person.** A support person may accompany the parties to meetings and hearings but may not actively participate in the process. An individual who has a conflict of interest cannot simultaneously serve as a Support Person. For example, a friend who is a witness in a matter cannot serve as a Support Person for that matter.

Reporting a Concern Under This Policy & Supportive Measures

Making a Report

The University can only act to remedy and prevent specific acts of Prohibited Conduct from reoccurring if it is made aware of such conduct. Reports also give the University the opportunity to ensure that appropriate Supportive Measures are offered, consistent with the legal parameters for Supportive Measures. For these reasons, the University requires its employees to report conduct prohibited by this Policy that they know or should have reason to know about to the Title IX Coordinator. It is for these reasons as well that the University strongly encourages student reports. Reports should contain the name(s) of the reporter, the Complainant, and the Respondent, a concise statement of the Prohibited Conduct, a detailed statement of the facts supporting the report, and the names of any witness(es). A Complainant may make an anonymous report. It is helpful, but not required, for reports to be made in writing. No matter who is reporting, prompt reporting is strongly encouraged. The earlier the University knows about alleged Sexual Harassment, and the more the University knows about the alleged participants, the more effective the University's investigation and response is likely to be.

A student who participates as a Complainant or witness in a proceeding under this Policy will not be subject to disciplinary sanctions for a violation of the University's Community Standards Policy at or near the time of the incident, unless the University determines that the violation was egregious, including, but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic dishonesty.

Please note: Some behaviors that violate the University's policy may also be criminal. A report to the University is not the same as a complaint to a law enforcement agency. The University can assist individuals in reporting to appropriate law enforcement agencies should the individual choose to file a criminal complaint. Individuals also are free to contact outside law enforcement agencies directly.

Supportive Measures

Supportive measures mean non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent before or after the filing of a Complaint or where no Complaint has been filed. Such measures are designed to provide support during the resolution procedures under this Policy, including: during an alternative resolution process; to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party; and including measures designed to protect the safety of all parties or the recipient's educational or working environment, or deter prohibited behavior.

Upon notice of an allegation of Prohibited Conduct, the Title IX Coordinator, or designee, may provide reasonable Supportive Measures. These Supportive Measures can be put in place with or without a Complaint and before a determination that the conduct in the report violates this University policy; accordingly, Supportive Measures are not to be viewed as punitive or a negative finding against any particular party and may be offered, as appropriate, to either party.

Supportive Measures will also be offered to Respondents when they are notified of the allegations. Any Supportive Measures put in place will be kept confidential, except when doing so impairs the ability of the University to provide the Supportive Measures.

The Title IX Coordinator, or designee, will maintain communication with the parties to ensure that

concerns about safety or emotional and physical wellbeing are being addressed. Depending on the circumstances, supportive measures could include measures from this non-exhaustive list:

- Access to counseling services and assistance in setting up the initial appointment;
- Access to medical services;
- Imposition of a University "No Contact Order" (in accordance with the requirements of Title IX and the California Education Code, depending on the nature of the conduct);
- Rescheduling of exams and assignments;
- Alternative course completion options;
- Campus escort services;
- Leave of absence;
- Increased security and monitoring in certain areas of the campus;
- Change of class or section, or ability to drop the course without penalty;
- Change of work schedule or job assignment;
- Change in student housing assignment;
- Assistance in completing residence relocation;
- Limiting an individual's access to University property, facilities, or activities;
- Change of office space;
- Emergency Removal and Administrative Leave.

When a report of Prohibited Conduct reveals a potential ongoing risk of harm to the safety of an individual or members of the campus community, the University may remove a Respondent from its education programs and activities on an emergency basis. This means that, pending the outcome of the Complaint, campus access may be limited or completely restricted. Emergency removal for Title IX Sex-Based Harassment will be an option only after an individualized safety and risk assessment is made and it will be structured (e.g., for a Respondent employee, paid vs. unpaid) as the University deems appropriate. When an emergency removal is imposed, the University will provide written notice to the Respondent, allow for an opportunity to challenge the decision immediately following the removal and will make reasonable efforts to complete the investigation in an expedited manner.¹ Nothing in this section alters the University's ability to place an employee on administrative leave.

¹ An interim suspension or leave decision can be immediately appealed in writing within two (2) business days of the decision as follows: students may appeal to the University Dean of Student Affairs; faculty may appeal to the Provost; non-faculty employees may appeal to the Vice President for Finance and Administration. The Director of Equity & Title IX Coordinator shall be included on the submission and shall provide the Complainant with a copy of the decision. The Complainant shall have two (2) business days from receiving the appeal to provide a submission, but they are not required to do so. Unless unusual or complex circumstances exist, a written decision on interim suspension shall be issued within two (2) business days of the submission from the Complainant.

All individuals are encouraged to report failures of an individual to abide by the direction(s) put in place by a supportive measure. The University will take prompt and responsive action to enforce a previously implemented measure. Any Party's non-compliance with the parameters of Supportive Measures, such as no contact orders, may be referred by the Title IX Coordinator to the appropriate department for review and investigation as to whether the alleged conduct violates the University's applicable policies. Violations may result in sanctions or discipline.

Challenges to Supportive Measures

A Party may challenge, in writing, the Title IX Coordinator's decision to provide, deny, modify, or terminate Supportive Measures when such measures are applicable to them. An impartial employee will be designated to consider modification or reversal of the Title IX Coordinator's decision to provide, deny, modify, or terminate Supportive Measures. The individual who authorized the Supportive Measure(s) shall not be authorized to decide any challenge to the same Support Measure(s). The impartial employee will typically respond to the challenge within two (2) business days. Information regarding the process to challenge any Supportive Measure will be provided to the Party in writing by the individual providing, denying, modifying, or terminating the Supportive Measures.

Principles Applicable to All Procedures Under this Policy

When reviewing reports of behavior prohibited by this Policy, the University shall adhere to the following procedures. Except where prohibited by applicable law, the University reserves the right to modify these procedures as needed for an efficient process toward correct outcomes, as the individual circumstances of cases dictate.

A. Implementation of These Procedures

To ensure that the procedures are implemented in a legally compliant manner, the University shall:

- Ensure that the burden of proof and the burden of gathering evidence sufficient to reach a determination regarding responsibility rest on the University and not on the parties, provided that the University cannot access, consider, disclose, or otherwise use a party's records that:
 - are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in the professional's or paraprofessional's capacity, or assisting in that capacity, and which are made and maintained in connection with the provision of treatment to the party, unless the University obtains that party's voluntary, written consent to do so; or
 - are protected under a privilege as recognized by federal or state law or evidence provided to an employee designated by the University as a confidential resource, unless the University obtains that party's voluntary, written consent to do so.
- Provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence.
- Designate investigations or hearings conducted under this Policy as confidential. All records will be afforded the confidentiality protections required by law, including but not limited to the Family Educational Rights and Privacy Act governing confidentiality of student information. This means that the University will protect the party's privacy consistent with this Policy but may disclose information to those who have a legitimate need to know and in order to process Complaints under this Policy.

- Not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence; provided that to maintain the privacy of evidence gathered as part of any resolution process, access to materials under the procedures in this Policy will be provided only by a secure method and parties and advisors are not permitted to make copies of any documents shared or make use of the documents outside of the processes described in this Policy. Parties may request to review a hard copy of materials, and the University will make that available in a supervised or monitored setting. Inappropriately sharing materials provided during this process may constitute Retaliation under this Policy.
- Provide the parties with the same opportunities to have others present during any grievance proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the Advisor of their choice, who may be an attorney only where the University is required by law to permit a party's attorney to be present. The University may establish restrictions regarding the extent to which the Advisor may be present during interviews or otherwise participate in the proceedings, as long as the restrictions apply equally to both parties. All parties have the right to consult with an attorney, at their own expense, at any stage of the process if they wish to do so, but, where permitted by law, the refusal to answer questions in order to consult with attorneys or upon the advice of counsel may be considered by the University factfinder when assessing credibility.
- Provide written notice to a party whose participation is invited or expected, of the date, time, location, participants, and purpose of all hearings, investigative interviews, or other meetings, with sufficient time for the party to prepare to participate.
- Require an objective evaluation of all relevant evidence by any decision-maker—including both inculpatory and exculpatory evidence—and require that credibility determinations may not be based on a person's status as a Complainant, Respondent, or witness.
- Require that any individual designated as a Title IX Coordinator, investigator, decisionmaker, or any person to facilitate an informal resolution process, to be appropriately trained, neutral, not have a conflict of interest or bias for or against Complainants or Respondents generally or an individual Complainant or Respondent.
- Ensure trauma-informed and impartial investigations. Require a fair, timely, and thorough fact-finding investigation that provides all parties appropriate and fair process and reaches reasonable conclusions based on the evidence collected. The University may use internal personnel or external parties in the informal resolution process or the fact-finding process, provided that they meet this requirement.
- Include a presumption that the Respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the process.
- Use the following standard of evidence to determine responsibility: the preponderance of the evidence standard. The standard of evidence shall be the same for Complaints against students as for Complaints against faculty and staff.
- Where mandated by law, not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

- Ensure that the investigation and adjudication of alleged Prohibited Conduct is not an adversarial process between the Complainant, the Respondent(s), and the witnesses. The investigation and adjudications processes are established for the University to comply with existing laws and to determine correct outcomes.
- Provide for the privacy of the individuals involved, subject to the need to disclose information to those who have a legitimate need to know.
- Allow for brief extensions of the process. The Title IX Coordinator may grant or deny requests from either party to temporarily delay the grievance process or may issue the limited extension of time frames for good cause with written notice to the Complainant and the Respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's Advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. Such requests will not be unreasonably denied by the University where the request is related to a period of examination or school closure.
- Provide periodic updates on the process to the Complainant and Respondent consistent with the timelines referenced in this Policy.
- Provide notice of a formal investigation, including the allegations and policy definitions under review. If, in the course of an investigation, the University decides to investigate allegations about the Complainant or Respondent that are not included in the initial notice of investigation, the University will provide notice of the additional allegations to the parties whose identities are known.
- Share expectations of decorum to be observed at all times in any meeting or proceeding under this Policy. These expectations are applied equally to all parties and advisors. The University has the discretion to remove, with or without prior warning, from any meeting or proceeding an involved party, witness, or Advisor who does not comply with these expectations and any other applicable University rules.
- Provide notice to the parties regarding appropriate counseling resources developed and maintained by the University for parties in misconduct matters involving sexual harassment in any form.
- Generally utilize the single investigator/adjudicator model in this Policy. The Title IX Coordinator has the discretion to appoint themselves as the investigator/adjudicator, or to appoint more than one investigator/adjudicator in appropriate cases.

B. Consolidation of Complaints

The University may consolidate Complaints as to allegations of Prohibited Conduct against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Prohibited Conduct arise out of the same facts or circumstances. If one or more of the Complaints to be consolidated is a Complaint of sex-based harassment involving a student as a party, the procedures for resolving Complaints of sex-based harassment in Section VI.C. of this Policy must be used. Where a matter involves more than one Complainant or more than one Respondent, references in this section to the singular "party," "Complainant," or "Respondent" include the plural, as applicable. Where multiple definitions of Prohibited Conduct may be implicated by the same set of facts or

circumstances, the University may bifurcate the proceedings in accordance with the requirements of the law.

Formal Complaint Procedures – Title IX Sexual Harassment

These procedures are to be used for Title IX Harassment Based on Sex, where sex is interpreted by the federal government as not including gender identity, gender expression and sexual orientation. Harassment and Discrimination based on gender identity, gender expression and sexual orientation shall be processed under Section VII of this Policy.

Title IX Harassment Based on Sex includes Quid Pro Quo Harassment, Title IX Hostile Environment Harassment, Title IX Sexual Violence, Title IX Dating Violence, Title IX Domestic Violence, and Title IX Stalking.

A. Formal Complaints

A Formal Complaint of Title IX Sexual Harassment can be initiated by either the Complainant or the Title IX Coordinator. Typically, the Title IX Coordinator will not initiate a Formal Complaint unless that is what the Complainant wants to see happen; the Title IX Coordinator reserves the right, however, to initiate a Formal Complaint whenever it is deemed necessary to protect the health and safety of members of the University community. A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information listed for the Title IX Coordinator above. A “document filed by a Complainant” means a document or electronic submission (such as by electronic mail or through an online portal provided for this purpose by the University that contains the Complainant’s physical or digital signature, or otherwise indicates that the Complainant is the person filing the Formal Complaint. Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a party. A Formal Complaint shall trigger an investigation except as specified below. The Formal Complaint should include the date(s) of the alleged incident(s), the name of the Respondent, and should describe the circumstances of the incident(s), where known. The Formal Complaint shall request an investigation. When a Formal Complaint of Title IX Sexual Harassment is initiated, the following procedures will be followed.

1. Consolidation

The University may consolidate Formal Complaints as to allegations of Title IX Sexual Harassment against more than one Respondent, or by more than one Complainant against one or more Respondents, or by one party against the other party, where the allegations of Title IX Sexual Harassment arise out of the same facts or circumstances. Where a matter involves more than one Complainant or more than one Respondent, references in this section to the singular “party,” “Complainant,” or “Respondent” include the plural, as applicable. Where multiple definitions of prohibited conduct may be implicated by the same set of facts or circumstances, the University may bifurcate the proceedings in accordance with the requirements of the law.

2. Notice of Allegations

All parties must receive a copy of the notice of allegations containing the legally required elements before the investigation begins.

B. Dismissal

The University shall investigate the allegations in a Formal Complaint, except as follows:

Mandatory Dismissal. The University shall dismiss the Formal Complaint if the conduct alleged in the Formal Complaint (1) would not constitute Title IX Harassment based on Sex as defined by this Policy, even if proved; (2) did not occur in The University 's education program or activity, or (3) did not occur against a person in the United States. This dismissal does not preclude action under section VII of this Policy or another policy or procedure of the University.

Discretionary Dismissal. The University may dismiss the Formal Complaint or any allegations therein, if at any time during the investigation or hearing: (1) a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations therein; (2) the Respondent is no longer enrolled in or employed by the University; (3) specific circumstances prevent the University from gathering evidence sufficient to reach a determination as to the Formal Complaint or allegations therein; or (4) the alleged conduct occurred prior to August 14, 2020, in which case, the University's Title IX procedures then in effect shall be used. The University may dismiss at Formal Complaint at any time in the process if it becomes known that one of the foregoing reasons for dismissal applies.

Upon a dismissal required or permitted under this section, the University will promptly send written notice of the dismissal and reason(s) therefore simultaneously to the parties. The University may also refer the matter to the appropriate department for resolution under other policies pertaining to prohibited conduct.

C. Investigation

The Title IX Coordinator will oversee the investigation and will designate an investigator to conduct a fair, thorough, and impartial investigation. When an investigation takes place, the University will attempt to complete it promptly, typically within 30-45 calendar days from the date the Formal Complaint is received. Parties can submit any evidence or witnesses they believe is directly related to the allegations raised in a formal complaint. During the investigation (and any following proceedings), any Complainant and any Respondent is entitled to an Advisor of their choice.

1. **Evidence Review.** Prior to completing the investigation report, the Title IX Coordinator will send to each party (and any Advisor) the evidence subject to inspection and review in an electronic format or a hard copy. The parties will have at least ten (10) calendar days to review evidence and submit to the investigator any written response to that evidence, which the investigator will consider prior to completion of the investigation report.
2. **Investigation Report.** Within seven (7) calendar days of the conclusion of the evidence review , the investigator(s) will issue a written report (the "Investigation Report") to the Title IX Coordinator that fairly summarizes the evidence that is directly related to the allegations in the Formal Complaint, including the evidence upon which the recipient does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source. The Investigation Report will contain a summary of the evidence gathered but the Investigation Report does not reach a conclusion of whether a Respondent is, or is not, responsible for violating University policy and the Investigation Report does not contain sanctions.

At least ten (10) days prior to hearing, the Title IX Coordinator will send the Investigation Report to the parties (and any Advisor). Parties will have two calendar days to respond in writing to the Investigation Report. If any response is received from the parties, the investigator will have two (2) calendar days to determine whether any revision to the Investigation Report is appropriate and then submit the final Investigation Report to the Title IX Coordinator.

D. Hearing

After a final Investigation Report is submitted, the University will appoint a single Hearing Officer or a three-person Hearing Panel to consider the matter during a live hearing, which will be held no sooner than ten (10) days after the final Investigation Report has been sent to the parties. Live hearings can take place “in person” or “virtually,” but all parties will have the same opportunity to participate. Either party may request to be in a separate room during the hearing.

Questioning at the Hearing. At the live hearing, the Hearing Officer or Panel must permit each party’s Advisor to ask the other party and any witnesses all relevant questions and follow-up questions, including those challenging credibility. Only relevant cross examination and other questions may be asked of a party or witness and only by an Advisor. The Hearing Officer or Panel also has the right to question a party or witness. Cross examination at the live hearing must be conducted directly, orally, and in real time by the party’s Advisor of choice and never by a party personally, notwithstanding the University’s ability to otherwise restrict the extent to which Advisors may participate in the proceedings.

Before the Complainant, Respondent, or witness answers a cross-examination or other question, the Chair must first determine whether the question is relevant. The Chair must explain to the party proposing the questions any decision to exclude a question as not relevant.

Questions and evidence about the Complainant’s sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the Complainant’s prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the Complainant, or if the questions and evidence concern specific incidents of the complainant’s prior sexual behavior with respect to the Respondent and are offered to prove consent.

The decision-maker(s) cannot draw an inference about the determination regarding responsibility based solely on a party’s or witness’s absence from the live hearing or refusal to answer cross examination or other questions.

If a party does not have an Advisor, the University will provide that party with an Advisor for the purpose of cross-examinations.

Recording the Hearing. The hearing will be recorded by audio or audio-visual recording, and the recording will be available to the parties for inspection and review.

E. Decision

The Hearing Officer or Panel will issue a written decision to the parties simultaneously within seven (7) calendar days of the Hearing. The Hearing Officer’s or Panel’s majority decision will be based on whether it is “more likely than not” that the University’s policy was violated. The written decision will include a summary of findings and will describe any consequences or corrective action to be taken, as well as any other recommendations. Consequences for a student who is found responsible for violating this policy may include educational sanctions and disciplinary action from a written reprimand up to and including suspension or expulsion/dismissal from the University. Consequences for an employee who is found responsible for violating this policy may include

educational sanctions and disciplinary action from a written reprimand up to and including suspension or termination of University employment.

The determination regarding responsibility becomes final either on the date that the University provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if an appeal is not filed, the date on which an appeal would no longer be considered timely. The Title IX Coordinator is responsible for effective implementation of any remedies.

F. Appeal(s)

Both the Complainant and Respondent have a right to appeal a decision reached by a Hearing Officer or Panel. An appeal must be submitted, in writing to the Title IX Coordinator, within seven (7) calendar days from the date the person received the Hearing Officer or Panel's written decision. Appeals are not for the purpose of having a second investigation or a second review of available facts. Proper bases for appeal are limited to: (1) new evidence that could affect the outcome of the matter if that new evidence was not previously available to, and not withheld by, the appealing party; (2) a procedural irregularity that affected the outcome; (3) an allegation that the Title IX Coordinator, an investigator, a University-supplied Advisor, or a member of the Hearing Officer or Panel, had a conflict of interest that affected the outcome of the matter; or (4) consideration of whether the Hearing Officer or Panel's sanction(s) is substantially disproportionate to its findings. The written appeal must be submitted to the Title IX Coordinator who will forward the appeal to the appropriate University official selected to hear the appeal. The official considering the appeal has seven (7) calendar days to provide a written response to the appeal. All decisions of the University official who rules on the appeal are final.

G. Alternative Resolutions

Whether or not a formal complaint is initiated, if both parties agree, voluntarily and in writing, and if the Title IX Coordinator approves, the matter can be addressed through an alternative resolution process instead of a formal complaint process. Alternative resolutions do not include extensive investigation or a determination of the validity of a report. The goal through alternative resolution is to achieve a resolution that may be acceptable to both the Complainant and Respondent. Typically, alternative resolution is done through mediation or restorative justice, but the specific method of alternative resolution will be agreed to by the parties and approved by and arranged through the Title IX Coordinator. Until an alternative resolution is completed, either party may withdraw their agreement and institute, or reinstitute, the Formal Complaint process.

Additional Issues

A. Divergence from Policy

The University is committed to enforcing this policy in reasonable, responsible, and fair ways. Despite the University's efforts to draft a good policy, there are times when a divergence from the listed procedures may be necessary. For example, there may be times (e.g., school breaks, illness or accident, travel obligations, witness unavailability) when an individual who has a responsibility to act within a deadline cannot meet that obligation. There may be times when a listed individual should be recused or substituted because of a personal relationship or other conflict of interest. Or there may be unique circumstances that require an adjustment to the procedure outlined above. If and when a divergence to the policy is appropriate and lawful, the University will communicate with the Complainant and Respondent to inform them of the divergence and explain the reason(s) for it. If a party believes that any divergence is not fair or reasonable, that party should

explain the reasons for that belief to the Title IX Coordinator.

B. Conflicts of Interest

When designating individuals to perform roles under the procedures identified in this Policy, the University seeks to avoid any conflicts of interest and appoint neutral individuals. If any party becomes aware of a conflict of interest, or bias, of an individual who is participating in the procedures identified above, that party should inform the Title IX Coordinator, unless the Title IX Coordinator is the one with the alleged conflict or bias, in which case that party should inform the Vice President for Institutional Integrity and Strategy and General Counsel.

C. False Reporting

Because the University takes reports of Prohibited Conduct so seriously, false reports or reports made in bad faith will have serious consequences. Any person who makes a report, or offers testimony or information on a material issue, that is later found to be intentionally false or made maliciously without regard for truth will be subject to disciplinary action, up to and including expulsion (if a student) or termination of employment (if an employee). This provision does not apply to reports made in good faith, even if the report is not substantiated through an investigation or decision.

D. Alternate Policies and Procedures Superseded

Provisions in University Policies relating to Prohibited Conduct including discrimination, harassment, and retaliation or any Prohibited Conduct as defined by this Policy that are inconsistent with anything in this Policy are superseded and do not apply. Any grievance policies and procedures in the Employee Handbook or the Faculty Handbook are not applicable to matters addressing Prohibited Conduct that are covered by this Policy. Proceedings addressing claims under the Policy Prohibiting Discrimination, Harassment, and Retaliation will be handled by these procedures and not alternate University procedures except where proposed remedial actions might involve the loss of tenure or the termination of faculty employment.

E. Recordkeeping

All reports and results of proceedings dealing with Prohibited Conduct under this Policy must be reported, for compliance purposes, to the University's Title IX Coordinator. For any Respondent, the complete investigative file, including a copy of any decision and/or appeal decision, along with any record of consequences or corrective actions, shall be maintained by the University (typically in the appropriate academic department, Student Affairs office, Human Resources office, or Title IX Coordinator's office) during that Respondent's employment or academic enrollment and for seven (7) years employment/enrollment concludes. For any Complainant, a record of any Supportive Measures and remedies shall also be maintained by the University's Title IX Coordinator for the same period.

F. Relationship to Other Laws

There may be times when activities under this Policy confront matters about which there are additional legal responsibilities. For example, some records implicated in an investigation or proceedings under this Policy might be protected by the Family Educational Rights and Policy Act ("FERPA"). The University will comply with all of its legal obligations, including but not limited to FERPA, which may entail redacting or not disclosing certain documents that might otherwise be shared. Title IX obligations also sometimes overlap with obligations under Title VII of the Civil Rights Act of 1964. Where obligations overlap, adjustments to specific details of how the policies and procedures may be made, but the University will work diligently to ensure that all legal obligations are met in a manner that is faithful to both the spirit and the letter of its legal requirements. Compliance with the Clery/VAWA amendments does not constitute a violation of FERPA.

G. Relationship to Principles of Academic Freedom and Freedom of Speech

The success of the University depends on an environment that fosters vigorous thought and intellectual creativity – an atmosphere in which diverse ideas can be expressed and discussed.

The University seeks to provide a setting that respects the contributions of all individuals composing its community, encourages intellectual and personal development, and promotes the free exchange of ideas. This Policy is not intended to regulate the content of speech, discussion, and debate in the classroom, on campus, or in any University forum reasonably related to academic activity or political, artistic, and visual arts expression. The University will protect academic freedom and artistic expression in administering this Policy. However, using speech or expression to engage in discrimination or harassment is prohibited.

H. Relationship to Law Enforcement

The University has an independent obligation to investigate, stop, and remedy acts of discrimination, harassment, and retaliation. The University chooses to meet this independent obligation while still cooperating, when possible, with appropriate law enforcement officials and agencies. That cooperation will sometimes alter the University's typical timing or procedures, but referrals to law enforcement do not stop the University's proceedings altogether. Ultimately, the University desires that Complainants of discrimination, harassment, and retaliation – and the Respondents accused of engaging in those behaviors – receive fundamental fairness from the University in the course of the University's attempts to enforce its policy. Readers of this Policy should be reminded that the definitions and standards used by the University may be different, and in some respects are different, than the standards and definitions used by law enforcement and the criminal justice system.

I. Required Acknowledgment and Training

Every employee upon hire and annually thereafter is required to review this Policy and acknowledge they have read and understand its content. Supervisors undergo mandatory sexual harassment prevention training within six (6) months of initial employment and biennially thereafter. Additionally, all non-supervisory employees (including temporary employees and volunteers) must complete a one-hour workplace sexual harassment prevention training within six (6) months of their initial start date and biennially thereafter. The California Civil Rights Department offers sexual harassment training at: <https://calcivilrights.ca.gov/shpt/>.

J. Counting Days and Deadlines

Unless otherwise stated herein, all references to days are to a business day, which is any day that the University's Registrar's Office is open for business. Any deadlines in this Policy may be extended by the Office of Equity & Title IX to account for holidays or other University closures.

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 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.

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>.

Drug Policy

Federal and state statutes specify that persons involved in the use, sale, or distribution of illegal drugs¹ 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/studentlife/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:

- 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.

¹ "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.

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:

Associate 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 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 Campus Safety Incident Log 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 non-campus 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
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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.

	Geographic Location						
Crime Classification	Year	On Campus Student Housing	On Campus Non Student Housing	Non-Campus	Public Property	Total	Unfounded
Murder/Non Negligent Manslaughter	2024	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Manslaughter by Negligence	2024	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Rape	2024	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Fondling	2024	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Incest	2024	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Statutory Rape	2024	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Robbery	2024	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Aggravated Assault	2024	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0

Burglary	2024	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Motor Vehicle Theft	2024	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Arson	2024	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Hate crimes	2024	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Dating Violence	2024	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Domestic Violence	2024	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Stalking	2024	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Weapons Arrests	2024	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Weapons Violations Referred for Disciplinary Action	2024	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Drug Arrests	2024	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0

Drug Law Violations Referred for Disciplinary Action	2024	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2022	0	1	0	0	0	0
Liquor Law Arrest	2024	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	2024	0	0	0	0	0	0
	2023	0	0	0	0	0	0
	2022	0	0	0	0	0	0

Fire Safety

In August 2008, the Higher Education Opportunity Act (HEOA) became Public Law 110-315. It amended the Higher Education Act (HEA) to include new reporting requirements for all institutions of higher education, beginning with the 2009 academic year. A major component for institutions that maintain on-campus student housing is publishing an Annual Fire Safety Report, keeping fire statistics, and maintaining a fire log.

Policies

For the health and safety of all members of the campus community, students are expected to comply with all university fire safety regulations as well as applicable local, state, and federal law. Specifically, Woodbury's policy on electrical appliances, smoking, and open flames in Residence Halls are as follows:

Electrical Appliances

The following appliances are not permitted in the residence halls: any appliance requiring 220 volts or 44 1500 watts, hot plates, air conditioners, or any appliance indicated as part of Student Conduct University Code of with an exposed heating element. In each room, residents may have one small refrigerator (3.0 cubic feet or smaller capacity, 1.5 amps or smaller rating, Energy Star Qualified) and one single-serve coffee machine. Use of all other appliances is prohibited.

Smoking

In accordance with Section 41.5 of the Los Angeles Municipal Code, smoking is prohibited in the University residence halls; this includes individual rooms, lobbies, lounges, corridors, bathrooms, etc. Additionally, all smoking by faculty, staff, students, and visitors is prohibited on campus. This includes the use of electronic smoking devices, and vapes. Please see the Student Code of Conduct for more information.

Open Flames

Open flames or any appliance, candle, incense, or decorative items (this list is non-exhaustive) that can produce an open flame is not permitted in student rooms. All cooking must take place in residence hall community kitchens that utilize electric stoves.

Residence Hall Community Living Standards are relevant to fire safety can be found in full by visiting <https://woodbury.edu/student-life/living/safety-security/>

	# of Fires	Cause Fire	Fire Related Deaths	Fire Related Injuries	Value of Property Loss	# of Evacuation Drills
Year	22 23 24	22 23 24	22 23 24	22 23 24	22 23 24	22 23 24
North Hall	1 0 0	0 0 0	0 0 0	0 0 0	0 0 0	2 2 2
South Hall	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	2 2 2

Reporting of Fires

All fires on campus, even if already extinguished and regardless of size, should be reported by contacting security at (818) 252-5208. In the event of an emergency, call 911 immediately.