

Office of Title IX and Equal Opportunity
Compliance Initiatives

Rights & Options



Western
University
OF HEALTH SCIENCES

RIGHTS AND OPTIONS

Western University of Health Sciences (“WesternU”) is committed to creating and sustaining an educational and working environment free of sexual misconduct/sexual assault, sexual exploitation, dating and domestic violence, and stalking. Your safety and well-being are the University’s priority. If you experience any of these forms of misconduct, you are strongly encouraged to utilize the various on and off campus resources described below. This guide is intended to help you with your rights and options, explain WesternU’s responsibility under Title IX and the Violence Against Women Act (VAWA), as well as provide you with information regarding support and assistance.

REPORTING OPTIONS

You have the right to decide to whom and when to tell what happened and have several options on how to report. You can: 1) do nothing until you are ready; 2) pursue resolution by WesternU, and/or 3) initiate criminal proceedings; and/or 4) initiate a civil process against the perpetrator. You may pursue whichever combination of options is best for you. If you pursue resolution by WesternU, your options may include a filing a formal complaint, informal resolution, and/or supportive measures.

If you wish to have an incident investigated and resolved by the Office of Title IX and Equal Opportunity (OTIXEO), students should contact WesternU’s Title IX Coordinator at otixeo@westernu.edu. Employees should contact either Employee Relations at employeerelations@westernu.edu or OTIXEO. WesternU’s procedure will be explained and summarized below. Those who wish to pursue speaking to law enforcement should contact the appropriate law enforcement agency/department based on where the activity occurred. If you need assistance, OTIXEO is available to assist you. You have the right to be assisted by WesternU in doing so.

If you have experienced sexual misconduct/sexual assault, dating or domestic violence, or stalking, you are encouraged to ***seek immediate assistance from police and healthcare providers*** for your physical safety, emotional support, and medical care.

Please call 9-1-1 if you are currently experiencing an emergency, harm, or any threat of harm.

If you are off campus and experiencing an emergency, you can call local police by dialing 911. You may also call Pomona Police Department’s non-emergency line at (909) 620-2155.

1. Go to a safe location as soon as you are able.
2. Seek immediate medical attention if you are injured, believe you may have been exposed to the risk of an STI/STD, or pregnancy.
3. Contact any of the following for immediate assistance on campus:

PRESERVATION OF EVIDENCE

Following the incident, you may be physically injured and/or there may be a chance you contracted a sexually transmitted disease or that you may become pregnant. It is important that you take steps to preserve and collect evidence; doing so preserves the full range of options available to you. It is encouraged to preserve all physical evidence, including, but not limited to: clothing worn during the assault, bed sheets, and/or photos of any injuries. This evidence may be helpful in proving that a crime occurred, in the event you choose to report now or in the future. It may also be helpful in obtaining a court-ordered protective or restraining order. If you do not have any evidence preserved, you still have an option to report the crime and request a medical evidentiary examination.

Evidence collection should be completed within approximately 120 hours of an assault, however, fluids, hair samples, and DNA can be collected for a long time thereafter. Even if you have washed or bathed, evidence can often still be obtained. After 120 hours, it may still be helpful to have medical attention, even if you are not trying to obtain evidence of an assault. Sexual assault nurse examiners are trained in the collection of forensic evidence and can check for injuries and exposure to sexually transmitted infections and diseases. If you are still wearing any clothes worn during the incident, wear them to the hospital but bring a change of clothes, as the hospital will keep the clothes you are wearing as evidence. If you have changed clothes, bring the ones you were wearing during the incident to the hospital in a clean paper (not plastic) bag or wrapped in a clean bedsheet. Typically, police will be called to the hospital to take custody of the forensic kit, but it is up to you whether you wish to speak with them or file a complaint.

You are also encouraged to preserve evidence by saving text messages, instant messages, social media/networking pages, other communications, pictures, logs or other copies of documents that may be useful to University investigators or police should you decide to report now or in the future.

If you have experienced sexual assault/sexual misconduct, dating or domestic violence, or stalking, you should not be deterred from reporting the incident out of a concern that you might be subjected to discipline for related violations of drug, alcohol, or other WesternU policies. A person who participates in an investigation or proceeding involving sexual assault/sexual misconduct will not be subjected to discipline for related violations of the Student Code of Conduct or other WesternU policies at/near the time of the incident, unless the University determines the conduct places the health and safety of another person at risk or is otherwise egregious.

You have several reporting options and you may pursue one or more of these options at any time. It is your right to have a friend, family member, sexual assault victim's advocate, or other representative be present with you while reporting the incident. You also have the right to have a sexual assault counselor, sexual assault victim's advocate, and/or a support person of your choice present with you during a sexual assault nurse examination. OTIXEO can assist you in notifying the police if you choose.

Reporting to Law Enforcement

To make informed choices, all parties should be aware of confidentiality and privacy considerations, as well as institutional mandatory reporting requirements.

Reporting to local police is an option at any time. If you choose not to report the incident to police immediately following an incident, you can still make the report at a later time. However, with the passage of time, the ability to gather evidence to assist with criminal prosecution may be limited. Depending on the circumstances, the police may be able to obtain a criminal restraining order on your behalf.

You may also choose to obtain a protective order or restraining order (such as a domestic violence restraining order or a civil harassment restraining order). Restraining orders must be obtained from a court in the jurisdiction where the incident occurred. Restraining orders can protect persons who have experienced or are reasonably in fear of physical violence, sexual assault/sexual misconduct, dating or domestic violence, or stalking.

Administrative Process

You may report an incident to OTIXEO and/or the Title IX Coordinator, who will provide you with written and verbal information regarding applicable WesternU complaint procedures for investigating and addressing the incident. OTIXEO will also provide you with information regarding resources available to you, as well as information regarding your rights and options.

OTIXEO will also discuss with you any reasonable Supportive Measures the University may offer to reduce or eliminate a negative impact on you and provide you with available assistance. Examples consist of, but are not limited to, adjustment to work assignments, housing locations, course schedules, or supervisory reporting adjustments, mutual restrictions of contact between you and the Respondent, leaves of absence, or campus escorts. These options may be available to you whether or not you choose to report the incident to local law enforcement. OTIXEO remains available to assist you and provide you with reasonable supportive measures as part of the reporting, investigation, and disciplinary processes, and thereafter.

You may request that OTIXEO and/or the Title IX Coordinator provide you with supportive measures and resources without initiating a formal resolution process. If you wish to pursue a formal resolution process, the Title IX Coordinator will be unable to honor any request for confidentiality. The Respondent must be provided sufficient information, including the identity of the Complainant, to allow them to appropriately respond.

If WesternU decides it is obligated to pursue formal resolution based on the notice you have given, the Title IX Coordinator can initiate a complaint. You are not obligated to participate in the resolution process as Complainant and instead, you can participate as a witness. Regardless of whether you participate, you will have all of the rights to which a Complainant is entitled, if you want them.

Duties with respect to minors (those under the age of 18) may require reporting to state agencies and/or local law enforcement. As a result, confidentiality cannot be guaranteed.

If it is determined that University policy was violated, the Respondent may be subject to discipline, up to and including dismissal from employment or expulsion from WesternU.

You are entitled to be accompanied to any related meeting/proceeded by an advisor of your choice, including a sexual assault victim's advocate or domestic violence counselor. If you do not wish to participate in an investigation or hearing process, you have the right to do so. Please know if you choose not to participate in the process, the University's ability to take action may be limited.

CONFIDENTIALITY

WesternU encourages persons who have been subjected to sexual assault/sexual misconduct, dating or domestic violence, or stalking to talk to someone about what happened so that you they get the support they need and so the campus can respond appropriately. Whether a WesternU employee may agree to confidentiality (and not disclose information to the Title IX Coordinator), depends on the employee's position and responsibilities at WesternU. This information is intended to make persons aware of the various reporting and confidential disclosure options available t so that they can make informed choices.

Confidential Reporting: As explained below, some employees are required by law to maintain near-complete confidentiality; talking to them is sometimes called a "privileged communication." Other employees may talk to a victim in confidence and generally only report to WesternU that an incident occurred without revealing any personally identifying information. Some employees are required to report all details of an incident (including the identities of both the victim and alleged perpetrator) to the Title IX Coordinator. A report to these employees constitutes a report to the University, and will generally result in OTIXEO reaching out to individuals to offer support, provide information and resources, and the opportunity to file a formal complaint or learn more about options. Depending on the circumstances, WesternU will take appropriate steps to address the situation.

Privileged and Confidential Communications with Physicians, Psychotherapists, Professional Counselors and Clergy: Physicians, psychotherapists, professional licensed counselors, and clergy who work or volunteer on or off campus acting solely in those roles or capacity, in the provision of medical or mental health treatment or counseling (including those who work or volunteer in those offices) may not report any information about an incident of sexual misconduct/sexual assault to anyone else at the University, including the Title IX Coordinator, without your consent. You can seek assistance and support from physicians; psychotherapists, professional licensed counselors, and clergy without triggering a University investigation that could reveal your identity or your disclosure. However, there are limited exceptions regarding when health care practitioners must report to local law enforcement agencies. Health care practitioners should explain these limited exceptions to you, if applicable.

If a Complainant wishes to keep the details of an incident confidential, they should speak with a mental health counselor and/or health service provider. Campus counselors are available to help on an emergency basis. Their service is free of charge. As will be discussed further below, while discussing allegations with a confidential resource may not result in an identifying report to the Title IX Coordinator, the resource may have reporting (or other) obligations under the law.

Optum Employee Assistance Program (services available for students and employees)
(800) 234-5465
www.liveandworkwell.com (access code: westernu)

Optum Provider Contact Information:

On-site (Pomona)

Dr. Anna Couch
Pumerantz Learning Center #415
On Campus: Tue. 12:00-7:00 p.m. PST & Wed. 12:00-6:30 p.m. PST
Remote/Virtual: Thur. 12:00-6:00 p.m. PST
(626) 391-8508
anna.couch@optum.com

Dr. Luis Orozco
Pumerantz Learning Center #415
On Campus: Fri. 8:30 a.m. – 12:30 p.m. PST
Remote/Virtual: Mon. 8:30 a.m. – 12:30 p.m. PST
(562) 219-4537
luis_orozco@optum.com

On-site (Oregon)

Dr. Lisa Schulz
COMP-Northwest Building, Suite A2
On Campus: Tuesdays, 10:00 a.m. – 3:00 p.m. PST
CHS-Northwest Building, Office #1007
On Campus: Wednesdays, 2:00 p.m. – 7:00 p.m. PST
(612) 474-7165
lisa_schulz@optum.com

Officials with Authority or OWAs: The following positions have been designated as Officials with Authority (“OWA”) to institute supportive measures and provide notice to the Title IX Coordinator:

- 1) Members of the Senior Leadership Team
- 2) Campus Security Director
- 3) Manager of Campus Security
- 4) Academic Deans of WesternU Colleges
- 5) University Student Affairs Deans and Associate Vice Presidents
- 6) Title IX Coordinator and Deputy Coordinators

Giving an OWA notice of an incident will result in the offering of supportive measures and options for formal and informal resolution. If a formal complaint is filed with an OWA or the Title IX Coordinator, such incidents will be investigated and resolved in a prompt and equitable manner under WesternU’s resolution procedures, which are discussed later within this brochure.

Other resources, such as sexual assault and domestic violence counselors and advocates who work or volunteer on or off campus in sexual assault centers, victim advocacy offices, women’s centers, and health centers, including all individuals who work or volunteer in these centers and offices, as well as

non-professional counselors or advocates, and those who act in that role under their supervision, may talk to you without revealing any information about you or the incident of sexual assault/sexual misconduct to anyone else at the campus, including the Title IX Coordinator, without your consent. You can seek assistance and support from these counselors and advocates without triggering a campus investigation that could reveal your identity or your disclosure. However, there may be limitations regarding when sexual assault and domestic violence counselors and advocates must report to local law enforcement agencies. Counselors and advocates should explain these limited exceptions to you, if applicable.

Mandated Reporting: All employees not designated as confidential above are mandated reporters or Responsible Employees. This means they are required to share information that you have disclosed to them with the Title IX Coordinator, though that does not obligate you to any formal involvement. The Title IX Coordinator will simply reach out to you to offer support and the opportunity to file a formal complaint. At the request of a Complainant, notice may be given by a Responsible Employee to the Title IX Coordinator anonymously, without identification of the Complainant. The Responsible Employee cannot remain anonymous themselves.

If a Complainant has requested that a Responsible Employee maintain the Complainant's anonymity, the Responsible Employee may do so unless it is reasonable to believe that a compelling threat to health or safety may exist. The Responsible Employee can consult with the Title IX Coordinator on that assessment without revealing personally identifiable information. Anonymous notices will be investigated by WesternU to the extent possible, both to assess the underlying allegation(s) and to determine if supportive measures or remedies can be provided. However, depending on what information is shared, anonymous notice typically limits WesternU's ability to investigate, respond, and provide remedies.

When a Complainant has made a request for anonymity, the Complainant's personally identifiable information may be withheld by a Responsible Employee, but all other details must be shared with the Title IX Coordinator. Responsible Employee may not be able to maintain requests for anonymity for Complainants who are minors, elderly, and/or disabled, depending on state reporting of abuse requirements.

If you speak **only** to a physician, professional counselor, clergy member, sexual assault counselor, domestic violence counselor or advocate, you must understand that WesternU will be unable to conduct an investigation into the particular incident or pursue disciplinary action against the Respondent, if you choose to maintain confidentiality. Even so, these individuals will still assist you in receiving other necessary protection and support, such as victim advocacy, disability, medical/health or mental health services, or legal services. They may not, however, be able to assist you with campus academic support or accommodations. Only the University and the Title IX Coordinator can assist with those matters. A victim who at first requests confidentiality may later decide to file a complaint with WesternU or report the incident to the police, and thus have the incident fully investigated. These counselors and advocates can provide you with that assistance if you wish.

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

of assaultive or abusive conduct (including sexual misconduct/sexual assault and dating and domestic violence).¹ This exception does not apply to sexual assault and domestic violence counselors and advocates. Health care practitioners will explain this limited exception to you, if applicable.

Additionally, under California law, all professionals described above (physicians, psychotherapists, professional counselors, clergy, and sexual assault and domestic violence counselors and advocates) are mandatory child abuse and neglect reporters, and are required to report incidents involving victims under 18 years of age to local law enforcement.² These professionals will explain this limited exception to you, if applicable. Finally, some or all of these professionals may also have reporting obligations under California law to: (1) local law enforcement in cases involving threats of immediate or imminent harm to self or others where disclosure of the information is necessary to prevent the threatened danger;³ or (2) to the court if compelled by court order or subpoena in a criminal proceeding related to the incident.⁴ If applicable, these professionals will explain this limited exception to you.

WesternU is required by the federal Clery Act to report certain types of crimes (including certain sex offenses) in statistical reports. However, while the University will report the type of incident in the annual crime statistics report known as the Annual Security Report, your name/identity will not be included.

SANCTIONS AND REMEDIES

There are several factors considered when determining a sanction. Sanctions are imposed and enforced when the Respondent has been found in violation of the *Sexual and Gender-Based Harassment, Interpersonal Violence, and Other Sexual Misconduct Policy*. Sanctions are typically implemented as soon as feasible, either upon the outcome of any appeal or the expiration of the window to appeal without an appeal being requested. Some examples of student sanctions are:

- **Warning:** A formal statement that the conduct was unacceptable and a warning that further violation of any Recipient policy, procedure, or directive will result in more severe sanctions/responsive actions.
- **Required Counseling:** A mandate to meet with and engage in either WesternU sponsored or external counseling to better comprehend the misconduct and its effects.
- **Probation:** A written reprimand for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the student or organization is found in violation of any institutional policy, procedure, or directive within a specified period of time. Terms of the probation will be articulated and may include denial of specified social privileges, exclusion from co-curricular activities, exclusion from designated areas of campus, no-contact orders, and/or other measures deemed appropriate.

¹ Assaultive or abusive conduct is defined to include a list of 24 criminal offenses, including sexual battery, incest, rape, spousal rape, abuse of a spouse or cohabitant, and any attempt to commit these crimes. See Cal. Penal Code §§ 11160-11163.2.

² See Cal. Penal Code §§ 11164-11174.3

³ See Cal. Evid. Code § 1024

⁴ See Cal. Penal Code § 293; Cal. Gov. Code § 6254(f).

- Suspension: Termination of student status for a definite period of time not to exceed two years and/or until specific criteria are met. Students who return from suspension are automatically placed on probation through the remainder of their tenure as a student at Recipient.
- Expulsion: Permanent termination of student status and revocation of rights to be on campus for any reason or to attend WesternU sponsored events. This sanction will be noted permanently as a Conduct Expulsion on the student's official transcript, subject to any applicable expungement policies.
- Withholding Diploma: WesternU may withhold a student's diploma for a specified period of time and/or deny a student participation in commencement activities as a sanction if the student is found responsible for an alleged violation.
- Revocation of Degree: WesternU reserves the right to revoke a degree previously awarded from the University for fraud, misrepresentation, and/or other violation of WesternU policies, procedures, or directives in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- Organizational Sanctions: Deactivation, loss of recognition, loss of some or all privileges (including registration) for a specified period of time.
- Other Actions: In addition to or in place of the above sanctions, WesternU may assign any other sanctions as deemed appropriate.

Examples of employee sanctions are:

- Warning – Verbal or Written
- Performance Improvement Plan/Management Process
- Enhanced supervision, observation, or review
- Required Counseling
- Required Training or Education
- Probation
- Denial of Pay Increase/Pay Grade
- Loss of Oversight or Supervisory Responsibility
- Demotion
- Transfer
- Reassignment
- Delay of tenure track progress
- Assignment to new supervisor
- Restriction of stipends, research, and/or professional development resources
- Suspension with pay
- Suspension without pay
- Termination

Following the conclusion of the resolution process, and in addition to any sanctions implemented, the Title IX Coordinator may implement additional long-term remedies or actions with respect to the parties and/or the campus community that are intended to stop the harassment, discrimination, and/or retaliation, remedy the effects, and prevent reoccurrence.

REPORTING OPTIONS

ON CAMPUS

Title IX Coordinator

Cristina Alvarez
Associate Vice President
Office of Title IX and Equal Opportunity
Administrative & Advancement Center
359 E. Second Street
Pomona, CA 91766
alvarezc.@westernu.edu
www.westernu.edu/otixeo

Deputy Title IX Coordinators – Pomona

Georgette Carrasco
Employee Relations Manager
gcarrasco@westernu.edu

Dr. Beverly Guidry
Senior Vice President – Student Affairs
bguidry@westernu.edu

WesternU Pomona Campus Security

University Services Center, 1st Floor Lobby
(909) 706-3000 or dial 3000 from a campus phone
24 hours/7 days a week

WesternU Lebanon Campus Security

COMP-Northwest (541) 968-4840
CHS-Northwest (541) 954-7900
24 hours/7 days a week

Deputy Title IX Coordinators – Oregon

Dr. Mirabelle Fernandes Paul
Vice President – Student Affairs
mfernandespaul@westernu.edu

Rick Leeper
Assistant Vice President & Senior Director of
Operations, COMP Northwest
rleeper@westernu.edu

OFF CAMPUS

City of Pomona Police Department

490 W. Mission Blvd.
Pomona, CA 91766
Main Line: 9-1-1
For non-emergencies: (909) 620-2155
<https://pomonaca.gov/government/departments/police-department>

City of Lebanon Police Department

Justice Center
40 N. 2nd Street, Suite 100
Lebanon, OR
Main Line: 9-1-1
For non-emergencies (541) 451-1751
Lebanon Police Department

ADVOCACY ORGANIZATIONS & SERVICES
POMONA & SURROUNDING AREAS

<p>Project Sister Family Services – Sexual Assault & Rape Crisis Hotline Main Line: (909) 623-1619 Hotline (24/7): (909) 626-4357 www.projectsister.org <i>Provides immediate, confidential assistance via trained Volunteer Advocates.</i></p>	<p>East LA Women’s Center 1431 S. Atlantic Blvd. Los Angeles, CA 90022 Main Line: (323) 526-5819 Hotline: (800) 585-6231 (24 hours/7days) www.elawc.org <i>Bilingual services to survivors of sexual assault, domestic violence, and human trafficking</i></p>
<p>Bureau of Victim Services San Bernardino County District Attorney’s Office 303 West Third Street, San Bernardino (909)382 -3846 Morongo office: 6527 White Feather Road, Joshua Tree (760) 366-5740. <i>Provides services to victims and witnesses involved in the investigation/prosecution of the offender</i></p>	<p>Los Angeles County Domestic Violence Hotline (800) 978-3600 <i>24-hour hotline routes Southern California victims of domestic violence directly to trained shelter personnel in Los Angeles County. Callers may receive help in 13 languages, including English, Spanish, Korean, Vietnamese, Mandarin, Cantonese, Tagalog, Khmer, Japanese, Thai, Armenian, Arabic and Farsi</i></p>
<p>Haven House Pasadena, CA Main Line: (626) 564-8880 Hotline: (323) 681-2626 (24 hours/7days) <i>Provides shelter for women and children</i></p>	<p>Center for the Pacific Asian Family 3424 Wilshire Boulevard Los Angeles, CA Hotline: (800) 339-3940 (24-Hour/Multilingual) http://nurturingchange.org/ <i>Provides assistance with emergency shelter, transitional housing, counseling and advocacy support for survivor of sexual assault and domestic violence</i></p>
<p>Partners Against Violence 444 North Arrowhead Avenue, Suite 101 San Bernardino, CA Main Line: (909) 885-8884 Hotline: (800) 656-4673 24 hours/7days https://www.partnersagainstviolence.org/sexual-assault-survivor-services <i>Provides support, advocacy, and counseling services</i></p>	<p>YWCA of Greater Los Angeles 1600 E. Compton Boulevard Compton, CA Hotline: 877-YHELPSU (943-5778) http://ywcagla.org/ <i>Provides crisis intervention to survivors of sexual violence, access to medical care/forensic medical exams, counseling, advocacy, and assistance in filing reports with the criminal and civil justice systems</i></p>
<p>Option House 813 N. D Street, Suite A San Bernardino, CA Hotline: (909) 381-3471 (24-Hours) https://www.optionhouseinc.com/ <i>Provides assistance with temporary shelters protective orders, support groups, self-defense, bilingual assistance in English/Spanish</i></p>	<p>Legal Aid Society of Orange County Hotline: (800) 834-5001 https://www.communitylegalsocal.org/ <i>Provides low-income individuals in Orange and Southeast Los Angeles Counties with assistance regarding legal needs</i></p>
<p>House of Ruth 599 N. Main Street Pomona, CA 91768</p>	<p>Radiant Futures Hotline: (877) 531-5522 (24-hours) https://radiantfutures.org/ <i>Provides assistance with emergency shelter, short-term, long-</i></p>

<p>Main Line: (909) 623-4364 Hotline: (877) 988-5559 (24 hours/7days) Sexual Assault/Rape Crisis Hotline</p>	<p><i>term, and transitional housing, counseling, and legal advocacy</i></p>
<p>REACH – (Reflect.Emerge.Act.Choose.Hope) (951) 652-8300 (Monday-Friday, 9 a.m. to 5 p.m.) Crisis Hotline: (866) 373-8300 https://reachus.org/ Formerly the Center Against Sexual Assault of Southwest Riverside County, REACH provides resources, counseling, and advocacy services</p>	<p>Los Angeles LGBT Center (323) 993-7649 lgbtcenter.org <i>Provides advocacy, crisis intervention, and emergency assistance</i></p>
<p>Laura’s House Counseling & Resource Center: 33 Journey, Suite 150 Aliso Viejo, CA (949) 361-3775 Domestic Violence Advocacy Center: 12453 Lewis Street, Suite 201, Garden Grove, CA Main Line: (714) 450-6131 Hotline: (866) 498-1511 (24-Hours) www.laurashouse.org <i>Provides assistance with emergency shelter, transitional housing, counseling, and legal advocacy</i></p>	<p>Riverside County Coalition for Alternatives to Domestic Violence (ADV) Crisis Line—Riverside city & out of the county: (951) 683- 0829 Remainder of Riverside County (800) 339- SAFE (7233) https://www.alternativestodesticviolence.org/ <i>Provides assistance with shelter, protective orders, counseling, and outreach</i></p>
<p>Interval House 6615 East Pacific Coast Highway, Suite 170 Long Beach, CA 90803 Hotlines: (562) 594-4555 & (714) 891-8121 (24-Hours) https://www.intervalhouse.org <i>Provides comprehensive programs/services and provides services in over 70 different languages for youth and adult survivors of domestic violence</i></p>	<p>Waymakers Waymakers 440 Exchange, Suite 250 Irvine, CA Hotline: (949) 831-9110 or (714) 957-2737 (24-Hours) https://waymakersoc.org/ <i>An Orange County community resources that provides comprehensive and confidential services to survivors</i></p>
<p>Peace Over Violence San Gabriel Valley: (626) 793-3385 South Los Angeles: (310) 392-8381 Central Los Angeles: (213) 626-3393 https://www.peaceoverviolence.org <i>24-Hour Hotline and social service agency provides crisis intervention services to survivors of violence</i></p>	<p>Riverside Area Rape Crisis Center (RARCC) 1845 Chicago Avenue, Suite A Riverside, CA 24-Hour Hotline: (951) 686.RAPE (7273) Toll-Free (866) RAPE (7273) https://rarcc.org <i>Provides culturally responsive and inclusive advocacy, support, and services to survivors of sexual violence, including sexual assault and domestic violence</i></p>

ADVOCACY ORGANIZATIONS & SERVICES

LEBANON & SURROUNDING AREAS

<p>Sarah's Place Located within Samaritan Albany General Hospital 1046 Sixth Avenue SW Albany, OR 97321 (541) 812-4420 https://www.samhealth.org/find-a-location/s/sarahs-place <i>Regional sexual assault nurse examiners center created to provide a safe and discreet place for victims of sexual assault</i></p>	<p>Benton County Victim Assistance Program Benton County Victim Services 120 NW 4th St. Corvallis, OR 97330 Phone: (541) 766-6688 https://www.co.benton.or.us/da/page/victim-assistance-program</p>
<p>Center Against Rape and Domestic Violence (CARDV) Hotline: (800) 927-0197 or (541) 754-0110 (24-Hours) <i>Provides emergency shelter services, advocacy, support groups, and crisis response</i></p>	<p>Oregon Law Center https://oregonlawcenter.org/ <i>Provides free legal help regarding administrative law, family law, farmworker law, employment law, and civil rights</i></p>
<p>Sexual Assault Resource Center (SARC) Hotline: (888) 640-5311 (24-Hours) <i>Provides information, crisis intervention, support, and resources for survivors</i></p>	<p>Department of Human Services Domestic Violence Help https://www.oregon.gov/odhs/dv/Pages/default.aspx</p>
<p>Linn County Circuit Court Restraining Order Forms Linn County Courthouse 300 SW Fourth Avenue Albany, OR 97321 https://www.courts.oregon.gov/courts/linn/Pages/default.aspx</p>	<p>Call to Safety Hotline: (888)-235-5333 (24-Hours) https://calltosafety.org/ <i>Formerly the Portland Women's Crisis Line. Provides sexual assault services, advocacy, shelter space, support, and text/chat support</i></p>
<p>Linn County Victim Assistance Program District Attorney Linn County Courthouse 300 SW 4th Avenue PO Box 100 Albany, OR 97321 Victims Assistance: (541) 967-3805 www.linncountyor.gov/victimservices</p>	<p>Oregon Coalition Against Domestic & Sexual Violence https://www.ocadsv.org/</p>
<p>Benton County Circuit Court Restraining Order Forms Benton County Courthouse 120 NW 4th Street Corvallis, OR, 97330 https://www.courts.oregon.gov/courts/benton/Pages/default.aspx</p>	<p>List of shelters, advocacy programs, and legal assistance: https://www.ocadsv.org/find-help/</p>

ADDITIONAL RESOURCES & ADVOCACY ORGANIZATIONS

<p>California Coalition Against Sexual Assault Main Line: (916) 446-2520 www.calcasa.org</p>	<p>StrongHearts Native Helpline Helpline: 1-844-762-8483 (24-Hours) https://strongheartshelpline.org/ <i>Safe, confidential, and anonymous domestic, dating and sexual violence helpline for Native Americans and Alaska Natives, offering culturally appropriate support and advocacy.</i></p>
<p>Rape, Abuse & Incest National Network (RAINN) Main Line: (800) 656-4673 (24-Hours) Online Chat (24/7): online.rainn.org www.rainn.org <i>Provides support, advice, and referrals via trained support specialists.</i></p>	<p>National Institute of Justice: Intimate Partner Violence, Office of Justice Programs United States Department of Justice; http://www.nij.gov/topics/crime/intimate-partnerviolence/Pages/welcome.aspx</p>
<p>National Organization for Victim Assistance (NOVA) Main Line: (800) 879-6682 www.trynova.org/</p>	<p>Office on Violence Against Women, United States Department of Justice https://www.justice.gov/ovw (on-line chat available)</p>
<p>National Domestic Violence Hotline Hotline: (800) 799-7233 (24-Hours) www.thehotline.org <i>Support, crisis intervention, and referral services over 200 languages.</i></p>	<p>Know Your Rights about Title IX: Title IX Prohibits Sexual Harassment and Sexual Violence Where You Go to School, Office for Civil Rights U.S. Department of Education https://www2.ed.gov/about/offices/list/ocr/docs/title-ix-rights-201104.html</p>
<p>Forge https://forge-forward.org/ <i>National transgender anti-violence organization that provides direct services to transgender, gender non-conforming and gender non-binary survivors of sexual assault, dating and domestic violence, and/or stalking.</i></p>	<p>The Not Alone Report: White House Task Force to Protect Students from Sexual Assault https://www.justice.gov/archives/ovw/page/file/905942/download</p>
<p>National Indigenous Women’s Resource Center, Inc. https://niwrc.org <i>Native-led nonprofit organization dedicated to ending violence against Native women and children.</i></p>	<p>National Sexual Violence Resource Center https://www.nsvrc.org/organizations</p>

AGENCY COMPLAINTS

<p>U.S. Department of Education Office for Civil Rights (OCR) 400 Maryland Avenue, SW Washington, D.C. 20202-1100 Customer Service Hotline #: (800) 421-3481 TDD#: (877) 521-2172 Email: OCR@ed.gov Web: http://www.ed.gov/ocr</p> <p>California Office for Civil Rights San Francisco Office U.S. Department of Education 50 Beale Street, Suite 7200 San Francisco, CA 94105 (415) 486-5555 OCR.SanFrancisco@ed.gov</p> <p>Oregon Office for Civil Rights Seattle Office U.S. Department of Education 915 Second Avenue, Room 3310 Seattle, WA 98174-1099 (206) 607-1600 OCR.Seattle@ed.gov</p> <p>If you wish to file a complaint with OCR, you may do so here: https://www2.ed.gov/about/offices/list/ocr/complaintintro.html</p>	<p>State of California Civil Rights Department (CDR) 2218 Kausen Drive, Suite 100 Elk Grove, CA 95758 800-884-1684 https://calcivilrights.ca.gov/</p> <p>State of California Civil Rights Department Los Angeles Office 320 W. 4th Street, 10th Floor Los Angeles, CA 90013 (800) 884-1684</p>
<p>U.S. Equal Employment Opportunity Commission (EEOC)</p> <p>Los Angeles District Office Edward R. Roybal Federal Building 255. E. Temple Street, 4th Floor Los Angeles, CA 90012 (800) 669-4000 www.eeoc.gov</p> <p>Seattle Field Office Federal Office Building 909 First Avenue, suite 400 Seattle, WA 98104 (800) 669-4000 www.eeoc.gov</p>	<p>State of Oregon Bureau of Labor and Industries (BOLI) 800 NE Oregon Street, Suite 1045 Portland, OR 97232 (971) 245-3844 BOLI_help@boli.oregon.gov</p>

SEXUAL MISCONDUCT: RISK REDUCTION FOR INTIMATE PARTNER VIOLENCE, STALKING, SEXUAL HARASSMENT, AND SEXUAL ASSAULT

While victim-blaming is never appropriate and WesternU fully recognizes that only those who commit sexual offenses are responsible for their actions, WesternU provides the suggestions that follow to help members of the campus community reduce their risk of being victimized and their risk of committing sexual offenses.

REDUCING THE RISK OF VICTIMIZATION

- ✓ Make any limits and/or boundaries you may have known as early as possible.
- ✓ Tell a sexual aggressor “no,” as clearly and firmly as possible.
- ✓ Remove yourself, if possible, from an aggressor’s physical presence.
- ✓ Reach out for help, either from someone who is physically nearby or by calling someone. Bystanders around you may be waiting for a signal that you need help.
- ✓ Take affirmative responsibility for your alcohol and/or drug consumption, understanding that alcohol and drugs can increase your vulnerability to sexual victimization.
- ✓ Look out for your friends and ask them to look out for you. Respect them, and ask them to respect you, but be willing to challenge each other about high-risk choices.

REDUCE THE RISK OF BEING ACCUSED OF A SEX OFFENSE

- ✓ Show your potential partner respect if you are in a position of initiating sexual behavior.
- ✓ If they say “no,” accept it and don’t push. If you want a yes, ask for it, and don’t proceed without clear permission.
- ✓ Communicate your intentions to your potential sexual partner clearly and give that person a chance to share their intentions and/or boundaries with you.
- ✓ Respect personal boundaries. If you are unsure what is okay in any interaction, ask.
- ✓ Avoid ambiguity. Just ask. Don’t make assumptions about consent, about whether someone is attracted to you, how far you can go with that person, or if the individual is physically and mentally able to consent. If you have questions or are unclear, you *don’t* have consent.
- ✓ Don’t take advantage of the fact that someone may be under the influence of drugs or alcohol, even if that person chose to become that way. Their loss of control does not put you in control.
- ✓ Be on the lookout for mixed messages. That should be a clear indication to stop and talk about what your potential partner wants or does not want to happen. They may be undecided about how far to go with you, or you may have misread a previous signal.
- ✓ Respect the timeline for sexual behaviors with which others are comfortable and understand that everyone is entitled to change their minds.
- ✓ Recognize that even if you don’t think you are intimidating in any way, your potential partner may be intimidated by or fearful of you, perhaps because of your sex, physical size, or a position of power or authority you may hold.
- ✓ Do not assume that someone’s silence or passivity is an indication of consent. Pay attention to both verbal and non-verbal signals to avoid misreading intentions.
- ✓ Understand that consent to one type of sexual behavior does not automatically grant you consent to other types of sexual behaviors. If you are unsure, stop and ask.
- ✓ If your partner indicates a need to stop, or withdraws consent, respect them. Immediately.
- ✓ If you’ve had consent with your partner previously, still check in with them. Just because something was okay with them before doesn’t mean it will be okay in the future.

POLICY TERMINOLOGY AND SEX OFFENSE DEFINITIONS

There is certain terminology used in both the policy and procedures that are important for you to know. Additionally, members of the OTIXEO team will use these terms in their written and verbal communication. Below is a chart of the most common terminology used and its definition:

<i>Term</i>	<i>Definition</i>
<i>Actual Knowledge</i>	Notice of sexual harassment or allegations of sexual harassment to WesternU's Title IX Coordinator or any official who has the authority to institute corrective measure on behalf of WesternU.
<i>Complainant</i>	An individual who is alleged to be the victim of conduct that could constitute sexual harassment.
<i>Formal Complaint</i>	A document filed by a Complainant or signed by the Title IX Coordinator alleging sexual harassment against a Respondent and requesting that WesternU investigate the allegations of sexual harassment.
<i>Respondent</i>	An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
<i>Supportive Measures</i>	Non-disciplinary, non-punitive individualized services offered, as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent, before or after the filing of a formal complaint or where no formal complaint has been filed.
<i>Advisor</i>	A person chosen by a party or appointed by the institution to accompany the party to meetings related to the resolution process, to advise the party on that process, and to conduct questioning for the party at the hearing, if any.
<i>Confidential Resource</i>	An employee who is not a Mandated Reporter of notice of harassment, discrimination, and/or retaliation
<i>Decision-Maker</i>	The person, panel, and/or Chair who hears evidence, determines relevance, and makes the final determination of whether the policy has been violated and/or assigns sanctions.
<i>Investigator</i>	The person or persons designated by WesternU to gather facts about an alleged violation of the policy, assess relevance and credibility, synthesize the evidence, and compile this information into an investigation report of relevant evidence and a file of directly related evidence.

<i>Mandated Reporter</i>	An employee of WesternU who is obligated by policy to share knowledge, notice, and/or reports of harassment, discrimination, and/or retaliation with the Title IX Coordinator.
<i>Notice</i>	When an employee, student, or third-party informs the Title IX Coordinator or other Official with Authority of the alleged occurrence of harassing, discriminatory, and/or retaliatory conduct.
<i>Official with Authority (OWA)</i>	An employee of WesternU explicitly vested with the responsibility to implement corrective measures for harassment discrimination, and/or retaliation on behalf of WesternU.
<i>Parties</i>	The Complainant(s) and Respondent(s), collectively.

WesternU's *Sexual and Gender-Based Harassment, Interpersonal Violence, and Other Sexual Misconduct Policy* is intended to define expectations for appropriate conduct and outline resolution processes to address conduct that does not meet these expectations. You can review WesternU's full policy here: <https://www.westernu.edu/media/policy/policy/sexual-and-gender-based-harassment-interpersonal-violence-and-other-sexual-misconduct.pdf>

Sex offenses, including sexual harassment, sexual assault, sexual exploitation, domestic violence, dating violence, and/or stalking are violations of WesternU's *Professional Code of Conduct* (Employee Handbook), *Principles of Professional Conduct* (Faculty Handbook), *Standards of Student Conduct*, and the *Sexual and Gender-Based Harassment, Interpersonal Violence, and Other Sexual Misconduct Policy*. A number of federal laws and regulations, including Title IX, VAWA, and the Clery Act, mandate how institutions of higher education must respond to sex offenses. Many types of sex offenses also constitute violations of California law.

Members of the campus community, guests, and visitors have a right to be free from sexual offenses and to be protected by WesternU's policy regardless of sex, sexual orientation, gender identity, or gender expression. All members of the campus community must conduct themselves in a way that does not infringe upon the rights of others. When individuals are found to have violated policy, WesternU will impose serious sanctions, as noted in the Sanctioning section of the *Sexual and Gender-Based Harassment, Interpersonal Violence, and Other Sexual Misconduct Policy*.

RIGHTS OF COMPLAINANTS AND RESPONDENTS

- The right to an equitable investigation and resolution of all credible allegations of prohibited harassment, discrimination, and/or retaliation made in good faith to WesternU officials.
- The right to timely written notice of all alleged violations, including the identity of the parties involved (if known), the precise misconduct being alleged, the date and location of the alleged misconduct (if known), the implicated policies and procedures, and possible sanctions.
- The right to timely written notice of any material adjustments to the allegations (e.g., additional incidents or allegations, additional Complainants, unsubstantiated allegations) and any attendant adjustments needed to clarify potentially implicated policy violations.
- The right to be informed in advance of any public release of information by WesternU regarding the allegation(s) or underlying incident(s), whenever possible.
- The right not to have any personally identifiable information released by WesternU to the public without consent provided, except to the extent permitted by law.
- The right to be treated with respect by WesternU officials.
- The right to have WesternU's policy and procedures followed without material deviation.
- The right not to be pressured to mediate or otherwise informally resolve any reported misconduct involving violence, including sexual violence.
- The right not to be discouraged by WesternU's officials from reporting sexual harassment, discrimination, and/or retaliation to both on-campus and off-campus authorities.

- The right to be informed by WesternU's officials of options to notify proper law enforcement authorities, including on-campus and local police, and the option(s) to be assisted by the University in notifying such authorities, if the party so chooses. This also includes the right not to be pressured to report.
- The right to have allegations of violations of this Policy responded to promptly and with sensitivity by law enforcement and/or other WesternU officials.
- The right to be informed of available supportive measures, such as counseling; advocacy; health care; student financial aid, visa, and immigration assistance; and/or other services, both on campus and in the community.
- The right to a University implemented no-contact order [or a no-trespass order against a non-affiliated third party] when a person has engaged in or threatens to engage in stalking, threatening, harassing, or other improper conduct.
- The right to be informed of available assistance in changing academic, living, and/or working situations after an alleged incident of discrimination, harassment, and/or retaliation, if such changes are reasonably available. No formal report, or investigation, either campus or criminal, needs to occur before this option is available.
- The right to have WesternU maintain such actions for as long as necessary and for supportive measures to remain confidential, provided confidentiality does not impair WesternU's ability to provide the supportive measures.
- The right to receive sufficiently advanced, written notice of any meeting or interview involving the other party, when possible.
- The right to have the Investigator(s), Advisor(s), and/or Decision-maker(s) identify and question relevant available witnesses, including expert witnesses.
- The right to provide the Investigator(s)/Decision-maker(s) with a list of questions that, if deemed relevant, may be asked of any party or witness.
- The right to have inadmissible prior sexual predisposition/history or irrelevant character evidence excluded by the Decision-maker.
- The right to know the relevant and directly related evidence obtained and to respond to that evidence.
- The right to a fair opportunity to provide the Investigator(s) with their account of the alleged misconduct and have that account be on the record.
- The right to receive a copy of all relevant and directly related evidence obtained by the investigation, subject to privacy limitations imposed by state and federal law, and a ten (10) business day period to review and comment on the evidence.
- The right to receive a copy of the final investigation report, including all factual, policy, and/or credibility analyses performed, and to have at least ten (10) business days to review and comment on the report prior to the hearing.

- The right to be informed of the names of all witnesses whose information will be used to make a finding, in advance of that finding, when relevant.
- The right to regular updates on the status of the investigation and/or resolution.
- The right to have complaints addressed by Investigator(s), Title IX Coordinator(s), and Decision-maker(s) who have received relevant annual training.
- The right to a hearing panel that is not single-sex in its composition, if a panel is used.
- The right to preservation of confidentiality/privacy, as permitted by law.
- The right to meetings, interviews, and/or hearings that are closed to the public.
- The right to petition that any WesternU representative in the process be recused on the basis of disqualifying bias and/or conflict of interest.
- The right to have an Advisor of their choice to accompany and assist the party in all meetings and/or interviews associated with the resolution process.
- The right to the use of the appropriate standard of evidence, a preponderance of the evidence, to make a finding after an objective evaluation of all relevant evidence.
- The right to be present, including presence via remote technology, during all testimony given and evidence presented during any formal grievance hearing.
- The right to have an impact statement considered by the Decision-maker(s) following a determination of responsibility for any allegation, but prior to sanctioning.
- The right to be promptly informed in a written Notice of Outcome letter of the finding(s) and sanction(s) of the resolution process (if any) and a detailed rationale of the decision including an explanation of how credibility was assessed, delivered simultaneously (without undue delay) to the parties.
- The right to be informed in writing of when a decision by the institution is considered final and any changes to the final determination or sanction(s) that occur post Notification of Outcome.
- The right to be informed of the opportunity to appeal the finding(s) and sanction(s) of the resolution process, and the procedures for doing so in accordance with the standards for appeal.
- The right to a fundamentally fair resolution as defined in these procedures.

FREQUENTLY ASKED QUESTIONS (FAQ)

Can an attorney be my Advisor?

Yes. You have the right to an Advisor of your choice, which can include an attorney.

Will my parents/guardians find out about this incident?

It depends. If you are a minor, members of the OTIXEO team have certain mandatory reporting obligations, which may include notifying your parents/guardians of the incident.

If you are not a minor, this incident is a part of your education record, which is protected under the Family Educational Rights and Privacy Act (FERPA). This means that your education record cannot be shared with anyone with whom you have not given WesternU permission to share.

Do I have to resolve this through a formal grievance process?

No. You have options. If you are a Complainant and wish to resolve the issue informally, you must first make a formal complaint. Upon receipt of this formal complaint, the Title IX Coordinator will provide you with additional information. Any party who wishes to resolve the matter informally should contact the Title IX Coordinator. All parties must agree, in writing, to informally resolve for this to be an option.

Is there a time limit on when I can report?

There is no statute of limitations on when a complaint can be filed however there are certain jurisdictional requirements that must be met to pursue a formal grievance process under Title IX.

Will I get in more trouble if I was drinking underage during the incident?

WesternU maintains a policy of offering parties and witnesses amnesty from minor policy violations such as underage consumption of alcohol or the use of illicit drugs related to the incident.

What happens if the Respondent fails to comply with the sanctions?

Respondents are expected to comply with the assigned sanctions, responsive actions, and/or corrective actions within the timeframe specified by the final Decision-maker(s). Failure to abide by the sanction(s)/action(s) imposed by the date specified, whether by refusal, neglect, or any other reason, may result in additional sanction(s)/action(s), including suspension, expulsion, and/or termination.

What happens if the Respondent transfers, leaves, or resigns prior to the conclusion of the formal resolution process?

If a Respondent permanently withdraws or resigns, the resolution process ends with a dismissal, WesternU no longer has disciplinary jurisdiction over the withdrawn student or former employee. However, the University will continue to address and remedy any systemic issues or concerns that may have contributed to the alleged violation(s), and any ongoing effects of the alleged harassment, discrimination, and/or retaliation.

What if law enforcement is involved?

WesternU's action(s) or processes are not typically altered or precluded on the grounds that civil or criminal charges involving the underlying incident(s) have been filed or that criminal charges have been dismissed or reduced. The University may undertake a short delay in its investigation if circumstances require. Communication will be sent to the parties explaining the reason(s) for the delay and the anticipated duration of the delay.