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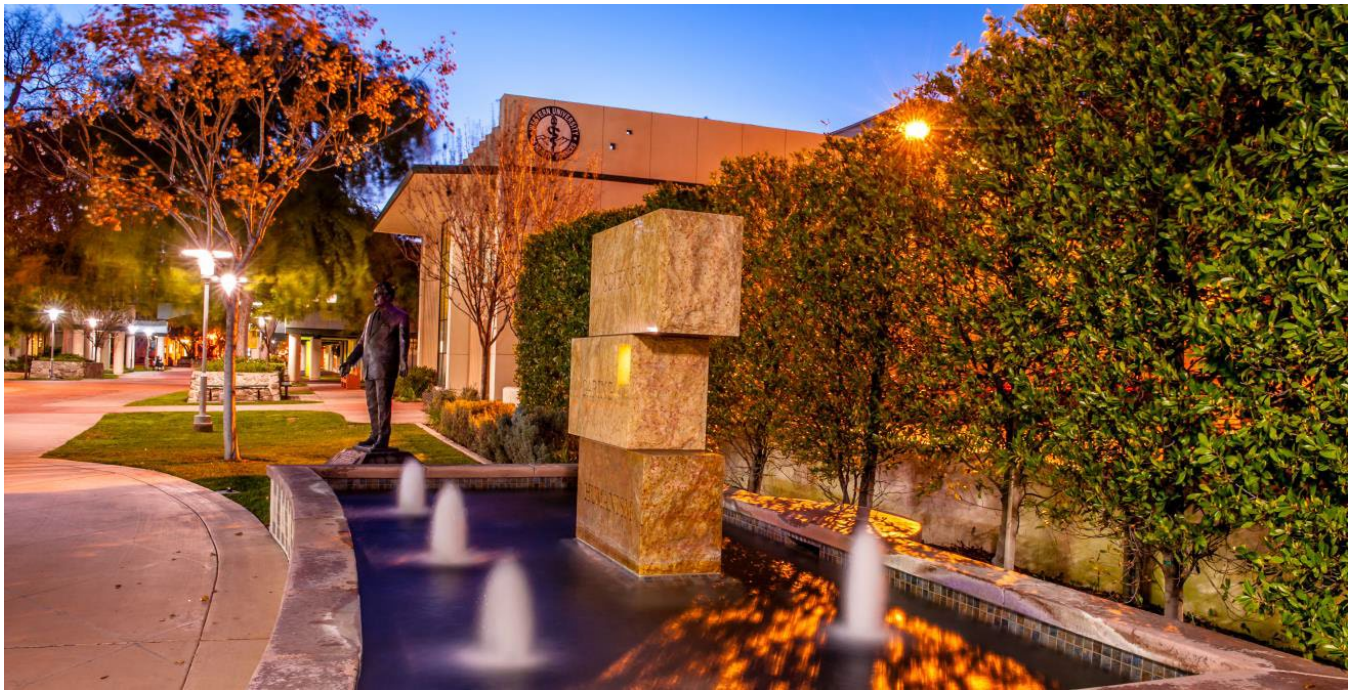
Western University
OF HEALTH SCIENCES



WESTERNU CALIFORNIA CAMPUS

Annual Security Report
& Annual Fire Safety Report
Calendar Year 2025

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This report is provided pursuant to 20 U.S.C. § 1092(f), the Jeanne Clery Campus Safety Act

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ANNUAL SECURITY REPORT

Western University of Health Sciences' (WesternU) Annual Security Report provides information regarding campus safety and security, including institutional policies and procedures concerning crime reporting, emergency response, sexual assault, dating violence, domestic violence, stalking, and other matters required by the Clery Act.

The Office of Campus Security prepares the report in cooperation with administrators from WesternU's main campus and additional locations, local law enforcement agencies, designated Campus Security Authorities, and WesternU's Clery Compliance Committee. The Clery Compliance Committee includes representatives from Campus Security, the Office of Title IX & Equal Opportunity, and University Student Affairs. The committee assists with developing, reviewing, and confirming the accuracy of the Annual Security Report and related campus policies. It also supports Clery Act training, outreach, identification of the University's Clery geography, and overall institutional compliance.

WesternU provides notice of the availability of the Annual Security Report and Annual Fire Safety Report to currently enrolled students, faculty, and staff, annually on or before October 1. Prospective students receive notice upon inquiry about a program and/or submission of an application for admission. Prospective faculty and staff receive notice upon submission of an employment application. **The notice is distributed by email and includes a direct link to the report.**

WesternU's Clery Compliance Specialist, Kimberly Paez, MBA, serves within the Office of Campus Safety and coordinates the University's institution-wide Clery Act compliance efforts. In collaboration with the Clery Compliance Committee and other campus partners, the Clery Compliance Specialist coordinates the preparation and annual publication of the Annual Security Report, collection and review of crime statistics, identification of Clery geography, administration and training of Campus Security Authorities, and review of required campus safety policies and procedures.

Questions regarding the Clery Act or WesternU's Annual Security Report and Annual Fire Safety

Report may be directed to:

Kimberly Paez, MBA
Clery Compliance Specialist, Department of Campus Safety
kpaez@westernu.edu
909-469-8699

The Annual Security Report and Annual Fire Safety Report is available on the Campus Security website at: https://www.westernu.edu/security/security-updates/

A free paper copy may be obtained by:

Calling the Office of Campus Security
909-706-3000;
Emailing: kpaez@westernu.edu
Visiting the Campus Security Office
401 E. Second St., Pomona, CA
91766; or

Mailing a request to:
Kimberly Paez
309 E. Second St.
Pomona, CA 91766

LEGISLATIVE HISTORY OF THE CLERY ACT

The Clery Act is a federal consumer protection law intended to provide transparency about campus crime, campus safety policies, and institutional procedures related to safety and security. The law applies to colleges and universities that participate in federal student financial aid programs and is enforced by the U.S. Department of Education.

The law was first enacted as part of the Student Right-to-Know and Campus Security Act of 1990. It amended the Higher Education Act of 1965 by requiring institutions to disclose campus crime statistics, publish information about campus security policies and procedures, and issue timely warnings when certain reported crimes pose a serious or continuing threat to the campus community.

The law was amended in 1992 through the Campus Sexual Assault Victims' Bill of Rights, which added requirements related to sexual assault prevention, response procedures, and rights for victims of sexual assault on campus.

In 1998, the law was amended and renamed the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act in memory of Jeanne Clery, a Lehigh University student who was murdered in her residence hall in 1986. The 1998 amendments continued to expand institutional responsibilities related to campus crime reporting, campus safety policy disclosure, and public access to safety information.

The Higher Education Opportunity Act of 2008 added fire safety reporting requirements for institutions that maintain on-campus student housing facilities. These institutions must publish an Annual Fire Safety Report that includes fire safety policies, fire statistics, fire drills, fire safety systems, and related housing fire safety information.

The Violence Against Women Reauthorization Act of 2013 amended the Clery Act to add reporting and policy requirements related to dating violence, domestic violence, sexual assault, and stalking. These amendments require institutions to include statistics for these offenses and to disclose related procedures, prevention efforts, rights, options, and resources.

The Stop Campus Hazing Act, signed into law on December 23, 2024, further amended the Clery Act to address hazing in higher education. The law adds hazing-related reporting, policy, and prevention requirements and renames the law the Jeanne Clery Campus Safety Act, which continues to be commonly referred to as the Clery Act.

Under the Clery Act, institutions must publish an Annual Security Report each year by October 1. The report includes crime statistics for the three most recent calendar years, required policy statements, and information about campus safety, reporting options, emergency notifications, timely warnings, crime prevention, disciplinary procedures, and related resources.

More information and resources about the Clery Act are available from the U.S. Department of Education and the nonprofit Clery Center.

UNIVERSITY'S CLERY GEOGRAPHY

University Clery Geography

For purposes of collecting and reporting crime statistics, the Clery Act requires WesternU to identify certain categories of property, known as Clery geography. Crimes that occur within these areas may be included in the Annual Security Report if they are reported to Campus Security, a Campus Security Authority, or local law enforcement.

Clery geography includes the following categories:

Campus (On-Campus Property)

(i) Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and

(ii) Any building or property that is within or reasonably contiguous to the area identified in paragraph (i) 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

A dormitory or other residential facility for students that is located on an institution's campus, as defined in § 668.46(a).

Noncampus Building or Property

(i) Any building or property owned or controlled by a student organization that is officially recognized by the institution; or

(ii) Any building or property owned or controlled by an institution that is used in direct

support of, or in relation to, the institution's educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

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.

Source: 34 C.F.R. § 668.46(a); 34 C.F.R. § 668.41(a).

On-Campus Student Housing Facilities: Daumier Apartments-Graduate Student Housing 615 E Third Street, Pomona, CA 91766

Non-Campus Buildings or Property. WesternU Pomona's campus considers the following as part of our Clery geography:

Western University of Health Sciences "The Village" 1460 E. Holt, Suites 8, 18, 142-150 Pomona CA, 91767	WesternU Health, Los Angeles 2080 Century Park East, Suite 800 Los Angeles, CA 90067
We Care Dental Center 71949 Highway 111, Suite 100B Rancho Mirage, CA 92270 • We Care Dental Center is closing effectiv November 2, 2026	**Western U – Spay/Neuter Center** 3201 Lacy St. Los Angeles, CA 900s31
Palomares Academy of Health Sciences 2211 N. Orange Grove Avenue Pomona, CA 91767	**Jeff Seymour Family Center** 10900 Mulhall St. El Monte, CA 91731
Parktree Community Health Center 1450 E. Holt Ave. Pomona, CA 91767	**Lestonnac Free Clinic** 1215 E. Chapman Ave.Orange, CA 92866
Chap Care Community Health Center 455 W. Montana Ave. Pasadena, CA 91103	**Chap Care Community Health Center** 513 E. Lime Ave. #102 Monrovia, CA 91016

SEPARATE CAMPUSES

A separate campus is defined, for Clery Act reporting purposes, as any additional location, branch campus, school within the institution, or administrative site that is not within a reasonably contiguous area of the campus. In addition to the California campus, WesternU has two (2) separate campuses, one is referred to as the WesternU College of Osteopathic Medicine of the Pacific – Northwest (COMP-NW) Campus, which is located at 200 Mullins Drive Lebanon Oregon, 97355 and WesternU College of Health Sciences – Northwest (CHS-NW) Campus, which is located at 2665 S. Santiam Hwy, Lebanon, Oregon 97355. The Annual Security Reports for these two separate campuses can be reviewed at : https://www.westernu.edu/security/security-updates/ click on the Annual Security and Fire Safety Report section, then click on the Annual Security Reports for the WesternU COMP-NW Campus and the CHS-NW Campus.

Reporting Criminal Offenses and Emergencies — Pomona Campus

Potential or actual criminal activity, suspicious activity, and emergencies, including fire and medical emergencies, should be reported immediately by dialing 9-1-1 and contacting Campus Security at 909-706-3000 or campus extension 3000.

Calls to 9-1-1 from a University phone are routed directly to the Pomona Police Department, and Campus Security is automatically notified. Calls from a cell phone are also routed to the Pomona Police Department; however, Campus Security must be contacted separately.

Upon receiving an emergency report, Campus Security Officers will respond to the location and request additional emergency resources as needed. If an incident is reported directly to the Police or Fire Department, Campus Security should also be notified so officers can direct emergency personnel to the appropriate location and properly document the incident.

Reports may be made by:

- Calling Campus Security at 909-706-3000 or extension 3000;
- Using the SafeZone app;
- Reporting in person at the Campus Security Office;
- Contacting a designated Campus Security Authority; or
- Dialing 9-1-1 for crimes in progress or other emergencies.

If a person affected by a crime chooses not to report or is unable to report, other members of the campus community are encouraged to promptly report the incident.

Prompt reporting assists the University in determining whether a Timely Warning or Emergency Notification is required and whether the incident must be included in the University's annual crime

statistics.

Local Law Enforcement — WesternU Pomona Campus

Pomona Police Department

490 W. Mission Blvd.
Pomona, CA 91766
909-622-1241

For crimes in progress, fire emergencies, or medical emergencies, dial 9-1-1.

Reporting at Additional Campus Locations

Criminal activity and emergencies occurring at non-campus locations should be reported directly to the appropriate local law enforcement agency by dialing 9-1-1.

For purposes of Timely Warning determinations and annual crime statistics, criminal offenses should also be reported to WesternU Campus Security at 909-706-3000 or to a designated Campus Security Authority.

Campus Security will review and classify reported incidents and determine whether they should be included in the University's annual crime statistics.

Although the University encourages prompt reporting directly to Campus Security or law enforcement, campus community members may also report incidents to other designated University officials or offices.

Prohibition Against Retaliation

Western University of Health Sciences prohibits retaliation against any individual who exercises their rights or responsibilities under the Clery Act. No officer, employee, or agent of the University may retaliate, intimidate, threaten, coerce, or otherwise discriminate against any individual for exercising their rights or responsibilities under the Clery Act.

This prohibition includes retaliation against individuals who report crimes or safety concerns, provide information, participate in an investigation or proceeding, assist with Clery Act compliance activities, or otherwise exercise rights protected under the Clery Act.

WesternU encourages members of the University community to report concerns regarding suspected retaliation. Reports may be made to the appropriate University office for review and response in accordance with applicable University policies and procedures.

VOLUNTARY CONFIDENTIAL RESOURCES

Western University of Health Sciences (WesternU) provides confidential support resources for students and employees through Optum Emotional Well-being Solutions (Optum EWS). These resources are available to individuals who are unsure whether they want to make a report, who would like to speak with a confidential resource, or who are interested in counseling or support services in addition to, or instead of, making a formal report to the University or law enforcement. Confidential resources can provide support, information, and referrals without requiring an individual to make a formal report.

Confidential off-campus reporting options for incidents of sexual assault, domestic violence, dating violence, and stalking may include licensed professional counselors, rape crisis centers, and clergy or chaplains.

However, there may be limited circumstances where confidential resources are required by law to disclose information, such as situations involving an immediate threat of harm to self or others, suspected abuse of a minor, elder, or dependent adult, or as otherwise required by law.

Optum Emotional Well-being Solutions (Optum EWS)

Available to students and employees Phone: 800-234-5465 Website: www.liveandworkwell.com Access Code: westernu Optum EWS provides confidential support services, including counseling, financial and legal consultation, and life balance resources. For a complete summary of available confidential resources, please visit our websites: https://www.westernu.edu/otixeo/ and https://www.westernu.edu/students/services/counseling/

Voluntary Confidential Reporting Procedures for Crime Statistics

WesternU encourages all members of the campus community to report crimes and other safety concerns to Campus Security, local law enforcement, or a designated Campus Security Authority. Prompt reporting helps the University evaluate safety concerns, determine whether a Timely Warning or Emergency Notification may be required, and ensure accurate inclusion of reportable crimes in the University's annual crime statistics. WesternU also recognizes that some individuals may wish to report a crime on a voluntary, confidential basis for the purpose of inclusion in the Annual Security Report crime statistics, without pursuing a formal University complaint process or criminal investigation. Individuals who wish to make a voluntary confidential report may contact Campus Security at 909-706-3000 or campus extension 3000 and request that the report be documented for Clery Act statistical purposes. When a voluntary confidential report is made, Campus Security will collect the information needed to determine whether the incident is reportable under the Clery Act, including the type of incident, general location, date or approximate date, and whether the incident occurred within WesternU's Clery geography. Personally identifying information will not be included in the Annual Security Report crime statistics. Making a voluntary confidential report does not require the individual to pursue criminal charges or participate in a University investigation. However, depending on the information shared, WesternU may need to take steps to address an ongoing safety concern or comply with applicable law. Reports made to Campus Security, local law enforcement, or non-confidential University officials may not be privileged or confidential in the same way as communications with licensed counselors, medical providers, clergy, or other legally protected confidential resources. The purpose of voluntary confidential reporting is to help ensure that crimes are accurately counted in WesternU's annual crime statistics while respecting, to the extent possible, the reporting individual's request for privacy.

Optum Provider Contact Information:

California

Optum On-Site Providers for students Services: Counseling, coaching, and critical incident response services

Anna Couch, PhD MA, MFT 952-687-4090 | anna.couch@optum.com

Luis Orozco, DSW, LCSW 763-348-0000 | luis_orozco@optum.com

Records, including medical information, referrals and evaluations, are kept confidential by Optum in accordance with federal and state laws. Optum does not disclose private information to anyone without explicit written instructions from the participant, except within federal and state guidelines. Please note, however, that in a professional counseling agency, confidentiality means that counselors may consult with each other regarding any of their clients.

Campus Security Authorities:

The Clery Act defines A Campus Security Authority (CSA) is defined under the Clery Act as:

(i) A campus police department or a campus security department of an institution;

(ii) Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department under paragraph (i) of this definition, such as an individual who is responsible for monitoring entrance into institutional property;

(iii) 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; or

(iv) 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 as a pastoral or professional counselor.

Examples of WesternU Campus Security Authorities include, but are not limited to:

– Campus Security personnel, including Campus Security officers and student safety escorts

Phone: 909-706-3000

– Location: USC Building, 401 E. Second Street, Room 102, Pomona, CA 91766

– The Title IX Coordinator and designated Deputy Title IX Coordinators

Phone: (909) 469-7015

– Identified deans, vice deans, associate deans, assistant deans, and other academic administrators with significant responsibility for student or campus activities

– Identified directors and University Student Affairs personnel with significant responsibility for student or campus activities

Phone: 909-469-5605

– Faculty and staff advisors to recognized student organizations

– Designated senior leaders whose responsibilities include significant oversight of student or campus activities; and

– Other individuals or offices designated by WesternU as persons or organizations to whom students and employees should report criminal offenses.

CSAs are notified annually of their designation and reporting responsibilities. They are also provided annual training to clarify their role, reporting obligations, and expectations under the Clery Act.

Staff in the departments listed above may also be reached through the University's main phone number at 909-623-6116.

Professional and Pastoral Counselors

Under the Clery Act, professional and pastoral counselors are not considered CSAs when they are acting within the scope of their counseling role. 34 C.F.R. § 668.46(a). As a result, they are not required to report crimes disclosed to them for inclusion in the University's annual crime statistics. WesternU encourages professional and pastoral counselors, when they believe it is appropriate, to inform individuals they are counseling about the option to report crimes on a voluntary, confidential basis for inclusion in the University's Annual Security Report crime statistics.

Professional Counselor: A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.

Pastoral Counselor: WesternU does not have any Pastoral Counselors that work at the institution at this time.

Hate Crimes

The Clery Act defines a hate crime as a crime reported to local police agencies or to a campus security authority that manifests evidence the victim was intentionally selected because of the perpetrator's bias against the victim. Bias categories under the Clery Act include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, or disability.

The California Penal Code (Cal Pen Code § 422.55) defines hate crimes as follows:

For purposes of this title, and for purposes of all other state law unless an explicit provision of law or the context clearly requires a different meaning, the following shall apply: (a) "Hate crime" means a criminal act committed, in whole or in part, because of one or more of the following actual or perceived characteristics of the victim:

(1) Disability

(2) Gender

(3) Nationality

(4) Race or ethnicity

(5) Religion

(6) Sexual orientation.

(7) Association with a person or group with one or more of these actual or perceived characteristics.

(b) "Hate crime" includes, but is not limited to, a violation of Section 422.6.

WesternU expressly prohibits hate crimes, hate violence, and any conduct motivated by bias or discrimination. Suspected hate crimes or acts of hate violence should be reported promptly to Campus Security, the Senior Vice President of Institutional Shared Services and Chief Operating Officer, a designated Campus Security Authority, and/or the Pomona Police Department.

Authority & Jurisdiction of Local Law Enforcement Agencies & Security Personnel

Western University of Health Sciences maintains a Memorandum of Understanding (MOU) with the Pomona Police Department to support communication, coordination, and information sharing regarding criminal incidents involving the Pomona campus.

The MOU establishes procedures for reporting, response, and coordination between WesternU and the Pomona Police Department, including matters involving Part I crimes and Clery-reportable crimes. The purpose of the MOU is to support the accurate and timely sharing of crime information, assist WesternU with its Clery Act compliance responsibilities, and clarify each party's role in responding to, investigating, and reporting criminal incidents in a timely manner.

WesternU contracts with Securitas to provide security officers who formally operate as part of the Western University of Health Sciences Office of Campus Security while wearing Securitas uniforms. The Director of Campus Safety, Security Clerk, and Emergency Response Manager are WesternU employees who provide institutional oversight and administrative and operational support for campus safety, security, emergency response, and applicable Clery Act responsibilities.

Securitas officers patrol and monitor the Pomona campus in accordance with WesternU's established security procedures. They coordinate with the appropriate WesternU officials and the Pomona Police Department when law-enforcement assistance, investigation, or emergency response is required.

Securitas officers are not members of the Pomona Police Department and do not replace local law enforcement. WesternU remains responsible for its institutional obligations under the Clery Act, including collecting and evaluating crime reports, maintaining the Daily Crime Log, requesting applicable crime statistics from law-enforcement agencies, and publishing required disclosures.

The patrol jurisdiction of the Western University of Health Sciences Office of Campus Security includes areas that Campus Security regularly patrols, monitors, or is assigned responsibility for protecting. This jurisdiction includes WesternU's Clery geography and may also include additional University-owned or controlled property located outside the institution's Clery geography.

Campus Security's patrol jurisdiction and WesternU's Clery geography are not necessarily identical. For example, Campus Security may patrol undeveloped WesternU-owned land even when the property is not used in direct support of the University's educational purposes and is not frequently used by students. Such property may fall within Campus Security's patrol jurisdiction without qualifying as on-campus property, on-campus student housing, noncampus property, or public property for Clery statistical reporting purposes.

Campus Security documents reported crimes occurring within WesternU's Clery geography or within its established patrol jurisdiction in the Daily Crime Log, as required by 34 C.F.R. § 668.46(f). Therefore, an incident may appear in the Daily Crime Log even though it is not included in the University's annual Clery crime statistics.

The inclusion of an incident in the Daily Crime Log does not, by itself, establish that the incident occurred within Clery geography or qualifies as a reportable Clery crime. Each incident is separately reviewed based on the type of offense, the location where it occurred, the applicable Clery geographic category, and the federal reporting requirements.

This distinction is consistent with the federal regulation: annual crime statistics are limited to Clery crimes occurring within Clery Geography that were reported to local police agencies or to a campus security

authority, while the Daily Crime Log must include any crime reported to the campus security department that occurred on campus, on noncampus property, on public property, or within the department's patrol jurisdiction. 34 C.F.R. § 668.46

Non-Campus WesternU Facilities & Enforcement Authority and Jurisdiction

The University has established relationships with local law enforcement agencies for each of its additional campus locations. These agencies help provide proactive safety patrols of the University community and surrounding area. The following table lists non-WesternU Facilities along with Enforcement Authorities and the Jurisdiction.

Facility Name	Access to Facilities	Local Law Enforcement
We Care Dental Rancho Mirage Dental Center	Monday-Thursday 9am to 5pm Friday 8am to 3pm Closed Saturday and Sunday	Rancho Mirage Emergency - 9-1-1 Business (760) 836-1600
WesternU Health, Eye Care Institute Los Angeles	Monday-Friday 8am to 5pm Closed Saturday and Sunday	LAPD Emergency – 9-1-1 Business (310) 444-0701
The Village Pomona, CA	Suite 150- Monday-Friday 8am to 5pm Suite 14- Tue-Wed. 8am to 5 pm Suites 20 & 176 By Appt. only	Pomona Police Emergency 9-1-1 Non-Emergency (909) 622-1241
Jeff Seymour Family Cente	Monday- Tuesday 8am to 4pm	El Monte Police Emergency- 9-1-1 Non-Emergency (626) 580-2100
CHAP Care Community Health Center-Pasadena	Monday- Friday 8 am- 4 pm	Pasadena Police Emergency- 9-1-1
Lestonnac Free Clinic	Monday-Friday 8 am to 4 pm	Orange Police Department Emergency- 9-1-1 Non-Emergency 714-744-7444
CHAP Care Community Health Center-Monrovia	Monday-Friday 8 am- 4 pm	Non-Emergency Monrovia Police Emergency- 9-1-1 Non-Emergency 626-256-8000

MAIN CAMPUS – CALIFORNIA

The Office of Campus Security is a non-sworn safety department who is tasked with providing a safe and secure learning and working environment for the Pomona community. The Office of Campus Security enforces University policies, procedures, and the University's vehicle code.

Campus Security Officers perform routine patrol of on-campus and non-campus WesternU buildings and property for the main campus.

Campus Security Officers have private citizens' powers to arrest. California Penal Code Section 837 specifies the conditions under which officers, as a private person, may make an arrest. A private person may arrest another:

1. For a public offense committed or attempted in his/her presence. 2. When the person arrested has committed a felony, although not in his/her presence. 3. When a felony has been, in fact, committed and there is reasonable cause for believing the person arrested to have committed it.

When engaged in the performance of assigned duties, Campus Security Officers may engage in the following activities:

Observe and report:

- Leaks and spills, including those of a hazardous nature
- Lighting that is not working
- Slips and fall incidents
- Fire emergencies
- Crimes in-progress
- Suspected crimes or forced entries
- Bomb threats and
- Intruders or suspicious persons.

Campus Security Officers must refrain from the following:

- Touching or attempting to clean up leaks or spills
- Handling hazardous materials
- Moving or touching a suspicious object or package
- Chasing down and/or restraining persons who violate the access control policy; and
- Using physical force to remove a person from the premises.

When reporting in-progress crimes, fire and other emergencies, the Campus Security Officers will contact the appropriate emergency response agency by dialing 9-1-1. This is to ensure that all appropriate parties have the same information and can work together to ensure proper resolution of the incident.

Securitas Guard Services maintains an Illness and Injury Prevention Program, with a Program Administrator who has the authority and responsibility for implementing the provisions of the program.

Annual Disclosure of Crime Statistics

WesternU's Annual Security Report includes statistics for the previous three calendar years for Clery crimes occurring within the WesternU's Clery geography that were reported to local police agencies or to a campus security authority. Clery geography includes:

- On-campus property;
- Non-campus buildings or property; and
- Public property within or immediately adjacent to and accessible from the campus.

Crime statistics are collected from the Office of Campus Security, designated Campus Security Authorities, and local law enforcement agencies with jurisdiction over WesternU's Clery geography.

As part of WesternU's good-faith effort to obtain complete and accurate crime statistics, the Office of Campus Security annually requests crime statistics from the appropriate local law enforcement agencies. These requests may be submitted by letter or email and identify the applicable Clery geography for the Pomona campus and related non-campus locations.

Campus Security reviews and classifies reported incidents in accordance with Clery Act requirements. Information received from Campus Security, Campus Security Authorities, and local law enforcement agencies is reviewed and compiled for inclusion in the Annual Security Report. Statistics received from law enforcement agencies are included as reported by the responding agencies.

THE DAILY CRIME LOG

The Office of Campus Security maintains a Daily Crime Log for the Pomona campus. The Daily Crime Log includes reported crimes that occur within WesternU's Clery geography and within the patrol jurisdiction of Campus Security.

Entries and updates to the Daily Crime Log are made within two business days of the report being received, unless disclosure is prohibited by law or would jeopardize the confidentiality of the victim, an ongoing investigation, the safety of an individual, or the prevention of a crime. The most recent 60 days of the Daily Crime Log are available for public inspection during normal business hours at the Campus Security Office, located at 401 E. Second Street, Room 102, Pomona, CA 91766. Portions of the Daily Crime Log older than 60 days are available upon request and will be made available within two business days of the request.

The Daily Crime Log is also available online at https://www.westernu.edu/security/security-updates/#crime-log-accordion-1-button under "Daily Crime Log – Pomona, CA Campus."

The Office of Campus Security maintains a Daily Crime Log of reported crimes occurring within WesternU's Clery geography or within the established patrol jurisdiction of Campus Security. Campus Security's patrol jurisdiction may include WesternU-owned or controlled property that does not meet the federal definition of Clery geography, such as undeveloped property that is not used in direct support of the University's educational purposes and/or is not frequently used by students.

Accordingly, a crime may appear in the Daily Crime Log even though it is not included in WesternU's annual Clery crime statistics. Inclusion in the Daily Crime Log does not, by itself, mean that the location or incident qualifies for inclusion in the annual statistics. Each reported crime is separately evaluated under the geographic and reporting requirements established by the Clery Act and 34 C.F.R. § 668.46.

For questions or to request access to the Daily Crime Log, contact Campus Security at 909-706- 3000 or visit the Campus Security Office during normal business hours.

SECURITY & ACCESS POLICY

During business hours, the University (excluding certain offices and facilities) will be open to students, employees, contractors, and guests. Access to all University facilities is secured either by electronic key cards or by hard key lock after designated business hours, subject to continued use by university groups.

Keys and Electronic key cards are issued by Campus Security. In the case of periods of extended closing, the University will admit only those with prior written approval to all buildings. Campus Community members are instructed to close and secure their respective work areas before they leave the location. The Office of Campus Security will secure any doors that are found open while patrolling the campus.

Emergencies may necessitate changes or alterations to any posted schedules. Lock or door damage reports are documented by the Office of Campus Security. The concerns are then forwarded to facilities for

repair. These incident/maintenance reports document security, safety, and maintenance issues such as landscaping, locks, alarms, lighting, and communications.

Daumier Access Policy

Resident Entry Point: Residents enter the property through three access points: the main entrance on the WU Promenade side, a second entrance further along the promenade in front of the Health Education Building adjacent to the Sienna apartments, and a side entrance on the walkway heading toward Third Street.

Exterior Door Security: All entrances remain locked at all times, with the exception of the main entrance, which is open Monday through Friday from 9:00 a.m. to 6:00 p.m. Anyone can access the lobby area during business hours but a key fob is needed to proceed to the residential side of the building. **Access Credentials**: Residents are issued a key fob at move-in, which is returned at move-out. Fobs are programmed and issued by our front desk staff and tracked through our Residential Portal.

Reporting Access and Security Concerns

We have several avenues for reporting concerns. We partner with WU Security and Securitas, who patrol our building perimeter and parking lots and provide a detailed overnight report. In addition, Daumier professional staff are on call 24/7 and work in partnership with student staff who serve on call after business hours, so residents can report any issues that arise at any time.

Monitoring & Reporting of Student Organization Activity at Non-Campus Locations

The University does not recognize and is not aware of any non-campus locations, including non- campus housing facilities, of student organizations officially recognized by the University. There is no agreement or policy by or between the University and local law enforcement agencies to monitor activities of any officially recognized student organizations at non-campus locations.

EMERGENCY NOTIFICATION, TIMELY WARNINGS, AND EVACUATION

Emergency Notification

Western University of Health Sciences will immediately notify the Pomona campus community upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on campus.

The Department of Environmental Health and Safety (EHS) is the University department responsible for the Emergency Notification Broadcast System. SafeZone is WesternU's official emergency communication service. Emergency notifications may be distributed through the SafeZone application, text message, telephone call, email, social media, or other appropriate communication methods.

Confirmation of an Emergency

When WesternU receives information concerning a potential emergency or dangerous situation, an authorized University official will evaluate the available information in coordination, as appropriate, with Campus Security, EHS, the Pomona Police Department, the Los Angeles County Fire Department, emergency medical personnel, Facilities, or another agency or University department with direct knowledge of the circumstances.

Confirmation does not require that every detail be known. A situation is considered

confirmed when an authorized University official determines, based on reasonably reliable information, that a significant emergency or dangerous situation is occurring on the Pomona campus and presents an immediate threat to the health or safety of students or employees.

Authorized University officials with responsibility for campus safety, security, or emergency response may confirm the existence of a significant emergency or dangerous situation based on reasonably reliable information. When the primary official responsible for making this determination is unavailable, another authorized University official with responsibility for campus safety, security, or emergency response may perform this function to prevent unnecessary delay.

Designated University officials with responsibility for campus safety, security, or emergency response may independently direct the issuance of an emergency notification when circumstances require immediate action.

Determining Who Will Receive the Notification

After confirming an emergency, the authorized University official will determine whether the notification should be sent to the entire Pomona campus community or only to the segment or segments directly affected by the situation.

This determination will be based on factors such as:

- The nature and location of the emergency;
- The area affected or likely to be affected;
- Whether the threat is limited to a particular building, clinic, program, population, or portion
- of campus;
- The protective actions community members should take; and
- The possibility that the emergency could expand to other areas of campus.

If the emergency may affect the entire campus, or if limiting the notification could place other members of the campus community at risk, the notification will be distributed to the entire Pomona campus community.

Determining the Content of the Notification

The authorized official directing the notification, in coordination with EHS, Campus Security, responding agencies, or other officials with relevant information, will determine the content of the notification. The message will provide the available information necessary for members of the campus community to protect themselves.

Depending on the circumstances, it may include:

- The nature and location of the emergency;
- The building, area, or population affected;
- Protective actions, such as evacuating, sheltering in place, avoiding an area, or securing a
- building;
- Instructions for obtaining emergency assistance; and
- Where or how additional information will be provided.

The notification may omit information that is unconfirmed, could create additional danger, or could interfere with emergency response activities.

Initiating the Emergency Notification System

Once the emergency has been confirmed and the affected population and message content have been determined, personnel authorized to operate the SafeZone Emergency Notification System will initiate the notification without delay.

The Emergency Management Committee may assist with emergency coordination, response, or follow-up communications when time and circumstances permit. Its specific decision-making role will be governed by applicable University policies and emergency procedures.

WesternU may withhold or delay an emergency notification only when, in the professional judgment of responsible authorities, issuing it would compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency.

Follow-Up Information

WesternU will provide follow-up notifications to the Pomona campus community as appropriate when additional information becomes available. Follow-up messages may provide updated protective instructions, changes in affected areas, information concerning continuing University operations, or notice that the immediate threat has ended.

Examples of significant emergencies or dangerous situations include, but are not limited to:

- Earthquake or other natural disaster;
- Fire or explosion;
- Train derailment;
- Gas leak or utility failure;
- Chemical or hazardous-materials incident on or near campus;
- Armed intruder or other violent incident;
- Terrorist incident;
- Bomb threat;
- Civil unrest or rioting;

- Police, fire, or emergency medical activity requiring evacuation, lockdown, or restricted
- access; and
- Another imminent hazard presenting an immediate threat to the campus community

Timely Warnings

The Clery Act requires WesternU to issue Timely Warnings to alert the campus community about Clery-reportable crimes that are reported to Campus Security Authorities or local law enforcement and that are determined by WesternU to represent a threat to students and employees within the University's Clery geography.

Timely Warnings are intended to provide information that will help members of the campus community protect themselves and aid in the prevention of similar crimes. The University will issue a Timely Warning as soon as pertinent information is available. Timely Warnings will not include the names or other identifying information of victims.

The Director of Campus Security, or designee, will review reported incidents to determine whether a Timely Warning is required. Depending on the nature and urgency of the situation, the Director of Campus Security may consult with the Senior Vice President of Institutional Shared Services and Chief Operating Officer, local law enforcement, and/or other appropriate University officials. The Office of Public Relations and Marketing may assist with preparing and disseminating the notification to the University community.

Timely Warning Notices may include, when available and appropriate, the following information:

- The type of crime reported;
- The date, time, and location of the incident;
- A brief description of the incident;
- Suspect information, if known;
- Whether the incident has been reported to local law enforcement;
- Safety reminders or crime-prevention tips;
- Instructions for reporting suspicious activity or providing information related to the incident.

Examples of information that may be included in a Timely Warning Notice include notification of a reported burglary on campus, a summary of how the incident occurred, whether the affected area has been secured, whether law enforcement has been notified, and safety reminders such as securing doors, reporting damaged locks or windows, and contacting Campus Safety if suspicious activity is observed.

WesternU is not required to issue a Timely Warning for crimes reported to a pastoral or professional counselor when the counselor is acting within the scope of their official counseling duties.

EMERGENCY NOTIFICATION AND TIMELY WARNING SUMMARY

	Emergency Notification	Timely Warnings
Scope	Significant emergency or dangerous situation	Clery crimes, reported to CSAs or local police agencies
Trigger	Event that is currently occurring on or imminently threatening campus	Crimes that occurred and represent an ongoing threat
Location	Only on campus	Anywhere on Clery Geography

	Emergency Notification	Timely Warnings
Timing	Immediately upon confirmation of situation	As soon as information is available

In the event of an immediate threat to the health or safety of students or employees on campus, WesternU will activate its emergency notification procedures. WesternU will provide appropriate follow-up information to the campus community, as necessary.

UNIVERSITY'S NOTIFICATION SYSTEM

Notifications (including, but not limited to, timely warnings and emergency notifications) are disseminated by one or more of the following methods: mass emailing, the university's notification system (SafeZone), university's website, social media platforms, "in person direct notification" or phone call to the affected campuses.

The University uses "SafeZone" Campus Notification System as a means of notifying students, faculty, and staff of pertinent information for all campuses. The user will receive an email and can pick multiple ways of additional notification: text, phone, and cell phone. The system can be activated from any location that has access to internet coverage. The SafeZone System notifies by email, or other optional methods, all individuals listed in the Banner system can target designated groups on any of the University's campuses.

The SafeZone system is an automatic sign up for all Faculty, Students, and Staff in the Banner system based on current information provided by the user. The user must remain in the email notification queue but can opt-out of additional message formats such as text or cell phone notifications. The University uses the University email system for all current students and employees with no opt-out ability. It is the responsibility of staff members and students to keep their emergency contact information updated.

Evacuation Procedures

The Office of Campus Security, in conjunction with the Office of Environmental Health and Safety (EHS), conducts regular emergency evacuation drills every October. The Office of EHS holds regular training drills for all Building Safety Coordinators (BSC) and support staff in evacuation procedures for buildings on main campus, and non-Campus locations.

- Fire alarms or verbal notice will be used to alert people to the evacuation.
- Remain calm, walk quickly but do not run.
- Exit via stairway, DO NOT USE ELEVATORS. (All multi-level buildings are equipped
- with one or more evacuation chairs for disabled persons who cannot negotiate stairs on their own.)
- Follow instructions of the Building Safety Coordinators and Office of Campus Security,
- Securitas Guards, or other emergency personnel.
- Seek out and give assistance as needed to any disabled persons in the area.
- If time permits, turn off the power to all electrical equipment and close doors.
- Go to the designated Evacuation Assembly Area for your building. These are located
- outside away from the building. Keep roadways and walkways clear for emergency vehicles.
- WAIT FOR INSTRUCTIONS from emergency personnel. DO NOT RE-ENTER THE BUILDING until instructed to do so by the Office of Campus Security, Securitas Guards, or other emergency response personnel.

The University's Fire Prevention Plan - Emergency Action Plan and evacuation procedures can be reviewed to see actions that should be taken in a variety of emergency situations.

The Office of Environmental Health and Safety (EHS) maintains documentation of emergency response drills, evacuation exercises, and related test results. At least once during each academic year, EHS conducts a test of the University's emergency response and evacuation procedures, including the SafeZone campus emergency notification system. WesternU publicities its emergency response and evacuation procedures in conjunction with at least one test per calendar year. These tests may be announced or unannounced. Documentation of each test includes a description of the exercise, the date and time of the test, whether the test was announced or unannounced, and the results or observations from the exercise. Test records are maintained by EHS and/or within the SafeZone system.

On October 16, 2025, EHS conducted an announced emergency response and evacuation test as part of the statewide Great ShakeOut earthquake drill. The exercise began at 10:16 a.m. and concluded at approximately 10:32 a.m., followed by a debrief at 10:40 a.m.

During the exercise, campus buildings were evacuated, and students and employees reported to their designated evacuation zones. Building Safety Coordinators and Campus Security assisted with evacuation coordination, communication, and confirmation that buildings and assigned areas were checked. Participants were reminded to follow established evacuation procedures, proceed to designated evacuation areas, and wait for further instructions before re-entering buildings.

The exercise also tested emergency communication methods, including SafeZone messaging and radio communications. Overall, most participants received the emergency messages successfully. The debrief identified areas for continued improvement, including clearer evacuation zone signage, radio equipment needs, communication procedures, and additional training related to assisting individuals who may need help during an evacuation.

The assessment also reinforced that Building Safety Coordinators are not rescue personnel. Their role is to communicate concerns, report the location of any individual who may need assistance, and ensure that Campus Security or designated responders are notified. If someone cannot evacuate safely, Building Safety Coordinators should report the building, room number, floor, and situation to Campus Security and request assistance.

EARTHQUAKE RESPONSE:

(i) Each classroom on campus has a poster showing a schematic of the building floor you are on
(ii) and the general area, and a recommended evacuation route.

(iii) Take time to know your primary evacuation route and scope out an alternative route, if for
(iv) some unforeseen reasons, the primary is unusable.

(v) Know where your evacuation gathering site is and proceed there quickly.
(vi) You may not be returning to the building, so take car keys, purse, cell phone, medication,
(vii) glasses, flashlight, wallet, etc.

(viii) Leave the building safely and efficiently.

- DO NOT USE ELEVATORS
- Walk, do not run
- Feel doors for heat. If hot, seek another route
- Evacuate quietly so you can hear emergency instructions
- Use handrails in stairwells; stay to the right
- Assist people with disabilities
- Watch for falling glass and debris
- Do not return to the building until instructed to do so by authorities

CAMPUS EVACUATION:

1. Drive carefully through campus parking lots.
2. Drive to the nearest exit, even if it may not be your usual exit.
3. Follow the directions of Campus Security or other emergency response personnel.
4. At campus exits, do not attempt to cross traffic on the main roadways. In most cases, you will need to turn right on main roadways to avoid bottlenecks behind you.
5. Carpool if feasible.
6. Do not return to campus unless directed by authorities.

ACTIVE SHOOTER AND OTHER FORMS OF DIRECT ATTACKS

If the campus becomes the target of an attacker, if you cannot get away from the threat, it is important to immediately secure yourself and those with you in an area that better isolates you from the attacker. If discovered and directly threatened, use anything available to you as a weapon to fight off the attacker.

This response is called “Run, Hide, Fight” and is emphasized as a standard in responding to the Active Shooter and other forms of direct attacks upon the campus community members and facilities.

The University works with local law enforcement and fire service agencies to maintain accurate information and resources to assist these first responders as they arrive to stop and apprehend the attacker.

The following video link is provided to illustrate ways in which you can help yourself and others in an emergency situation. To view click the link Run-Hide-Fight.

Hazing

Anti-Hazing Policy Summary

Western University of Health Sciences is committed to maintaining an environment that promotes dignity, respect, safety, and the well-being of all members of the University community. Hazing is strictly prohibited regardless of an individual's willingness to participate. Hazing undermines the University's educational mission, jeopardizes the health and safety of students and employees, and is inconsistent with WesternU's core values.

WesternU prohibits hazing by any individual, student organization, athletic team, recognized or unrecognized group, or employee in connection with initiation into, affiliation with, membership in, or continued participation in any University-affiliated organization or activity. Prohibited conduct includes any intentional, knowing, or reckless act that causes or creates a risk of physical injury, psychological harm, emotional distress, or degradation as part of joining or maintaining membership in a group. Hazing may occur with or without the consent of the individual subjected to the conduct.

Individuals or organizations found responsible for hazing may be subject to disciplinary action up to and including suspension, expulsion, termination of employment, revocation of organizational recognition, and referral to law enforcement when appropriate. Hazing may also result in criminal and civil liability under applicable federal and state law.

WesternU defines Hazing as follows: any intentional, knowing, or reckless act or method committed by a person(whether individually or in concert with other persons) against another person or persons including current, former, or prospective students, regardless of the willingness of such other person or persons to participate, that is committed in the course of a pre-initiation, an initiation into, an affiliation with, or the maintenance of membership in an official or unofficial student organization, club, or body that a) causes or creates a risk of physical or psychological injury, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization or b) the initiator knows or should have known is likely to cause serious bodily injury to any former, current, or prospective student .

Hazing includes, but is not limited to, the following:

(a) whipping, beating, striking, electronic shocking, placing of a harmful substance on someone’s body, or similar activity;

(b) causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;

(c) causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;

(d) causing, coercing, or otherwise inducing another person to perform sexual acts;

(e) any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct

(f) any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and

(g) any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

Reporting Hazing

WesternU encourages all members of the University community to immediately report suspected or known hazing incidents. Reports may be made by anyone who experiences, witnesses, or becomes aware of conduct that may constitute hazing.

Reports may be submitted through any of the following methods:

- Online Hazing Incident Report Form through the Office of Title IX & Equal Opportunity (OTIXEO)
- Email to OTIXEO@westernu.edu
- Anonymous reporting through the University's Hazing Hotline at **(909) 865-2620**
- Directly to campus security or local law enforcement in emergencies or when criminal conduct is suspected

Individuals making reports are encouraged to provide as much information as possible regarding the incident, including the individuals or organizations involved, dates, locations, witnesses, and any available documentation or evidence. Anonymous reports are accepted; however, the University's ability to investigate may depend on the information provided. Reporting under the Anti-Hazing Policy does not replace any other reporting obligations that may exist under University policy or applicable law.

Investigation of Hazing Reports

The Office of Title IX & Equal Opportunity (OTIXEO) is responsible for receiving, assessing, and investigating reports of alleged hazing, or coordinating the University's response as appropriate.

Upon receiving a report, the University conducts an initial assessment to determine whether the reported conduct falls within the scope of the Anti-Hazing Policy and whether immediate measures are necessary to protect the health and safety of individuals or the campus community.

Investigations are conducted promptly, thoroughly, and impartially. During the investigative process, the University may:

- Interview the complainant, respondent, and relevant witnesses;
- Collect and review documentary, electronic, photographic, video, or other relevant
- evidence;
- Coordinate with campus security or law enforcement when appropriate;
- Implement interim protective measures when necessary to mitigate safety concerns; and
- Determine whether the evidence establishes a violation of the University's Anti-Hazing Policy.

Following the investigation, the University determines whether a policy violation occurred using

the applicable evidentiary standard established by University policy. When a violation is found, appropriate sanctions and corrective actions are imposed based upon the nature and severity of the misconduct.

Consistent with the Stop Campus Hazing Act, WesternU maintains a Campus Hazing Transparency Report for incidents involving student organizations that result in a finding of responsibility. The report excludes personally identifiable information and is updated as required by law. The Campus Hazing Transparency Report can be found at: Campus Hazing Transparency Report | Western University of Health Sciences

Applicable Federal, State, and Tribal Laws

The Federal Stop Campus Hazing Act, enacted in December 2024, amended the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act by requiring institutions of higher education to include hazing statistics, prevention policies, and related disclosures in their Annual Security Report. The Act also requires institutions to maintain a Campus Hazing Transparency Report documenting certain findings of hazing involving student organizations.

Because WesternU operates campuses in both California and Oregon, members of the University community are subject to applicable state anti-hazing laws.

California: California Education Code Sections 32050-32052 prohibit hazing at educational institutions. California Penal Code Section 245.6 establishes criminal penalties for hazing that causes, or is likely to cause, serious bodily injury, regardless of the participant's consent. California law also authorizes civil liability for hazing-related injuries under California AB 2193- California Stop Hazing Act.

Oregon: Oregon Revised Statutes prohibit hazing at institutions of higher education and authorize institutions to discipline individuals and organizations engaging in hazing. Hazing that results in criminal conduct may also be prosecuted under applicable provisions of Oregon criminal law.

WesternU also complies with any applicable tribal laws when University-sponsored programs or activities occur on tribal lands or involve tribal jurisdictions, recognizing that tribal governments may exercise independent legal authority within their jurisdictions.

Anti-Hazing Prevention and Awareness Programming

New and returning students completed Hazing Awareness and Prevention for Students. This training supports student understanding of hazing, coercion, power dynamics, group culture, reporting options, and strategies for interrupting harmful behaviors. The training also includes skill building for bystander intervention, information on ethical leadership, and the promotion of building group cohesion without hazing. The training is especially relevant to WesternU's health professions environment, where hierarchy, cohort identity, clinical expectations, and professional development can shape student experiences.

WesternU also facilitated Hazing Awareness and Prevention training for faculty and staff. This training focused on recognizing hazing behaviors, understanding the role of power and hierarchy, identifying risk factors in group and training environments, and supporting prevention efforts across academic, clinical, and co-curricular settings.

Hazing, Hierarchy, and Medical Training Mistreatment Prevention

WesternU also expanded its prevention work related to hazing and mistreatment in health professions education. OTIXEO reviewed hazing prevention initiatives in medical school and graduate health training environments and explored existing medical training mistreatment prevention models to better understand how harm may occur in academic, clinical, and professional settings.

This work goes beyond traditional definitions of hazing by examining how hierarchy, normalization of mistreatment, silence, retaliation concerns, and professional pressure can contribute to harmful environments. OTIXEO is in the process of developing additional training and determining how best to integrate this content into campus education efforts for students, faculty, and staff.

WesternU's Anti-Hazing Policy is available at:

https://www.westernu.edu/media/westernu/pdfs/otixeo/anti-hazing-act-draft-ca5.27.25_sh05.29.25.pdf

Information about WesternU's Campus Hazing Transparency Report may be found here: https://www.westernu.edu/hazing/transparency-report/

The term "hazing", for purposes of reporting Clery statistics on hazing incidents, means any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that—

> (I) is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and

(II) causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including—

(aa) whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;

(bb) causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;

(cc) causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;

(dd) causing, coercing, or otherwise inducing another person to perform sexual acts;

(ee) any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;

(ff) any activity against another person that includes a criminal violation of local, State, Tribal, or Federal law; and

(gg) any activity that induces, causes, or requires another person to perform a duty or task that involves a criminal violation of local, State, Tribal, or Federal law.

Sexual Assault, Domestic Violence, Dating Violence, and Stalking

I. Educational and Awareness Programs

Western University of Health Sciences provides prevention, education, and awareness programs designed to help students, faculty, and staff recognize, prevent, report, and respond to sexual assault, domestic violence, dating violence, stalking, sexual harassment, discrimination, retaliation, hazing, workplace violence, and other forms of power-based harm. These efforts are intended to increase awareness of University policy, strengthen community understanding of reporting options and supportive measures, reduce barriers to help-seeking, and promote a campus culture grounded in safety, respect, accountability, and care.

During the reporting year, WesternU expanded its prevention and education efforts through required online training, live educational programming, campus outreach, resource development, consultation with campus partners, and ongoing assessment of community needs.

WesternU's primary prevention programs and awareness campaigns include information on the causes and consequences of sexual violence, reporting options, prevention strategies, and bystander intervention. Risk reduction behaviors that promote safety for individuals and the community are also addressed. WesternU provides ongoing prevention programs and awareness campaigns that include information on affirmative consent, healthy relationships, bystander intervention and risk reduction.

WesternU's prevention programs and campaigns for new and current students and employees including the following depending upon the type of program or campaign and the target audience: a statement that WesternU prohibits dating violence, domestic violence, sexual assault, and stalking.

Required Employee Training

WesternU assigned prevention education to faculty and staff through Vector Solutions. This included **Preventing Harassment and Discrimination** training and **Workplace Violence: Awareness** and Prevention training. These training courses were provided to all new employees and reassigned to current faculty and staff who had not completed the required training within the applicable training cycle.

The harassment and discrimination prevention training helps employees understand prohibited conduct, including sexual harassment, discrimination, retaliation, and related forms of misconduct. The training also addresses employee responsibilities, reporting pathways, appropriate workplace

conduct, and the importance of maintaining educational and employment environments free from harassment and discrimination.

The workplace violence awareness training supports employee understanding of warning signs, prevention strategies, reporting expectations, and available institutional resources. Together, these training courses are designed to help faculty and staff identify concerning behavior, respond appropriately, and understand their role in maintaining a safe and respectful campus environment

Required Student Training

WesternU also provided required prevention education to students through Vector Solutions. Returning students completed **Consent and Bystander Intervention: Refresher – California**, which reinforces core concepts related to consent, sexual assault prevention, bystander intervention, healthy relationships, and student support resources.

Incoming students completed **Sexual Assault Prevention for Adult Learners**, which introduces students to concepts related to consent, sexual assault, dating violence, domestic violence, stalking, bystander

intervention, reporting options, and available campus and community resources. This training is designed to establish a foundation for understanding rights, responsibilities, and support pathways at WesternU.

In addition, new and returning students completed **Hazing Awareness and Prevention for Students**. This training supports student understanding of hazing, coercion, power dynamics, group culture, reporting options, and strategies for interrupting harmful behaviors. The training is especially relevant to WesternU's health professions environment, where hierarchy, cohort identity, clinical expectations, and professional development can shape student experiences.

Live Education and Workshop Development

In addition to required online training, the Office of Title IX and Equal Opportunity developed a comprehensive workshop portfolio for students, faculty, and staff. These workshops were designed to deepen understanding beyond compliance requirements by connecting policy, prevention, support, and professional culture.

Workshop topics developed during the reporting year included:

Know Your Rights: Title IX, Sexual Harm, and Support at WesternU: This workshop helps students understand Title IX, sexual misconduct, reporting options, supportive measures, confidential and non-confidential resources, and what happens after a report is made. The training is designed to make University processes more understandable and reduce fear or confusion around seeking support.

Supporting Pregnant and Parenting Students at WesternU: This workshop explains rights, protections, and support options for pregnant and parenting students, including the role of Title IX, reasonable adjustments, accommodations, and campus resource navigation.

Power in Medical Training: Hazing, Hierarchy, and Harm: This workshop examines how hierarchy, professional socialization, mistreatment, and hazing can appear in health professions education. It focuses on recognizing harm, understanding power dynamics, and building healthier academic and clinical cultures.

Understanding Your Rights: OCR, Harassment, and Discrimination at WesternU: This workshop explains civil rights protections, harassment, discrimination, retaliation, reporting options, and the role of institutional and external reporting pathways.

Bystander Intervention and Social Norms in Medicine: This workshop uses social norms theory and bystander intervention strategies to help students identify concerning behavior, understand barriers to intervention, and practice realistic ways to interrupt harm in academic, clinical, peer, and professional settings.

Responding to a Disclosure of Harm: This workshop prepares students, faculty, and staff to respond supportively when someone shares an experience of sexual misconduct, discrimination, harassment, intimate partner violence, stalking, or other harm. It emphasizes trauma-informed communication, validation, resource-sharing, privacy, and reporting responsibilities.

Supporting Patients with Sexual Trauma: This workshop focuses on trauma-informed care in clinical settings, helping future and current health professionals understand how sexual trauma may affect patient experiences, communication, consent, boundaries, and care-seeking.

Understanding Intimate Partner Violence: This workshop introduces participants to the dynamics of intimate partner violence, including patterns of power and control, emotional abuse, coercion, isolation, physical violence, sexual violence, technology-facilitated abuse, barriers to leaving, and support options.

Understanding Mandatory Reporting: This workshop helps employees and student leaders understand reporting responsibilities, the difference between confidential and non-confidential resources, what

information may need to be shared, and how to respond with care while still meeting institutional obligations.

Campus Feedback and Needs Assessment

During the reporting year, OTIXEO met with more than 25 students, staff, and faculty to gather feedback on prevention and education initiatives at WesternU. These conversations helped the office better understand campus needs, barriers to accessing support, gaps in awareness, and opportunities for more effective training and outreach.

Feedback from these meetings informed the development of workshops, written resources, outreach strategies, and future prevention planning. This engagement also supported a more community- informed approach to prevention education, with attention to the specific needs of WesternU's student body, faculty, staff, and health professions programs.

Resource Development

OTIXEO also developed and expanded written resources to help students, faculty, and staff better understand reporting options, support pathways, and community responsibilities.

Resources created during the reporting year included confidential and non-confidential resource cards for students and employees experiencing sexual violence or related harm. These cards were designed to clearly identify where individuals can go for private support, formal reporting, emergency assistance, advocacy, and additional care.

OTIXEO also created mandatory reporting cards to help employees and community members better understand their responsibilities when they receive information about sexual misconduct, discrimination, harassment, retaliation, or other reportable concerns. These cards were designed to make reporting duties easier to understand while also supporting trauma-informed responses to disclosures.

Additional resources included in an **Overview of the Resolution Processes**, which explains available resolution pathways and helps community members better understand what may happen after a report is made. OTIXEO also developed peer response resources specific to stalking, sexual assault, dating violence, and domestic violence. These resources are intended to help students support peers with care, share accurate information, and connect individuals with appropriate campus and community support.

Sexual Assault Awareness Month Outreach

During Sexual Assault Awareness Month, OTIXEO conducted a tabling initiative totaling approximately 40 hours. Through this outreach effort, OTIXEO distributed prevention and support resources, shared information about reporting options and supportive measures, answered questions from campus community members, and increased visibility of available services.

As part of the tabling initiative, OTIXEO also conducted an informal survey to better understand what resources, support, and education students, faculty, and staff would like to see on campus. This feedback helped identify community priorities and will continue to inform future prevention, education, and awareness efforts.

Together, these initiatives reflect WesternU's continued commitment to strengthening prevention education, expanding access to resources, improving understanding of reporting and support options, and building a safer, more informed, and more supportive campus community.

BYSTANDER INTERVENTION AND RISK REDUCTION

WesternU encourages all members of the WesternU community to be Active Bystanders against sexual violence. Bystanders are those who witness inappropriate behaviors or harmful situations, such as sexual

harassment or sexual violence. Bystander intervention means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene. Bystanders can

have a powerful impact on sexual violence prevention. The following information is based on Bystander Intervention research and can help members of the WesternU community learn to recognize the signs of danger and develop plans to keep each other safe. Commit to being an Active Bystander. Risk Reduction:

Research indicates that Bystander Intervention may reduce rates of sexual violence on college campuses. Risk reduction means options designed to decrease perpetration and bystander inaction, and to increase empowerment for victims in order to promote safety and to help individuals and communities address conditions that facilitate violence. Although more research is needed on the efficacy of Bystander intervention as a social strategy, extant research by Salazar (2014) demonstrated that Bystander intervention strategies may:

- Encourage participants to identify potentially harmful situations and intervene more often
- engages in less sexual violence perpetration
- retains greater legal knowledge of sexual assault, effective consent, subscribe to less rape
- myths
- express greater empathy for rape victims and less negative date rape attitudes and less
- hostility toward women and less hyper-gender ideology
- possess greater intentions to intervene
- less positive outcome expectancies for nonconsensual sex
- more positive outcome expectancies for intervening
- Decrease comfort with other's inappropriate behaviors

Moreover, Kettrey et al. (2021) reviewed a sample of 19 studies (N = 7920) and found that bystander intervention training provided significant success in empowering participants in identifying situations that warrant intervention. Additionally, Jouriles et al (2018) reviewed 24 studies and found that bystander intervention programming had a slight effect of improved attitudes/beliefs (effect 0.27) and a moderate effect on increased bystander behavior (effect 0.39). They also found that although the effect diminished overtime, the effect was sustained in some instances in as much 3 months following the programming.

Simple steps to becoming an Active Bystander:

- **Notice the situation.** Be aware of your surroundings.
- **Interpret it as a problem.** Do I recognize that someone needs help?
- **Feel responsible to act**. See yourself as being part of the solution to help.
- **Know what to do**. Educate yourself on what to do.
- **Intervene safely.** Act but be sure to keep yourself safe.

Common Bystander Intervention Strategies:

1. **Direct** - Directly intervene verbally or physically in a situation.
2. **Delegate** – Enlist help from one or more people around you.
3. **Delay** - After the incident is over, check in with the person who was harmed to see if they need assistance.
4. **Distract** – Indirectly take action to divert attention away from the person causing harm to give the person experiencing harm time to move to safety.

5. **Document** – As soon as possible, take steps to document the situation (e.g., preserve notes, photos, video, etc.) in case it is needed for formal action.

Additional Considerations for How to Intervene Safely:

When you choose to intervene, always consider options for action that maintain your personal safety. Here are a few options for consideration:

- **Intervene Early** – Taking action when the problem is small can prevent a situation growing into a bigger, more harmful issue.
- **Tell another person.** Being with others is a good idea when a situation looks dangerous.
- **Ask a person you are worried about if he/she is okay**. Provide options and a listening ear.
- **Distract or redirect individuals in unsafe situations.**
- **Ask the person if he/she wants to leave.** Make sure that he/she gets home safely.
- **Call the police (911)** or someone else in authority or yell for help.

Remember that effective helping can mean that doing something may be better than doing nothing.

Works Cited

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Salazar, L. F., Vivolo-Kantor, A., Hardin, J., & Berkowitz, A. (2014). A web-based sexual violence bystander intervention for male college students: Randomized controlled trial. Journal of medical Internet research, 16(9), e203.

UNIVERSITY'S STATEMENT PROHIBITING SEXUAL ASSAULT, DOMESTIC VIOLENCE, DATING VIOLENCE, AND STALKING

WesternU does not tolerate discrimination or any conduct that constitutes sexual assault, domestic violence, dating violence, or stalking, as those terms are defined by the Clery Act. The Clery Act definitions are provided later in this report.

The University will promptly review and respond to reports of sexual assault and will take appropriate action when necessary.

Any student who engages in these prohibited behaviors, either alone or with others, may be subject to University discipline and may also face criminal prosecution.

Prohibited Conduct Definitions

The Sexual and Gender-Based Harassment, Interpersonal Violence, and Other Sexual Misconduct (SIM) Policy specifically addresses all forms of sex discrimination, including sexual harassment and other related acts referred to within the SIM Policy as prohibited conduct. The following are forms of Prohibited Conduct under the SIM Policy:

1. **TITLE IX SEXUAL HARASSMENT** – Conduct that satisfies one or more of the following:
   A. *Quid Pro Quo*: A WesternU employee conditioning the provision of an aid, benefit, or service of WesternU on an individual's participation in unwelcome sexual conduct; or

B. *Hostile Environment Harassment:* Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the WesternU's education program or activity; or

C. A Student, Employee, or Third Party who engages in Sexual Assault, Domestic Violence, Dating Violence, or Stalking as defined herein; and
   (i) The alleged conduct was perpetrated against a person in the United States; and
   (ii) The conduct took place within WesternU's programs and activities (See Scope and Jurisdiction section).

Conduct that does not meet this strict definition for Title IX Sexual Harassment is still prohibited by the SIM policy if it otherwise constitutes Prohibited Conduct as further detailed below.

D. **TITLE IX SEXUAL ASSAULT:** Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent or unlawful, nonforcible sexual intercourse, including sexual exploitation and any of the following:

   1. Rape: Sexual intercourse between two people, and may include oral or anal intercourse, without the Affirmative Consent of the Complainant.
   2. Sexual Assault with an Object: To use an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, without the Affirmative Consent of the Complainant.
   3. Fondling: The touching of the private body parts of another person for the purposes of sexual gratification, without the Affirmative Consent of the Complainant.
   4. Incest: Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
   5. Statutory Rape: Sexual Intercourse with a person who is under the age of 18 years.

E. **TITLE IX DATING VIOLENCE:** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant and where the existence of such a relationship shall be determined based on a consideration of the following factors: the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

F. **TITLE IX DOMESTIC VIOLENCE**: Violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of California, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of California.

G. **TITLE IX STALKING:** Engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her/their safety or the safety of others; or suffer substantial emotional distress.

2. **NON-TITLE IX MISCONDUCT** – Non-Title IX Misconduct is Prohibited Conduct that falls within the scope of the SIM Policy and the definitions below but that does not fall within the definition of Title IX Sexual Harassment, either due to the nature of the conduct or because it did not reportedly occur within a program or activity of WesternU in the United States. Such conduct is defined for purposes of the SIM Policy as: as:

A. NON-TITLE IX HARASSMENT-

Harassment based on sex, gender, gender identity, gender expression, sexual orientation is illegal and violates WesternU policy. Harassment shall be found where a reasonable person with the same characteristics as the victim of the harassing conduct would be adversely affected to a degree that

interferes with his/her/their ability to participate in or to realize the intended benefits of a WesternU activity, employment, or resource.

Gender-based harassment does not necessarily involve conduct that is sexual. Any hostile or offensive conduct based on gender can constitute prohibited harassment if it meets the definition above. For example, repeated derisive comments about a person's competency to do the job, when based on that person's gender, could constitute gender- based harassment. Harassment comes in many forms, including but not limited to the following conduct that could, depending on the circumstances, meet the definition above, or could contribute to a set of circumstances that meets the definition:

Verbal: Inappropriate or offensive remarks, slurs, jokes, or innuendoes based on a person's race, gender, sexual orientation, or other protected status. This may include, but is not limited to, inappropriate comments regarding an individual's body, physical appearance, attire, sexual prowess, or sexual orientation; unwelcome flirting or propositions; demands for sexual favors; verbal abuse, threats or intimidation; or sexist, patronizing or ridiculing statements that convey derogatory attitudes based on sex, gender, gender identity, gender expression, or sexual orientation.

Physical: Inappropriate or offensive touching, assault, or physical interference with free movement. This may include, but is not limited to, kissing, patting, lingering or intimate touches, grabbing, pinching, leering, staring, unnecessarily brushing against, or blocking another person, whistling, or sexual gestures. It also includes any physical assault or intimidation directed at an individual due to that person's sex, gender, gender identity, gender expression, or sexual orientation.

Visual or Written: The display or circulation of visual or written material that degrades an individual or group based on sex, gender, gender identity, gender expression, or sexual orientation. This may include, but is not limited to, posters, cartoons, drawings, graffiti, reading materials, computer graphics, or electronic media transmissions.

Environmental: A hostile academic or work environment may exist where it is permeated by sexual innuendo; insults or abusive comments directed at an individual or group based on gender, race, nationality, sexual orientation or other protected status; or gratuitous comments regarding gender, race, sexual orientation, or other protected status that are not relevant to the subject matter of the class or activities on the job. A hostile environment can arise from an unwarranted focus on sexual topics or sexually suggestive statements in the classroom or work environment. It can also be created by an unwarranted focus on, or stereotyping of, particular sex, gender, gender identity, gender expression, or sexual orientation. An environment may also be hostile toward anyone who merely witnesses unlawful harassment in his/her/their immediate surroundings, although the conduct is directed at others. The determination of whether an environment is hostile is based on the totality of the circumstances, including such factors as the frequency of the conduct, the severity of the conduct, whether the conduct is humiliating or physically threatening, and whether the conduct unreasonably interferes with an individual's learning or work.

B. NON-TITLE IX SEXUAL HARASSMENT – In addition to the above, sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal, visual, or physical conduct of a sexual nature, made from or in the work or educational setting, under any of the following conditions:

a. submission to the conduct is explicitly or implicitly made a term or condition of an individual's employment, academic status, or progress by someone who is not an employee of WesternU;
b. submission to, or reject of, the conduct by the individual is used as the basis of employment or academic decisions affecting the individual by someone who is not an employee of WesternU;

c. 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;
d. 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 WesternU by someone who is not an employee of WesternU,

This definition encompasses two kinds of sexual harassment:

"Quid pro quo" sexual harassment occurs when a person in a position of authority, who is not an employee of WesternU, makes educational or employment benefits conditional upon an individual's willingness to engage in or tolerate unwanted sexual conduct.

"Hostile environment" sexual harassment occurs when unwelcome conduct based on a person's gender alters the conditions of an individual's learning or work environment, unreasonably interferes with an individual's academic or work performance, or creates an intimidating, hostile, or abusive learning or work environment. The victim must subjectively perceive the environment as hostile, and the harassment must be such that a reasonable person of the same gender would perceive the environment as hostile. A single or isolated incident of sexual harassment may be sufficient to create a hostile environment if it unreasonably interfered with the person's academic or work performance, or created an intimidating, hostile, or offensive learning or working environment.

Sexually harassing conduct can occur between people of the same or different genders. The standard for determining whether conduct constitutes sexual harassment is whether a reasonable person of the same gender as the victim would perceive the conduct as harassment based on sex.

Sexual harassment includes sexual battery, sexual violence, and sexual exploitation.

A. Non-Title IX Sexual Assault: Sexual Assault as defined in the Title IX Sexual Harassment definition above (rape, fondling, incest, statutory rape) that did not reportedly occur in a WesternU education program or activity in the United States.
B. Non-Title IX Domestic Violence: Domestic Violence as defined in the Title IX Sexual
C. Harassment definition above that did not reportedly occur in a WesternU education program or activity in the United States.
D. Non-Title IX Dating Violence: Dating Violence as defined in the Title IX as defined in the Title IX Sexual Harassment definition above that did not reportedly occur in a WesternU education program or activity in the United States.
E. Non-Title IX Stalking: Stalking as defined in the Title IX Sexual Harassment definition above that did not reportedly occur in a WesternU education program or activity in the United States, or that otherwise fits within the definition of stalking but does not fall within the Title IX Stalking definition because the reported conduct is not directed at the alleged victim on the basis of sex.

Affirmative Consent and Incapacitation

Affirmative consent means a clear, conscious, voluntary agreement to engage in sexual activity. Each person involved in sexual activity is responsible for making sure they have the affirmative consent of the other person or persons involved.

Consent cannot be assumed from silence, lack of resistance, or lack of protest. Consent must be ongoing throughout the sexual activity and may be withdrawn at any time. A current or past dating relationship, or past sexual activity between the persons involved, does not by itself mean that consent was given.

A Respondent's belief that the Complainant consented is not a valid defense unless that belief was both actual and reasonable, based on the facts and circumstances the Respondent knew, or reasonably should have known, at the time of the incident.

A Respondent's belief that consent was given is not reasonable if:

- The belief resulted from the Respondent's own intoxication or recklessness;
- The Respondent did not take reasonable steps to determine whether the Complainant
- affirmatively consented; or
- The Respondent knew, or a reasonable person should have known, that the Complainant
- was unable to consent because they were incapacitated.

A person may be unable to consent if they are:

- Asleep or unconscious;
- Unable to understand the fact, nature, or extent of the sexual activity because of drugs,
- alcohol, or medication; or
- Unable to communicate because of a mental or physical condition.

Under California Penal Code section 261.6, consent means positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved. This definition does not affect the admissibility of evidence or the burden of proof on the issue of consent.

WesternU's educational programs and campaigns are designed to communicate information such as procedures to follow for reporting prohibited conduct, information on reporting options, evidence preservation, law enforcement involvement, available services and supportive measures, rights and options, and disciplinary measures.

Affirmative consent is defined, and key elements are discussed in WesternU's programs.

Procedures to Follow

A. The importance of preserving evidence that may assist in proving that the alleged criminal offense occurred or may be helpful in obtaining a protection order

If an incident of sexual assault, domestic violence, dating violence, or stalking occurs, it is important to preserve evidence. Evidence may help prove that the alleged criminal offense occurred and may also be helpful in obtaining a protection order.

A student who is a victim of sexual assault is encouraged to seek immediate medical attention and has the option of seeking treatment at Pomona Valley Hospital Medical Center, located at 1798 N. Garey Ave., Pomona, CA 91767, 909-865-9500.

When possible, a victim should not bathe, douche, use the toilet, or change clothing before a medical exam. A medical exam is important both to address any health concerns that may arise and to allow for evidence collection.

Evidence of violence, such as bruising or other visible injuries following an incident of domestic or dating violence, should be documented by taking photographs. If the incident occurred on campus, documentation will be handled by the Pomona Police Department. If the incident occurred off

campus, the local police agency will handle the documentation.

Evidence of stalking, including communications such as written notes, voicemail, or other electronic communications, should be saved and not altered in any way. This information should be provided to the law enforcement officer or Campus Security officer who responds to the call.

The preservation of evidence is critical to potential criminal prosecution and to obtaining restraining/protective orders, and it is particularly time sensitive. WesternU will inform the Complainant of the importance of preserving evidence by taking actions such as the following:

Sexual Assault

- Seek forensic medical assistance at the nearest hospital, ideally within 120 hours of the incident (sooner is better).
- Avoid urinating, showering, bathing, washing hands or face, or douching, if possible, but evidence may still be collected even if you do.
- If oral sexual contact took place, refrain from smoking, eating, drinking, or brushing teeth.
- If clothes are changed, place soiled clothes in a paper bag (plastic destroys evidence) or a secure evidence container (if provided one by law enforcement)

Seeking medical treatment can be essential, even if it is not for the purposes of collecting

forensic evidence.

Stalking/Dating Violence/Domestic Violence/Sex-Based Harassment

- Evidence in the form of text and voice messages will be lost in most cases if the Complainant changes their phone number.
    - Make a secondary recording of any voice messages and/or save the audio files to a cloud server.
    - Take screenshots and/or a video recording of any text messages or other electronic messages (e.g., Instagram, Snapchat, Facebook).
    - Save copies of email and social media correspondence, including notifications related to account access alerts.
    - Take time-stamped photographs of any physical evidence, including notes, gifts, etc., in place when possible.
    - Save copies of any messages, including those showing any request for no further contact.
    - Obtain copies of call logs showing the specific phone number being used rather than a saved contact name if possible.

During the initial meeting between the Complainant and the Title IX Coordinator, the importance of taking these actions will be discussed, if timely.

Reporting Incidents of Sexual Assault, Domestic Violence, Dating Violence, & Stalking

WesternU HCOM encourages members of the community to report Prohibited Conduct. Individuals may choose to report Prohibited Conduct by:

- Contacting the Title IX Coordinator or Deputy Title IX Coordinator(s) See contact information above. Reporting Prohibited Conduct to the Title IX Coordinator does not automatically initiate an investigation under the SIM policy. A report allows WesternU to provide a wide variety of support and resources to impacted individuals and to prevent the reoccurrence of the conduct. After reporting Prohibited Conduct to the Title IX Coordinator, the Title IX Coordinator will provide information about WesternU's complaint procedures.
- Contacting law enforcement. An individual has the right to report criminal acts to law enforcement.
- Contacting external agencies. Students may file a complaint with the Office for Civil Rights of the U.S. Department of Education and employees may file a complaint with the Equal Employment Opportunity Commission (EEOC).

Because individuals may be deterred from reporting incidents of sexual harassment if alcohol, drugs, or other violations of WesternU policies were involved, WesternU will inform individuals that the primary concern is for student and employee safety and that use of alcohol or drugs never makes a complainant at fault for sexual harassment. An individual who participates as a complainant or witness in an investigation of sexual assault, domestic violence, dating violence, or stalking will not be subject to disciplinary sanctions for a violation of applicable WesternU HCOM conduct policies or procedures at or near the time of the incident, unless WesternU HCOM 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.

If there are parallel criminal and Title IX investigations, WesternU HCOM will cooperate with the external law enforcement agency and will coordinate to ensure that the Title IX process does not hinder legal process or proceedings. WesternU HCOM will document reports of sexual harassment in compliance with the Clery Act, a federal law requiring data collection of crime within the campus geography. Under the Clery Act, WesternU HCOM does not document personal information; WesternU HCOM reports the type of conduct, and the time, date, and location.

TIME LIMITS ON REPORTING

There is no time limitation on reporting Prohibited Conduct under the SIM Policy to the Title IX Coordinator or Title IX Deputy Coordinator. WesternU strongly encourages prompt reporting of Prohibited Conduct. Prompt reporting allows for the collection and preservation of evidence, including physical evidence, digital media, and witness statements. A delay may limit WesternU's ability to effectively respond to a report of Prohibited Conduct.

ANONYMOUS REPORTING

An individual can exercise the option to file an anonymous complaint utilizing the report form found online at www.westernu.edu/otixeo; however, doing so may limit WesternU's ability to adequately investigate and resolve the claim. If WesternU determines it cannot proceed with the information provided from the anonymous source, appropriate steps will be taken to the extent possible to respond to the complaint, to limit the effects of the alleged Prohibited Conduct and prevent its recurrence without initiating formal action against the alleged perpetrator or revealing the identity of the complainant, if known.

RESPONSIBLE EMPLOYEES/ EMPLOYEES WHO HAVE A DUTY TO REPORT

As related to WesternU's Sexual and Gender-Based Harassment, Interpersonal Violence, and Other Sexual Misconduct (SIM) Policy and as required under Title IX, Responsible Employee means an employee who has the authority to take action to redress Prohibited Conduct or provide supportive measures to students, or who has the duty to report disclosures of suspected Prohibited Conduct to the Title IX Coordinator.

Responsible Employees includes, but is not limited to, those individuals with any of the following positions or substantially similar positions or job duties, regardless of the specific title the institution may attach to the position:

- Title IX Coordinator and Deputy Title IX Coordinators;
- Faculty and associate faculty, teachers, instructors, or lecturers;
- Teaching assistants and fellows, while performing the duties of employment by the institution;
- Laboratory directors, coordinators, or principal investigators;
- Rotations, internship, or externship directors or coordinators; and
- Study abroad program directors or coordinators.
- Members of the Senior Leadership Team
- Campus Security Director
- Manager of Campus Security
- Academic Deans of WesternU Colleges
- WesternU Student Affairs Deans and Associate Vice Presidents

Responsible Employee does not include those individuals who are also any of the following:

- A therapist, victim advocate or other position with similar responsibilities, or other individual acting in a professional capacity for which confidentiality is mandated by law.

Individuals who are not deemed Responsible Employees shall inform each student who makes disclosures regarding Prohibited Conduct of the student's ability to report to a Responsible Employee and direct the student to those specific reporting resources.

Responsible Employees will undergo regular mandatory training regarding their obligation to prohibited conduct under the SIM Policy to the Title IX Coordinator. Failure to report disclosures of suspected Prohibited Conduct to the Title IX Coordinator could lead to discipline, up to and including termination.

B. OPTIONS FOR INVOLVEMENT OF LAW ENFORCEMENT & UNIVERSITY AUTHORITIES

Victims of incidents of sexual assault, domestic violence, dating violence, and stalking are not required to report to law enforcement to receive assistance from or pursue any options with the University. Likewise, such victims are not required to notify University authorities in order to report such matters to law enforcement and/or receive outside resources. The following options are available to such victims:

- Notify local law enforcement agencies
- Notify designated University authorities and allow them to assist with notifying law enforcement
- Notify designated University authorities and decline to involve local law enforcement
- Decline to notify local law enforcement AND University authorities.

The University will comply with a victim's request for assistance in notifying local law enforcement and/or proper University authorities.

C. Restraining Order

Restraining Orders are court orders directing a violent person to stop harassing a victim or the victim's children. They may be obtained without cost and will be enforced by the local Police Department.

You may apply for a Domestic Violence Restraining Order if a person has abused you or threatened to abuse you AND you have one of the following relationships with that person:

- Married, divorced, separated, registered domestic partnership, have a child together, dating or used to date, live together, or used to live together, or
- You are related within the second degree of affinity or consanguinity. This means mother or mother-in-law, father or father-in-law, child or stepchild or legally adopted child, grandparent or grandparent-in-law, grandchild or grandchild-in-law, sister or sister-in-law, brother or brother-in-law, stepparent, daughter-in-law, or son-in-law. The in-law must be through a current marriage.

IMPORTANT: You can also ask that other family or household members be protected by the Restraining Order. The person seeking protection is called the protected person. The person you want protection from is called the restrained person.

An order may be obtained to:

- Direct the attacker to leave the household
- Prevent the attacker from entering the residence, school, business, or place of employment of the victim
- Award the victim or other parent custody of, visitation with, a minor child or children
- Restrain the attacker from molesting or interfering with minor children in the custody of the victim
- Direct the party not granted custody to pay support of minor children, if that party has a legal obligation to do so
- Direct the defendant to make specified debit payments coming due while the order isin effect and/or,
- Direct that either or both parties participate in counseling

A Domestic Violence Restraining Order is always free. In many courts, free legal assistance is available, or you can represent yourself.

To obtain a temporary or regular restraining order, you must appear at the Pomona Superior Court,

400 Civic Center Plaza, Pomona, CA 91766, 909-802-1100 and file a petition requesting the restraining order. For all other non-campus locations, you must appear at the court that has jurisdiction based on your current place of residence, or the location police reports were taken, if any, involving the party to be restrained.

Restraining orders are enforced by the local law enforcement and courts. The university will work in good faith to implement the requirements of judicially-issued protective orders and similar orders, to the extent it has the authority to do so.

III. CONFIDENTIALITY, PRIVILEGE, AND PRIVACY

WesternU will take reasonable steps to protect the privacy of parties and witnesses under its Procedures noted in the Sexual and Gender-Based Harassment, Interpersonal Violence, and Other Sexual Misconduct (SIM) Policy. These steps will not restrict the ability of parties to discuss the allegations under investigation or to gather and present relevant evidence.

Consistent with the requirements of the SIM Policy and Procedure, WesternU shall keep confidential the identity of any individual who has made a report, Complaint, or Formal Complaint except as may be permitted by law, or to carry out the purposes of this Procedure. This means that WesternU will protect a party's privacy consistent with these Procedures but may disclose information to those who have a legitimate need to know and in order to process a Complaint or Formal Complaint under these Procedures.

Confidentiality is not absolute, however. Where criminal conduct has occurred, or where the health or safety of others in the community may be in danger, it may be necessary for WesternU to take appropriate steps to protect the safety of its students and employees, including the person who has reported the misconduct.

Student Complainant Requests for Confidentiality: If a student complainant requests confidentiality when reporting sexual harassment, which could preclude a meaningful investigation or potential discipline of the respondent, if found responsible, or requests that WesternU not pursue an investigation or disciplinary action to address alleged Prohibited Conduct, WesternU shall take the request seriously, while at the same time considering its responsibility to provide a safe and nondiscriminatory environment for all students, including for the Complainant. Western U shall normally grant the request when possible. In determining whether to disclose a Complainant's identity or proceed with an investigation over the objection of a Complainant, WesternU will consider whether any of the following apply:

- There are multiple or prior reports of sexual misconduct against the respondent;
- The respondent reportedly used a weapon, physical restraints, or engaged in battery;
- The alleged respondent is a faculty or staff member with oversight of students;
- There is a power imbalance between the complainant and respondent;
- The complainant believes he/she/they will be less safe if his/her/their name is disclosed or an investigation is conducted.
- WesternU can conduct a thorough investigation and obtain relevant evidence in the absence of the complaint's cooperation.

If WesternU determines it can honor a student's confidentiality request, WesternU shall still take reasonable steps to respond to the complainant, consistent with the request, to limit the effects of the alleged Prohibited Conduct and prevent its recurrence without initiating an investigation or revealing the identity of the complainant. WesternU shall also take immediate steps to provide for the safety of the student complainant while keeping the student complainant's identity confidential as appropriate.

WesternU shall notify the complainant that the request for confidentiality will limit the steps WesternU will take to respond to the report of Prohibited Conduct.

If WesternU determines that it cannot honor the student's confidentiality request, WesternU shall inform the complainant prior to taking any action. WesternU shall also take immediate steps to provide for the safety of the student complainant where appropriate. In the event the complainant requests that WesternU inform the respondent that the student complainant requested WesternU not investigate or seek discipline, WesternU will honor this request.

> WesternU will document reports of sexual harassment in compliance with the Clery Act. Under the Clery Act, WesternU does not document personal information; WesternU reports the type of conduct, and the time, date, and location.

All personally identifiable information is kept private, but statistical information regarding the type of incident and its general location (on- or off-campus or in the surrounding area, but no addresses are given) must be shared with the Clery Coordinator for publication in the Annual Security Report and daily campus crime log.

INTERIM AND/OR SUPPORTIVE MEASURES

Supportive measures are non-disciplinary, non-punitive individualized services offered free of charge to the Complainant or the Respondent regardless of whether a Complaint or Formal Complaint has been filed. WesternU will provide the Complainant and Respondent with written notice of options for, available assistance in, and how to request available supportive measures. WesternU will provide such measures to Complainant and Respondent as appropriate and as reasonably available to restore or preserve equal access to WesternU's education program or activities. These measures are designed to protect the safety of all Parties, protect WesternU's educational environment, or deter sexual harassment. WesternU will provide supportive measures on a confidential basis and will not disclose that WesternU is providing supportive measures except to those with a need to know to enable WesternU to provide the service.

Supportive measures may include, but are not limited to:

- Temporary "no contact" directive,
- Changes to academic schedules and other course-related adjustments,
- Counseling
- Extensions of deadlines
- Campus escort services
- Changes in work locations, schedules, or assignments
- Leaves of absence
- Increased security and monitoring of certain areas of the campus
- Referrals to external support organizations (i.e., Center Against Rape and Domestic Violence, CARDV).

When requested by a complainant or otherwise determined to be appropriate, WesternU shall issue a no-contact directive prohibiting a respondent from contacting the complainant during the pendency of this Process. WesternU shall not issue a mutual no-contact directive automatically but instead shall consider the specific circumstances of each report of Prohibited Conduct to determine whether a mutual no-contact directive is necessary or justifiable to protect a party's safety or well- being, or to respond to interference with an investigation. If WesternU issues any no-contact directive, WesternU shall provide the parties with an explanation of the terms of the directive, including the circumstances, if any, under which violation could be subject to disciplinary action. If WesternU issues a mutual no-contact directive, WesternU shall also provide the parties with a written justification for the directive.

IV. WRITTEN NOTIFICATION OF RIGHTS, OPTIONS AND RESOURCES

Upon receipt of a report of sexual assault, domestic violence, dating violence, or stalking, whether the offense occurred on or off campus, the University will provide written notification titled: WesternU's Rights & Options to students and employees about their rights, existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available for victims both within the institution and in the community. This notification shall also contain information about available options and assistance through supportive measures and how to request such measures.

These measures include academic situations, living situations, transportation situations, working situations and other protective measures. WesternU will make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

On Campus Resources

If you or someone you know may have experienced any form of sexual assault, domestic violence, dating violence, or stalking, we urge you to seek immediate assistance. Student assistance can be obtained from:

Counseling and Psychological Services – CONFIDENTIAL RESOURCES 287 E Third Street, Pomona (Pumerantz Library, Room 415)

Anna Couch, PhD, MA, MFT

anna.couch@optum.com | 952-687-4090

Tuesday: 12-7 pm | Wednesday: 12-6:30 p, | Thursday: 12- 6 pm

Luis Orozco, DSW, LCSW

luis_orozco@optum.com | 763-348-0000

Monday & Friday: 8:30 am - 12:30 pm

Main phone number:1-800-234-5465

Webpage: Counseling Services

After-Hours Suicide & Crisis Line: Call 988 for help.

The WesternU Crisis Assessment Response and Evaluation-Students (CARES) is a multi disciplinary team, was created to best support a safe, inclusive, and supportive campus environment for all. The CARES team strives to intervene early and develop appropriate best practices to support referred students. The team's goal is to promote the wellbeing and success of each student while prioritizing community safety reporting up to the WesternU Threat Assessment Team (TAT) as needed.

The WesternU community can contact the CARES team through a few pathways. If you, or a classmate, are experiencing an urgent behavioral health situation, please contact your college's Student Affairs Professional, a trusted faculty member, or your college Dean. You can also send an email to CARES@westernu.edu. If the situation is a medical or safety emergency, please call 911 or contact University Security at 909-706-3000.

Emergency/Non–Emergency after hours, please contact:

Campus Security

- Hours: 24 hours / 7 days a week
- 909-706-3000

- Location: 401 E Second Street, 1st Floor
- University Services Center (USC) Building, Room 102

OFF CAMPUS RESOURCES

Optum Health Counseling- Available 24/7: 800-234-5465, Access Code is westernu

Project Sister Family Services

- Project Sister Family Services is the foremost agency dedicated to providing services to the women, children, and men survivors of sexual assault and abuse and their families in the East San Gabriel and Inland Valleys in Southern California.
- 24 Hour Hotline: 909-626-4357
- Phone: 909-623-1619

House of Ruth

House of Ruth's mission is two-fold: (1) to advocate for and assist women and children victimized by domestic violence and children exposed to violence in transforming their lives by providing culturally competent shelter, programs opportunities and education (2) To contribute to social change through intervention, education, prevention programs and community awareness.

Toll-free Hotline: 877-988-5559

Pomona Outreach Office: 909-623-4364

Pomona Valley Hospital Medical Center The emergency room at Pomona Valley Hospital is County designated sexual assault response team (SART) Center. SART is a victim-sensitive program designed to provide a team approach to responding to sexual assaults. Victims/survivors may take a support person with them to the hospital.

1798 N. Garey Ave., Pomona, CA

909-865-9500

City of Pomona Police Department

490 W. Mission Blvd, Pomona, CA
Normal Business: 909-620-2156
Non-Emergency Crimes: 909-622-1241
Emergencies: 9-1-1

V. DISCIPLINARY PROCEDURES

OVERVIEW

WesternU maintains procedures for responding to allegations of dating violence, domestic violence, sexual assault, stalking, and other sexual misconduct through its Sexual and Gender- Based Harassment, Interpersonal Violence, and Other Sexual Misconduct (SIM) Policy and Procedure. The policy applies to students, employees, and other individuals within the scope of the policy. WesternU's procedures are designed to provide a prompt, fair, and impartial resolution process while providing equitable treatment to Complainants and Respondents. WesternU prohibits retaliation against any individual who makes a good-faith report or complaint or who participates or declines to participate in an investigation or resolution process.

Reporting and Initial Response

Individuals may report prohibited conduct to the Title IX Coordinator or Deputy Title IX Coordinator(s), to WesternU Campus Security, or to law enforcement. A report to the Title IX Coordinator does not

automatically initiate an investigation. Following a report, WesternU provides information regarding applicable complaint procedures, available resources, and supportive measures. Individuals may also report alleged criminal conduct directly to law enforcement, and WesternU may assist an individual in notifying law enforcement or obtaining a protective order.

PROTECTIVE MEASURES

WesternU provides supportive measures to Complainants and Respondents, as appropriate and reasonably available, regardless of whether a formal complaint is filed. Supportive measures are non-disciplinary and non-punitive and are intended to restore or preserve equal access to WesternU's education programs or activities, protect the safety of the parties and the educational environment, and deter prohibited conduct. Depending on the circumstances, supportive measures may include no-contact directives; academic schedule or course adjustments; counseling; deadline extensions; campus escort services; changes in work location, schedule, or assignment; leave; increased security or monitoring; and referrals to external support organizations.

WesternU may also take interim measures when warranted by safety considerations. A student Respondent may be removed from an education program or activity on an emergency basis when an individualized safety and risk analysis determines that the Respondent poses an imminent and serious threat to the health or safety of an individual. A non-student employee Respondent may be placed on administrative leave during the investigation or resolution process.

Determining the Applicable Disciplinary Proceeding

Following receipt of a formal complaint, the Title IX Coordinator conducts a preliminary review and determines the appropriate resolution process based on the nature of the allegations, applicable jurisdictional requirements, safety considerations, and the circumstances of the report.

WesternU uses two primary complaint procedures:

Title IX Complaint Procedure. The Title IX Complaint Procedure in Appendix A applies when the alleged conduct meets the policy's definition of Title IX Sexual Harassment, occurred in a WesternU education program or activity, and occurred against a person in the United States.

Non-Title IX Complaint Procedure. The Non-Title IX Complaint Procedure in Appendix B applies when the alleged conduct does not meet the jurisdictional requirements of the Title IX Complaint Procedure but otherwise constitutes prohibited conduct under the SIM Policy and occurred within a WesternU education program or activity or has the purpose or effect of negatively affecting the Complainant's work or academic performance or creating an intimidating, hostile, or offensive work or educational environment.

A Title IX Formal Complaint may be dismissed when the alleged conduct would not constitute Title IX Sexual Harassment even if proven, did not occur in a WesternU education program or activity, or did not occur against a person in the United States. WesternU may also dismiss a complaint or allegation under specified circumstances, including withdrawal of the complaint, the Respondent's departure from WesternU, or circumstances preventing the University from gathering sufficient evidence to reach a determination. When a complaint or allegation is dismissed, the parties receive simultaneous written notice of the dismissal and the reason for the decision, along with information about appeal rights. WesternU may address dismissed allegations under another applicable policy or procedure when appropriate.

Informal Resolution

When appropriate, WesternU may offer a voluntary informal resolution process instead of a formal investigation and adjudication. The University does not require participation in informal resolution and must obtain the parties' voluntary written consent. Before participating, the parties receive written information

regarding the allegations, the requirements of the process, the right to withdraw before resolution, and the consequences of reaching a resolution.

Informal resolution is not available for certain allegations, including allegations involving an employee's sexual harassment of a student, employee sexual assault, sexual violence, or sexual battery, or sexual violence involving a student party. The policy also recognizes that allegations involving assault, domestic violence, dating violence, or stalking may not be appropriate for informal resolution.

Formal Investigation

When a matter proceeds through the formal process, WesternU conducts a fair and objective investigation. Investigators receive training regarding sexual harassment, WesternU's procedures, trauma-informed investigation techniques, and relevant issues necessary to conduct the investigation. The parties receive notice of investigative interviews and an equal opportunity to identify witnesses and provide relevant inculpatory and exculpatory evidence.

Before the investigative report is finalized, the parties are provided an equal opportunity to inspect and review evidence directly related to the allegations, including relevant evidence upon which the investigator does not intend to rely. Each party is provided at least 10 business days to submit a written response. The investigator then prepares a final investigative report that fairly summarizes the relevant evidence. Under the Title IX Complaint Procedure, the investigator does not make the determination of responsibility.

The parties are entitled to an advisor and support person of their choice throughout the process. In a Title IX hearing, an advisor may conduct questioning on behalf of a party as permitted by the policy. WesternU will provide an advisor for a party who does not have one for a hearing.

Adjudication of Non-Title IX Complaints

Following the investigation of a Non-Title IX Complaint, WesternU uses one of two adjudication tracks.

Track 1 – Hearing. Track 1 applies when all three of the following circumstances exist: (1) the Respondent is a student; (2) the credibility of a party or witness is central to the determination of responsibility; and (3) the Respondent may be subject to suspension or dismissal if found responsible. Track 1 includes a live hearing.

The hearing is conducted by a trained Decision-Maker or Decision-Maker panel. A Hearing Officer may facilitate the procedural aspects of the hearing but does not make the final determination of responsibility. Decision-Makers receive annual training on WesternU's policies and procedures and applicable laws and regulations. The parties receive notice of the hearing and an opportunity to present relevant information. The Decision-Maker determines responsibility using the preponderance of the evidence standard.

Track 2 – No Hearing. Track 2 applies to all other Non-Title IX Complaints. Under Track 2, there is no hearing and the Investigator makes the determination of responsibility based on the preponderance of the evidence standard. The parties receive a written Notice of Outcome simultaneously following the investigation.

Adjudication of Title IX Complaints

For Title IX Formal Complaints that proceed through the formal process, the investigator prepares the investigative report but does not make the determination of responsibility. The matter proceeds to a live hearing before a trained Decision-Maker or Decision-Maker panel. A Hearing Officer may facilitate the procedural aspects of the hearing. The Decision-Maker determines responsibility based on the preponderance of the evidence standard.

The parties receive notice of the hearing and have an opportunity to participate with an advisor. Hearings may be conducted with the parties physically present or through technology that permits participants to

simultaneously see and hear one another in real time. WesternU creates an audio or audiovisual recording, or transcript, of a live hearing and makes it available to the parties for inspection and review.

Following the hearing, WesternU provides the parties with a written Notice of Outcome simultaneously. The Notice of Outcome identifies the determination for each allegation, the findings of fact supporting the determination, and any applicable sanctions and remedies.

Standard of Evidence

WesternU uses the **preponderance of the evidence** standard in disciplinary proceedings under the SIM Policy. This standard means that the evidence must demonstrate that it is more likely than not that the alleged prohibited conduct occurred. The standard applies to both Track 1 and Track 2 Non- Title IX proceedings and to Title IX adjudications.

Anticipated Timeline

WesternU endeavors to complete an investigation and determination of responsibility, or an informal resolution process, within **180 working days.** The Title IX Coordinator may extend this period for good cause, including the complexity of the matter, law-enforcement activity, unavailability of witnesses or delays by the parties, University breaks or vacations, or other circumstances affecting the fairness and completeness of the process. When an extension is granted, WesternU provides the parties written notice of the reason for the delay and the anticipated timing of completion.

Individual procedural steps may have additional deadlines established by the policy. For example, parties are provided at least 10 business days to review relevant evidence and submit a written response during a Title IX investigation, and the final investigative report is provided at least 10 business days before a Title IX live hearing.

Sanctions

If a Respondent is found responsible, WesternU may impose sanctions or other responsive actions appropriate to the circumstances.

For student Respondents, possible sanctions include reprimand, required education, restrictions, probation, suspension, expulsion, withholding of a diploma, revocation of a degree in specified circumstances, and other appropriate actions.

For employee Respondents, possible sanctions or responsive actions include verbal or written warning, performance improvement or management processes, enhanced supervision or review, required training or education, probation, denial of a pay increase or pay grade, loss of supervisory responsibility, demotion, transfer, schedule adjustment, reassignment, delay of tenure-track progress, assignment of a new supervisor, restrictions on stipends or professional development resources, suspension or administrative leave with or without pay, termination, and other appropriate responsive actions.

For third parties, possible responsive actions include a no-contact directive, restrictions on WesternU privileges or campus access, discontinuation of a relationship or association, and referral for action under another applicable policy.

Appeals

Both the Complainant and Respondent have the right to appeal a dismissal of a Title IX Formal Complaint or allegation and/or a final determination of responsibility within 5 business days of receiving a determination. For Non-Title IX Complaints, both parties may appeal the Notice of Outcome, including the finding and sanctions.

Permitted grounds for appeal include: (1) a procedural irregularity that affected the outcome; (2) new evidence that was not reasonably available at the time of the determination and could affect the outcome;

or (3) a conflict of interest or bias by specified officials that affected the outcome. A written appeal generally must be submitted within five business days of delivery of the applicable determination or Notice of Outcome and/or sanctions.

An Appeal Officer who was not previously involved in the matter reviews the appeal. If the appeal meets the applicable grounds, the non-appealing party is given an opportunity to respond. The Appeal Officer issues a written decision and rationale within 45 business days, which WesternU provides simultaneously to the parties. The Appeal Officer may uphold, modify, or overturn the decision and, when an error cannot be cured, may order a new investigation.

Prompt, Fair, and Impartial Process

WesternU's procedures are intended to provide a prompt, fair, and impartial process from the initial investigation through the final result. The parties are treated equitably and have equal opportunities to participate in the process, present relevant evidence and witnesses, and have an advisor present. Individuals responsible for investigations and adjudication receive training appropriate to their roles, and WesternU's policy provides procedures for addressing potential conflicts of interest or bias.

The parties receive timely notice of meetings and hearings at which they may participate and are provided access to information and evidence as specified by the applicable procedure. The parties receive simultaneous written notification of the outcome and available appeal procedures.

Privacy and Confidentiality

WesternU takes reasonable steps to protect the privacy of parties and witnesses. Information may be shared with individuals who have a legitimate need to know for purposes of responding to or resolving a complaint, as permitted by law. WesternU also recognizes that confidentiality cannot be guaranteed in all circumstances, particularly where disclosure is necessary to address criminal conduct or protect the health or safety of members of the University community.

For purposes of Clery Act reporting, WesternU reports required crime statistics without personally identifying information about the individuals involved. The University's SIM Policy also provides that identifying information about a Complainant is withheld from timely warnings issued to the campus community.

Rights and Options Following a Report

Individuals who report dating violence, domestic violence, sexual assault, or stalking may receive information regarding available institutional and community resources, supportive measures, reporting options, and assistance with law-enforcement notification. WesternU may also assist individuals with obtaining protective orders and may provide academic, employment, transportation, safety, or other supportive measures when appropriate and reasonably available.

The University's procedures are intended to operate in conjunction with, rather than replace, the criminal justice process. An individual may report alleged criminal conduct to law enforcement regardless of whether the individual chooses to pursue a University complaint. When criminal and University proceedings occur simultaneously, WesternU will coordinate with law enforcement as appropriate to avoid unnecessarily interfering with the external legal process.

For complete information regarding WesternU's procedures, rights and responsibilities of the parties, available resources, supportive measures, sanctions, appeals, and other aspects of the resolution process, see WesternU's Sexual and Gender-Based Harassment, Interpersonal Violence, and Other Sexual Misconduct (SIM) Policy and Procedure, Rev. 3-2025.

Complaint Procedures

Oversight of Complaint Procedure

The Title IX Coordinator is charged with receiving complaints of Prohibited Conduct and coordinating their investigation. The investigation of complaints must be assigned by the Title IX Coordinator to a neutral investigator. A neutral investigator means an outside investigator or an internal investigator who is not in the chain of command of the respondent, not substantially implicated by the allegations in the complaint, and who is otherwise impartial. Neutral investigators must be properly trained to conduct such investigations. The investigator may not have any real or perceived conflicts of interest and must be able to investigate the allegations impartially using trauma-informed investigation techniques.

Intake and Processing of the Complaint:

Upon receiving a Complaint, the Title IX Coordinator will:

- Consider whether WesternU can undertake efforts to informally resolve the charges, including but not limited to mediation, rearrangement of work/academic schedules, obtaining apologies, providing informal counseling, training, etc.
- Advise all Parties that he/she/they need not participate in an informal resolution of the Complaint, as described above, and they have the right to end the informal resolution process at any time.
- Advise a student Complainant that he/she/they may file a Complaint with the Office for Civil Rights of the U.S. Department of Education and employee Complainants may file a Complaint with the California Civil Rights Department. All Complainants should be advised that they have a right to file a Complaint with local law enforcement, if the act complained of is also a criminal act. WesternU must investigate even if the Complainant files a Complaint with local law enforcement. In addition, WesternU should ensure that Complainants are aware of any available resources, such as counseling, health, and mental health services.
- In matters involving student sexual harassment, provide student Parties notice regarding appropriate counseling resources developed and maintained by WesternU.
- Take interim steps to protect a Complainant from coming into contact with an accused individual, especially if the Complainant is a victim of sexual violence. The Title IX Coordinator should notify the Complainant of his/her/their options to avoid contact with the accused individual and allow students to change academic situations as appropriate. For instance, WesternU may prohibit the accused individual from having any contact with the Complainant pending the results of the investigation. When taking steps to separate the Complainant and accused individual, WesternU shall minimize the burden on the Complainant. For example, it is not appropriate to remove Complainants from classes while allowing accused individuals to remain.

INVESTIGATIONS

WesternU shall promptly investigate every Complaint. This includes Complaints involving activities that occur off campus and in connection with all the academic, educational, extracurricular, athletic, and other programs of WesternU, whether those programs take place in WesternU's facilities, on a WesternU bus, or at a class or training program sponsored by WesternU at another location. WesternU shall promptly investigate complaints of Prohibited Conduct that occur off campus if the alleged conduct creates a hostile environment on campus.

The investigation and adjudication of alleged Prohibited Conduct is not an adversarial process between the Complainant, the Respondent, and the witnesses, but rather a process for WesternU to comply with its obligations under existing law. The Complainant does not have the burden to prove, nor does the Respondent have the burden to disprove, the underlying allegation or allegations of misconduct.

Investigations are best conducted within a confidential climate. Therefore, WesternU does not reveal information about ongoing investigations except as necessary to fulfill its legal obligations. WesternU will keep the investigation confidential to the extent possible, but it cannot guarantee absolute confidentiality because release of some information on a “need-to-know-basis" is essential to a thorough investigation and to protect the rights of student and employee Respondents during the investigation process and any ensuing discipline.

EMERGENCY REMOVAL

Student Respondents: WesternU can act to remove a student Respondent accused of Prohibited Conduct from its education program or activities, partially or entirely, on an emergency basis when an individualized safety and risk analysis has determined that an imminent and serious threat to the health or safety of any student or other individual justifies removal. This risk analysis is performed by the Title IX Coordinator and may be done in conjunction with other campus partners using its standard objective violence risk assessment procedures.

OTIXEO office will promptly provide the student Respondent with written notice of any removal (including rationale) and an opportunity to challenge the removal. The student respondent will have three (3) business days after receipt of the notification to submit a written challenge to the action. Upon receipt of a written challenge, the Title IX Coordinator will meet with the student (and their Advisor, if desired) as soon as reasonably possible thereafter to allow them to show cause why the removal/action should not be implemented or should be modified.

This meeting is not a hearing on the merits of the allegation(s), but rather is an administrative process intended to determine solely whether the emergency removal is appropriate, should be modified, or lifted. When this meeting is not requested within three (3) business days, objections to the emergency removal or interim suspension will be deemed waived. A student can later request a meeting to show why they are no longer an imminent and serious threat because conditions related to imminence or seriousness have changed.

The Respondent may provide information, including expert reports, witness statements, communications, or other documentation for consideration prior to or during the meeting. When applicable, a Complainant may provide information to the Title IX Coordinator for review.

An emergency removal may be affirmed, modified, or lifted as a result of a requested review or as new information becomes available. The Title IX Coordinator will communicate the final decision in writing, typically within three (3) business days of the review meeting.

Employee Respondents: Following a report of Prohibited Conduct, WesternU may place a non-student employee on administrative leave during the pendency of the investigation, resolution process and/or any associated grievances/appeals thereafter. In reaching a determination as to administrative leave, the Title IX Coordinator will consult with the Respondent’s immediate supervisor or designee, Chief Human Resources Officer, Provost or other appropriate officials. The Title IX Coordinator will issue a notice of administrative leave to the Respondent.

Dismissal of Title IX Complaints:

WesternU must investigate the allegations in a Formal Complaint. However, WesternU must dismiss the Formal Complaint and will not process the complaint under the SIM Policy and Procedures in Appendix A if any of the following three circumstances exist:

1. If the conduct alleged in the Formal Complaint would not constitute Title IX Sexual Harassment as defined in the Prohibited Conduct section, even if proved;
2. If the conduct alleged in the Formal Complaint did not occur in WesternU’s education program or activity;

3. If the conduct alleged in the Formal Complaint did not occur against a person in the United States.

WesternU has discretion to dismiss a Formal Complaint or any allegation under the following circumstances:

1. If at any time during the investigation or hearing: a Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the Formal Complaint or any allegations;
2. If the Respondent is no longer enrolled or employed by WesternU; or
3. If there are specific circumstances that prevent WesternU from gathering evidence sufficient to reach a determination regarding responsibility as to the Formal Complaint or allegations.

If WesternU dismissed the Formal Complaint or any allegations, the Title IX Coordinator shall simultaneously provide the Parties with written notice of the dismissal and reason. WesternU will also notify the Parties of their right to appeal. WesternU may commence proceedings under other policies and procedures (including Appendix B of the SIM policy) after dismissing a Formal Complaint.

Informal Resolution

At its discretion, WesternU may offer the Parties informal resolution in lieu of resolving a Complaint through WesternU's SIM Policy and Procedures. WesternU does not offer informal resolution, including settlement, to resolve allegations that an employee engaged in sexual harassment of a student, to resolve allegations that an employee engaged in sexual assault, sexual violence, or sexual battery, or to resolve allegations of sexual violence involving a student Party.

WesternU shall not require the Parties to participate in an informal resolution process. WesternU does not require waiver of the right to an investigation and determination of a Complaint as a condition of enrollment or continuing enrollment, or employment or continuing employment, or exercise of any other right. WesternU must obtain the Parties' voluntary, written consent to the informal resolution process.

WesternU will inform the Parties in writing of any informal resolution process it offers and determines is appropriate, if any. Before the initiation of an informal resolution process, WesternU will explain in writing to the Parties:

a. The allegations;
b. The requirements of the informal resolution process;
c. That any Party has the right to withdraw from the informal resolution process and initiate or resume procedures at any time before agreeing to a resolution;
d. That if the Parties agree to a resolution at the end of the informal resolution process, the Parties cannot initiate or resume procedures arising from the same allegations; and
e. What information WesternU will maintain and whether and how WesternU could disclose such information for use in Title IX Complaint procedures if such procedures are initiated or resumed.
f. Written notice is provided to both Parties disclosing the allegations, requirements of the informal resolution process including the circumstances which preclude the parties from resuming a Formal Complaint arising from the same allegations once resolved
g. Provides an opportunity for either party to withdraw from the process, prior to resolution concluding, and resuming the Formal Complaint Procedure.
h. Parties voluntarily agree, in writing
i. The matter does not involve allegations of an employee engaging in Prohibited Conduct against student

Not all allegations may be appropriate for Informal Resolution, particularly those allegations which involve Assault, Domestic Violence, Dating Violence or Stalking.

The Title IX Coordinator may be utilized to facilitate informal resolutions, as appropriate.

Informal Resolution Approaches

(1) Supportive Resolution

The Title IX Coordinator or Informal Resolution Facilitator will meet with the Complainant to determine reasonable supports that are designed to restore or preserve the Complainant's access to the Recipient's Education Program and Activity. Such supports can be modified as the Complainant's needs evolve over time or circumstances change. If the Respondent has received the NOIA, the Informal Resolution Facilitator may also provide reasonable supports for the Respondent as deemed appropriate. This option is available when the Complainant does not want to engage the other resolution options and the Title IX Coordinator does not believe there is a need to sign a Formal Complaint. At the discretion of the Informal Resolution Facilitator, this resolution option can result in an agreement between the Complainant and the Recipient that does not require assent from any other party, as long as it does not unduly burden any other party or function punitively with respect to them.

(2) Accepted Responsibility

The Respondent may accept responsibility for any or all of the alleged Policy violations at any point during the Formal Complaint Process. If the Respondent indicates an intent to accept responsibility for all alleged Policy violations, the ongoing process will be paused, and the Title IX Coordinator will determine whether Informal Resolution is an option. If Informal Resolution is available, the Informal Resolution Facilitator will determine whether all Parties and the Recipient are able to agree on responsibility, restrictions, sanctions, restorative measures, and/or remedies. If so, the Informal Resolution Facilitator implements the accepted Finding that the Respondent is in violation of WesternU's SIM Policy, implements agreed-upon restrictions and remedies, and determines any other appropriate responses in coordination with other appropriate administrator(s), as necessary. This resolution is not subject to appeal once all Parties indicate their written agreement to all resolution terms. When the Parties cannot agree on all terms of resolution, the Formal Complaint Process will either begin or resume. When a resolution is reached, the appropriate sanction(s) or responsive actions are promptly implemented to effectively stop the Prohibited Conduct, prevent its recurrence, and remedy its effects, both on the Complainant and the community.

(3) Alternative Resolution

WesternU offers a variety of alternative resolution mechanisms to best meet the specific needs of the Parties and the nature of the allegations. Alternative resolution may involve agreement to pursue individual or community remedies, including targeted or broad-based educational programming or training; supported direct conversation or interaction between the Parties; indirect action by the Title IX Coordinator or other appropriate Recipient officials; and other forms of resolution that can be tailored to the needs of the Parties. Some alternative resolution mechanisms will result in an agreed-upon outcome, while others are resolved through dialogue. All Parties must consent to the use of an alternative resolution approach, and the Parties may, but are not required to, have direct or indirect contact during an alternative resolution process.

The Title IX Coordinator has the authority to determine whether alternative resolution is available or successful, to facilitate a resolution that is acceptable to all Parties, and/or to accept the Parties' proposed resolution, usually through their Advisors, often including terms of confidentiality, release, and non-disparagement. Parties do not have the authority to stipulate restrictions or obligations for individuals or groups that are not involved in the alternative resolution process. The Informal Resolution Facilitator will determine whether additional individual or community remedies are necessary to meet the institution's compliance obligations in addition to the alternative resolution.

The Title IX Coordinator maintains records of any resolution that is reached and will provide notification to the Parties of what information is maintained. Failure to abide by the resolution agreement may result in appropriate responsive/disciplinary actions (e.g., dissolution of the agreement and resumption of the Formal Complaint Process, referral to the conduct process for failure to comply, application of the enforcement terms of the agreement). Where the failure to abide by the Informal Resolution agreement terms results in a failure to remedy a Policy violation, the Administrator must consider whether to dissolve the agreement and reinstate the Formal Complaint Process to remedy the impact as required by law. The results of Formal Complaints resolved by alternative resolution are not appealable.

Timelines and Extensions:

WesternU will undertake its process promptly and as swiftly as possible. WesternU will complete the investigation and its determination regarding responsibility or the informal resolution process within 180 working days. When appropriate, the Title IX Coordinator may determine that good cause exists to extend the 180 working day period to conduct a fair and complete investigation, to accommodate an investigation by law enforcement, to accommodate the unavailability of witnesses or delays by the Parties, to account for WesternU breaks or vacations, or due to the complexity of the investigation. WesternU will provide notice of this extension to the Complainant and Respondent in writing and include the reason for the delay and anticipated timing of completion. A Party may request an extension from the Title IX Coordinator in writing by explaining the reason for the delay and the length of the continuance requested. The Title IX Coordinator will notify the

Parties and document the grant or denial of a request for extension or delay as part of the case recordkeeping. WesternU shall grant a student Party's reasonable request for an extension of a deadline related to a Complaint during periods of examinations or school closures.

INVESTIGATION:

The investigation and adjudication of a Formal Complaint is not an adversarial process between the complainant, the respondent, and the witnesses. The complainant does not have the burden to prove, nor does the respondent have the burden to disprove, the underlying allegation or allegations of misconduct. The Title IX Coordinator is responsible to oversee investigations to ensure timely resolution and compliance with Title IX and the SIM Procedures. WesternU will investigate Title IX Formal Complaints fairly and objectively. Individuals serving as investigators will have training on what constitutes sexual harassment, WesternU's Title IX procedures, and trauma-informed investigation techniques. WesternU will also ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence and complies with the SIM procedures.

Issuance of a Notice of Allegation(s): Upon receipt of a formal complaint, the Title IX Coordinator will provide the following written notice to the parties who are known, simultaneously:

a. Notice of the Sexual and Gender-Based Harassment, Interpersonal Violence, and Other Sexual Misconduct (SIM) Policy and Procedure;
b. Notice of the allegations of Title IX sexual harassment including sufficient details known at the time and sufficient time to prepare a response before any initial interview. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting Title IX sexual harassment, and the date and location of the alleged incident, if known;
c. Statement that the Respondent is presumed not responsible for the alleged conduct and that Determination regarding Responsibility is made at the conclusion of the Title IX Complaint Process;

d. Notice that the parties that they may have an Advisor of their choice, who may be, but is not required to be, an attorney. A student Party may request WesternU provide an Advisor to the student;
e. Notice that the parties will have the opportunity to inspect and review evidence obtained as part of the investigation that is directly related to the allegations raised in the Formal Complaint, including the evidence upon which WesternU does not intend to rely in reaching a determination regarding responsibility, and inculpatory or exculpatory evidence whether obtained from a Party or other source.
f. Inform the parties of the ***Statement on Truthfulness*.**
g. For student Parties, notice regarding appropriate counseling resources WesternU has developed and maintains.

Note: If, during the course of the Investigation, additional allegations have been identified that were not included in the Notice of Allegation but should be investigated, WesternU will provide a notice to the parties, who are known, of the additional allegations.

Notice of Investigative Interview: WesternU will provide the parties with written notice of date, time, location, participants and purpose of investigative interviews to a Party whose participation is invited or expected with sufficient time to prepare.

Witnesses: The Investigator will provide an equal opportunity for the parties to present witnesses, including fact and expert witnesses, and other inculpatory and exculpatory evidence that are relevant and otherwise permissible.

Evidence: WesternU will not restrict the ability of either party to discuss the allegations under investigation or to gather and present relevant evidence. WesternU will objectively evaluate all evidence that is relevant and otherwise permissible including both inculpatory and exculpatory evidence. Credibility determination will not be based on a person's status as a complainant, respondent, or witness.

- Use of Privileged Information- WesternU does not require, allow, rely upon, or otherwise use questions or evidence that would constitute, or seek disclosure of, information protected under a legally- recognized privilege (e.g.- attorney-client privilege, doctor-patient privilege, spousal privilege, etc.), unless the person holding the privilege provides voluntary, written consent to waive the privilege.
- Evidence of Past Sexual History: An investigator or Decision-Maker shall not consider the past sexual history of a Party except in the limited circumstances described below:
    - The Investigator or Decision-Marker shall not consider the prior or subsequent sexual history between the Complainant and anyone other than the Respondent for any reason unless directly relevant to prove that physical injuries alleged to have been inflicted by the Respondent were inflicted by another individual; or
    - The Investigator or Decision-Maker shall not consider the existence of a dating relationship or prior or subsequent consensual sexual relations between the Complainant and the Respondent unless the evidence is relevant to how the Parties communicated consent in prior or subsequent consensual sexual relations.
    - Where the investigator or Decision-Maker allows consideration of questions or evidence about a dating relationship or prior or subsequent consensual sexual relations between the Complainant and the Respondent, the mere fact that the Complainant and the Respondent engaged in other consensual sexual relations with one another is never sufficient, by itself, to establish that the conduct in question was consensual.

Before allowing the consideration of any evidence proffered pursuant to this section of the SIM Policy, the Investigator or Decision-Maker shall provide a written explanation to the Parties as to why consideration of the evidence is consistent with the procedure in the SIM Policy.

Evidence Review: Prior to the investigator preparing an investigative report, WesternU shall provide the parties an equal opportunity to inspect and review any evidence obtained as part of the investigation that is directly related to the allegations raised in a Formal Complaint, including the evidence upon which the Decision-Maker does not intend to rely in reaching a determination regarding responsibility and inculpatory or exculpatory evidence whether obtained from a party or other source, so that each party can meaningfully respond to the evidence prior to conclusion of the investigation.

WesternU will make available to each party and the party's Advisor, if any, the evidence subject to evidence review in an electronic format or a hard copy. WesternU will allow the parties at least 10 business days to submit a written response, which the Investigator will consider prior to completion of the Investigative Report

Investigative Report: The Investigator will prepare a final investigative report, which will fairly summarize relevant evidence and include as exhibits evidentiary materials as deemed appropriate by the Investigator. The investigator will not make a determination regarding responsibility.

The investigator may redact information not directly related to the allegations or privileged information. However, the investigator will keep a log of information he/she/they does not produce to the Parties. The investigator will provide this log only to the Title IX Coordinator. The Title IX Coordinator will not disclose the log to the Parties but will maintain the log in the Title IX Coordinator's file, in the event it later becomes relevant.

WesternU will provide the final investigative report in an electronic format or a hard copy to each Party and their Advisors, if any, at least 10 business days prior to the live hearing. The parties may provide a written response to the report with 10 business days of issuance of the final investigative report. This report remains confidential and will only be disclosed as necessary to meet the hearing requirements specified herein, or, for faculty respondents who

may be subject to the Adequate Cause for Dismissal process outlined in the University Faculty Handbook. Any such disclosures are subject to the confidentiality obligations and restrictions articulated in the SIM policy/procedure.

HEARING

1. APPENDIX A - TITLE IX HEARING – (See Formal Resolution and Procedural Tracks)
   A. Upon the conclusion of an Investigation of a Formal Complaint alleging Title IX

   Prohibited Conduct, WesternU will provide a live hearing in order to make a Determination of Responsibility. The hearing will be facilitated according to the following:

   (i) Notice of Hearing: WesternU will provide all Parties notice of the date, time, location, participants, and purpose of the scheduled hearing(s) and pre-meeting(s). WesternU will provide parties access to the evidence and Investigative Report during the hearing.
   (ii) Hearing Officer: WesternU may appoint a Hearing Officer to assist the procedural aspects of the hearing. The Hearing Officer does not make the final Determination of Responsibility.
   (iii) Witnesses: Any witness scheduled to participate in the hearing must have been first interviewed by the Investigator(s), unless:

   All parties and the Decision-Maker assent to the new witness's participation in the hearing without remanding the Formal Complaint back to the Investigator,

   The Decision-Maker deems the evidence presented by the new witness to be relevant and not information already established in the record, and

   The Witness's late involvement was not the result of bad faith by the witness, the Parties, or others.

If the above criteria are not met, but the witness's evidence is deemed relevant and not duplicative, the Decision-maker may, at their discretion, engage in any of the following actions:

- Delay the hearing
- Provide the Parties with at least five (5) business days to review the relevant portions of the new witness's statements, if such statements are submitted
- Remand the Formal Complaint back to the Investigator for further investigation or verification
- Allow the Parties to review and comment on the testimony of the new witness
- If the evidence is deemed not relevant, the Decision-maker may proceed with the hearing absent the new witness's participation.

a. **Decision-Maker(s):** The Hearing will be heard by a single Decision-Maker or a panel of Decision-Maker(s). Decision-Makers are selected from a pool of trained individuals. Members of the pool are trained in all aspects of the Title IX process. They receive annual training organized by the Title IX Coordinator, including a review of WesternU policies and procedures as well as applicable federal and state laws and regulations so that they are able to appropriately review evidence, understand the allegations and protect safety and promote accountability. All pool members are required to attend this annual training to be eligible to serve.
b. **Conflicts of Interests:** WesternU will provide the parties a list of the name of the Decision-Maker(s) at least three (3) business days in advance of the hearing. In cases where the Complainant or Respondent objects to the Decision-Maker based on a conflict of interest, the Complainant or Respondent may request the Title IX Coordinator select a different Decision-Maker. Parties must raise any objections to the Decision-Maker(s) prior to the hearing.
c. **Pre-Meeting:** The Hearing Officer may meet with both parties prior to the scheduled hearing to exchange the names of witnesses who will be participating in the hearing and address other pertinent hearing details at least five (5) business days prior to the hearing. The Hearing Officer will not require the parties to provide their proposed cross-examination questions in advance of the hearing, but the Parties are encouraged to submit their questions to the Hearing Officer during this time.
d. **Participation of the Parties:** All parties have the opportunity to present facts and arguments during the hearing. However, a Party's advisor will conduct cross- examination.
e. **WesternU Advisor:** If a party does not have an Advisor present at the hearing, WesternU will provide without fee or charge to that party, an Advisor of WesternU's choice, who may be, but is not required to be, an attorney, to conduct cross-examination on behalf of that party.
f. **Support Persons:** In addition to an Advisor, each party will be authorized to bring one support person for moral support during the hearing, provided that the support person signs a confidentiality agreement. This individual is strictly prohibited from participating in any manner during the hearing. If the individual displays disruptive, disrespectful, or offensive behavior, they will be removed from the proceedings.
g. **Private Proceedings:** There will be no observers in the hearing, aside from the designated Advisors to the Parties or the Panel. The Hearing Officer may allow witnesses who have relevant information to appear at a portion of the hearing, separately, in order to respond to specific questions from the panel or the parties involved, and then be excused. Proceedings are private and confidential. All persons present at any time during the hearing are expected to maintain the privacy and confidentiality of the proceedings in accord with WesternU policy. While the contents of the hearing are private, the parties have discretion to share their own experiences if they so choose and should discuss doing so with their Advisors.

Hearing Format:

- **Live Hearing:** WesternU may provide a live hearing with all Parties physically present in the same geographic location or, at WesternU's discretion if a Party or a witness requests, WesternU may provide Parties, witnesses, and other participants the ability to appear at the live hearing virtually with technology enabling participants simultaneously to see and hear each other in real time. If remote participation is desired, the individual should request remote participation from the Hearing Officer at least three (3) business days prior to the hearing.
- **Audio or Visual Recording:** WesternU will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the Parties for inspection and review upon request and under supervision. The parties may not record the proceedings and no other unauthorized recordings are permitted
- **Standard of Proof:** The Decision-Maker shall provide an explanation of the meaning of the preponderance of the evidence standard and affirm that it shall apply to adjudications under this procedure. The preponderance of the evidence standard is met if WesternU determines that it is more likely than not that the alleged conduct occurred, based on the facts available at the time of the decision.

II. Order of Hearing: Typically, a hearing will be facilitated in the following order:

1. Investigator presents the report. The Decision-Maker and Parties may question the Investigator. The evidence contained in the Investigative Report is not binding on the Decision- Maker.

2. WesternU will provide the Parties an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory evidence. Only relevant evidence will be admissible during the hearing. Relevant evidence means evidence, including evidence relevant to the credibility of a Party or witness, having any tendency in reason to prove or disprove any disputed fact material to the allegations under investigation.

Cross-Examination: Each party's Advisor may ask the other party and any witnesses relevant questions, including challenging credibility. Cross-examination must be conducted directly, orally, and in real time by the party's Advisor and never by a party personally

RELEVANT EVIDENCE:

Only relevant cross-examination and other questions may be asked of a party or witness. Before a Complainant, Respondent, or witness answers a cross-examination or other question, the Decision-maker(s) must first determine whether the question is relevant and explain any decision to exclude a question as not relevant.

Formal rules of evidence do not apply. In making determinations of relevance do not apply. In making determinations of relevance, the Decision-Maker(s) may take guidance from the formal rules of evidence. Any evidence that the Decision-

Maker(s) believes is relevant and credible may be considered. The Hearing Officer will address any evidentiary or relevancy concerns prior to and during the hearing, may exclude irrelevant or immaterial evidence and may ask the Decision-Maker(s) to disregard evidence lacking in credibility or that is improperly prejudicial.

Both parties retain the right to object to the introduction of evidence protected by a recognized privilege, such as (but not limited to) the attorney-client privilege or the medical provider-patient privilege. The Hearing Officer will determine all questions of procedure and evidence.

Anyone appearing at the hearing to provide information will respond to questions on his/her/their own behalf. Generally, the parties may not introduce evidence, including witness testimony, at the hearing that the party did not identify during the investigation and that was available at the time of the investigation. However, the decision maker(s) has/have discretion to accept for good cause, or exclude, such new evidence offered at the hearing. hearing that the party did not identify during the investigation and that was available at the time of the investigation. However, the decision maker(s) has/have discretion to accept for good cause, or exclude, such new evidence offered at the hearing.

I. CHARACTER EVIDENCE: The Decision-maker(s) may decline to hear from character witnesses if deemed irrelevant. In that event, the Decision-maker(s) may accept up to two (2) letters supporting the character of each of the parties.
II. FAILURE TO TESTIFY: If a party or witness does not submit to cross-examination at the hearing, the Decision-Maker may admit any statement of that Party or witness in reaching a determination regarding responsibility. The Decision-Maker will give the statements whatever weight the Decision-Maker determines appropriate, bearing in mind that the statements have not been tested by cross-examination. In doing so, the Decision- Maker should consider, and if possible determine, whether the witness or Party made the statement and what the statement proves. 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 hearing or refusal to answer cross-examination or other questions.
III. IMPACT STATEMENTS: Prior to the conclusion of the hearing, the parties may submit an impact statement to the Title IX Coordinator. Any impact statements will only be made available to the decision maker(s) during deliberations if a Respondent is found responsible for violating WesternU policy. If the respondent is found not responsible, the statements will not be shared with the Decisions Makers.
IV. DELIBERATIONS: The Decision-Maker(s) will deliberate in closed session to determinewhether the Respondent is responsible for the alleged conduct. The Decision-Maker(s) will base the determination(s) on a preponderance of the evidence (i.e., whether it is more likely than not that the respondent committed each alleged violation). If the respondent is found responsible, the Decision-Maker(s) will recommend appropriate sanctions.

DETERMINATION OF RESPONSIBILITY

The Decision-Maker will prepare a written determination of responsibility. The Title IX Coordinator will issue the written determination of responsibility within twenty (20) business days following the conclusion of the hearing.

The Decision-Maker will objectively evaluate all relevant evidence, including both inculpatory and exculpatory evidence. A Decision-Maker may not make credibility determinations based on an individual's status as a Complainant, Respondent, or witness. In evaluating the evidence, the Decision-Maker will use the preponderance of the evidence standard. Thus, after considering all the evidence it has gathered, the Decision-Maker will decide whether it is more likely than not that Title IX sexual harassment occurred.

The Notice of Outcome will include:

Identification of the allegations potentially constituting Title IX sexual harassment;

a. A description of the procedural steps taken from the receipt of the Formal Complaint through the determination, including who conducted the investigation and gave notifications to the Parties. The determination will also state when, where, and the date the investigator interviewed the Parties and witnesses, conducted site visits, the methods used to gather other evidence. The procedural section should also discuss the dates and how the Parties were provided the

opportunity to review and inspect evidence and the date of any hearings held and who attended the hearing;

b. Findings of fact supporting the determination. In making these findings, the Decision-Maker will focus on analyzing the findings of fact that support the determination of responsibility or non-responsibility;
c. Conclusions regarding the application of the Policy to the facts;
d. A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility;
e. A statement of, and rationale for, any disciplinary sanctions WesternU imposes on the Respondent. WesternU will inform the Complainant of the sanctions against the Respondent
f. A Statement of whether WesternU will provide the Complainant with remedies designed to restore or preserve equal access to WesternU's education program or activity. WesternU need not disclose to the Respondent remedies that do not affect him/her/them as part of the written determination;
g. The procedures and permissible bases for the Parties to appeal.

The Title IX Coordinator will provide the Parties with the written determination simultaneously. The Notice of Outcome may be delivered by one or more of the following methods: in person, mailed to the Parties' local or permanent address as indicated in official WesternU records, or emailed to the Parties' WesternU-issued or designated email account. Once mailed, emailed, or received in person, the written determination is presumptively delivered.

The determination regarding responsibility becomes final either on the date that WesternU provides the parties with the written determination of the result of the appeal, if an appeal is filed, or if no Party appeals, the date on which an appeal would no longer be considered timely. The imposition of sanctions will take effect immediately and will not be stayed pending the resolution of any appeal.

APPENDIX B, TRACK 1 – NON-TITLE IX HEARING (See *Formal Resolution and Procedural Tracks)*

A. Upon the conclusion of an Investigation of a Formal Complaint, WesternU will provide a hearing in order to make a Determination of Responsibility. The hearing will be facilitated according to the following:
B. ***Issuance of a Notice of Outcome:*** Upon the conclusion of hearing, the Hearing Officer will issue a written Notice of Outcome to the parties simultaneously. The Notice of Outcome will include the determination as to whether Prohibited Conduct occurred including findings of fact supporting the determination. The possible outcomes for each allegation of Prohibited Conduct are "Responsible" or "Not Responsible." The Notice of Outcome will also identify sanctions and remedies, if applicable.

APPENDIX B, TRACK 2 – NO HEARING – **(See Formal Resolution and Procedural Tracks)**

OVERVIEW OF ADJUDICATION TRACKS

WesternU provides two tracks to adjudicate a Complaint after the completion of the investigation.

Track 1 applies when all of the following apply:

1. The Respondent is a Student;
2. The credibility of one (or both) of the parties, or any witness is central to the Determination of Responsibility; and
3. The Respondent may be subject to dismissal or suspension if found in violation of the SIM Policy.

Track 1 requires a hearing as described more fully below.

Track 2 applies to all other Complaints. Under Track 2, the Investigator decides the Determination of Responsibility and there is no hearing.

TRACK 1 – HEARING

Upon the conclusion of an investigation, WesternU will provide a live hearing in order to make a determination of responsibility. The hearing will be facilitated according to the following:

- **Notice of Hearing**: WesternU will provide all Parties notice of the date, time, location, participants, and purpose of the scheduled hearing(s) and pre-meeting(s). WesternU will provide parties access to the evidence and Investigative Report during the hearing.
- **Hearing Officer**: WesternU may appoint a Hearing Officer to assist the procedural aspects of the hearing. The Hearing Officer does not make the final Determination of Responsibility.
- **Decision-Maker(s):** The Hearing will be heard by a single Decision-Maker or a panel of Decision-Maker(s). Decision-Makers are selected from a pool of trained individuals. Members of the pool are trained in all aspects of the complaint process. They receive annual training, including a review of WesternU policies and procedures as well as applicable state laws and regulations so that they are able to appropriately review evidence, understand the allegations and protect safety and promote accountability. All pool members are required to attend this annual training to be eligible to serve.

Conflicts of Interests: WesternU will provide the parties a list of the name of the Decision- Maker(s) at least three (3) business days in advance of the hearing. In cases where the Complainant or Respondent objects to the Decision-Maker based on a conflict of interest, the Complainant or Respondent may request the Title IX Coordinator select a different Decision- Maker. Parties must raise any objections to the Decision-Maker(s) prior to the hearing.

Pre-Meeting: The Hearing Officer may meet with both parties prior to the scheduled hearing to exchange the names of witnesses who will be participating in the hearing and address other pertinent hearing details at least five (5) business days prior to the hearing. Student parties shall have the opportunity to submit written questions to the Hearing Officer in advance of the hearing.

Participation of the Parties: All parties have the opportunity to present facts and arguments during the hearing. However, neither a Party or a Party's advisor will conduct cross-examination.

Support Persons: In addition to an Advisor, each party will be authorized to bring one support person for moral support during the hearing, provided that the support person signs a confidentiality agreement. This individual is strictly prohibited from participating in any manner during the hearing. If the individual displays disruptive, disrespectful, or offensive behavior, they will be removed from the proceedings.

Private Proceedings: There will be no observers in the hearing, aside from the designated Advisors to the Parties. The Hearing Officer may allow witnesses who have relevant information to appear at a portion of the hearing, separately, in order to respond to specific questions from the Decision-Maker or the parties involved, and then be excused. Proceedings are private and confidential. All persons present at any time during the hearing are expected to maintain the privacy and confidentiality of the proceedings in accord with WesternU policy. While the contents of the hearing are private, the parties have discretion to share their own experiences if they so choose and should discuss doing so with their Advisors.

Hearing Format:

Live Hearing: WesternU may provide a live hearing with all Parties physically present in the same geographic location or, at WesternU's discretion if a Party or a witness requests, WesternU may provide Parties, witnesses, and other participants the ability to appear at the live hearing virtually with technology enabling participants simultaneously to see and hear each other in real time. If remote participation is desired, the individual should request remote participation from the Hearing Officer at least three (3) business days prior to the hearing.

Audio or Visual Recording: WesternU will create an audio or audiovisual recording, or transcript, of any live hearing and make it available to the Parties for inspection and review. The parties may not record the proceedings and no other unauthorized recordings are permitted.

Standard of Proof: The Decision-Maker shall provide an explanation of the meaning of the preponderance of the evidence standard and affirm that it shall apply to adjudications under this procedure. The preponderance of the evidence standard is met if WesternU determines that it is more likely than not that the alleged conduct occurred, based on the facts available at the time of the decision.

Order of Hearing: Typically, a hearing will be facilitated in the following order:

- Investigator Presents the Report. The Decision-Maker may question the Investigator.
- WesternU will provide the Parties an equal opportunity to present witnesses, including fact and expert witnesses, and other inculpatory evidence.
- Parties nor their Advisors are permitted to ask the other party and any witnesses questions. A Party and their Advisor may submit questions to the Decision-Maker for consideration. The Decision-Maker must pose all questions.

i. Relevant Evidence: The Decision-Maker may ask relevant questions only of a party or witness. At the hearing, a party shall have an opportunity to note an objection to the questions posed. WesternU may limit such objections to written form, and neither the Hearing Officer nor WesternU are obligated to respond, other than to include any objection in the record. The Hearing Officer shall have the authority and obligation to discard or rephrase any question that the hearing officer deems to be repetitive, irrelevant, or harassing. In making these determinations, the Hearing Officer is not bound by, but may take guidance from, the formal rules of evidence. Anyone appearing at the hearing to provide information will respond to questions on his/her/their own behalf. Generally, the parties may not introduce evidence, including witness testimony, at the hearing that the party did not identify during the investigation and that was available at the time of the investigation. However, the decision maker(s) has/have discretion to accept for good cause, or exclude, such new evidence offered at the hearing.

ii. Character evidence: The Decision-maker(s) may decline to hear from character witnesses if deemed irrelevant. In that event, the Decision-maker(s) may accept up to two (2) letters supporting the character of each of the parties.

iii. Impact Statements: Prior to the conclusion of the hearing, the parties may submit an impact statement to the Title IX Coordinator. Any impact statements will only be made available to the decision maker(s) during deliberations if a Respondent is found responsible for violating WesternU policy. If the respondent is found not responsible, the statements will not be shared with the Decisions Makers.

iv. Deliberations: The Decision-Maker(s) will deliberate in closed session to determine whether the Respondent is responsible for the alleged conduct. The Decision- Maker(s) will base the determination(s) on a preponderance of the evidence (i.e., whether it is more likely than not that the respondent committed each alleged violation). If the respondent is found responsible, the Decision-Maker(s) will recommend appropriate sanctions.

v. Notice of Outcome: Upon the conclusion of hearing, the Hearing Officer will issue a written Notice of Outcome to the parties simultaneously.

The Notice of Outcome will include the determination as to whether Prohibited Conduct occurred including findings of fact supporting the determination. The possible outcomes for each allegation of Prohibited Conduct are “Responsible” or “Not Responsible.” The Notice of Outcome will also identify sanctions and remedies, if applicable.

WesternU may deliver the Notice of Outcome by one or more of the following methods: in person, mailed to the Parties' local or permanent address as indicated in official WesternU records, or emailed to the Parties' WesternU-issued or designated email account. Once mailed, emailed, or received in person, the outcome notification is presumptively delivered.

The parties have a right to appeal the Notice of Outcome. See the Appeals section for more information.

The Notice of Outcome becomes final either on the date that WesternU 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 imposition of sanctions will take effect immediately and will not be stayed pending the resolution of any appeal.

TRACK 2 – NO HEARING

Under Track 2, WesternU will apply the preponderance of the evidence standard. The preponderance of the evidence standard is met if the investigator determines that it is more likely than not that the alleged misconduct occurred, based on the facts available at the time of the decision.

Upon the conclusion of the Investigation, WesternU will issue a written Notice of Outcome to the parties simultaneously. The Notice of Outcome will include the determination as to

whether Prohibited Conduct occurred including findings of fact supporting the determination. The possible outcomes for each allegation of Prohibited Conduct are "Responsible" or "Not Responsible." The Notice of Outcome will also identify sanctions and remedies, if applicable.

The Parties may appeal the Notice of Outcome. See the Appeals section for more information. The Notice of Outcome becomes final either on the date that WesternU 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. For student Respondents, the matter may be referred to the College for handling under the student conduct hearing procedures. The imposition of sanctions will take effect immediately and will not be stayed pending the resolution of any appeal.

SANCTIONING

Sanctions: The following are the usual active or inactive sanctions that may be imposed upon students:

- Reprimand: A formal statement that the conduct was unacceptable and a warning that further violation of any WesternU policy, procedure, or directive will result in even more severe sanctions/responsive actions;
- Required Education: A mandate to meet with and engage in either WesternU-sponsored or external educational programs to better comprehend the misconduct and its effects;
- Restrictions: A student may be restricted in their activities, including, but not limited to, being restricted from locations, programs, participation in certain activities or extracurriculars, study abroad, or from holding leadership roles in student organizations;
- Probation: An official sanction for violation of WesternU policy, providing for more severe
- disciplinary sanctions if the student is found in violation of any WesternU policy, procedure, or directive within a specified period of time. Probation may include denial of specified social privileges, exclusion from extra-curricular activities, exclusion from designated areas of campus, no-contact orders, and other measures deemed appropriate;
- Suspension: Separation from WesternU, or one or more of its facilities, for a defined period of time after which the student is eligible to return. During an institution-wide suspension, the student is banned from WesternU property, functions, events, and activities unless they receive prior written approval from an appropriate institutional official;

- Expulsion: Permanent separation from WesternU. The student is banned from WesternU property, and the student's presence at any WesternU-sponsored activity or event is prohibited;
- Withholding Diploma: WesternU may withhold a student's diploma for a specified period of time and deny a student participation in commencement activities;
- Revocation of Degree: WesternU reserves the right to revoke a degree previously awarded from WesternU 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;
- Other Actions: WesternU may assign any other sanctions as deemed appropriate.

Responsive actions for student groups and organizations who have engaged in Prohibited Conduct include:

- Warning: A formal statement that the conduct was unacceptable and a warning that further violation of any WesternU policy, procedure, or directive will result in more severe sanctions/responsive actions;
- Probation: An official sanction for violation of institutional policy, providing for more severe disciplinary sanctions in the event that the group 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 and event privileges, denial of WesternU funds, ineligibility for honors and awards, restrictions on new member recruitment, no-contact orders, and/or other measures deemed appropriate;
- Suspension: Termination of student group or organization recognition and/or institutional support for a defined period of time not to exceed two (2) years and/or until specific criteria are met. During the suspension period, a student group or organization may not conduct any formal or informal business or participate in WesternU-related activities, whether they occur on- or off-campus. Re-recognition is possible but not guaranteed and will only be considered after the end of the suspension period and based on meeting all re-recognition criteria and obtaining clearance from WesternU.
- Expulsion: Permanent termination of student group organization recognition and revocation of the privilege to congregate and conduct business on campus as an organization for any reason;
- Loss of Privileges: Restricted from accessing specific WesternU privileges 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.

Responsive actions for an employee who has engaged in Prohibited Conduct include:

- Verbal or Written Warning
- Performance Improvement Plan/Management Process
- Enhanced Supervision, Observation, or Review
- Required Training or Education
- Probation
- Denial of Pay Increase/Pay Grade
- Loss of Oversight or Supervisory Responsibility
- Demotion
- Transfer
- Shift or schedule adjustments
- Reassignment
- Delay of (or referral for delay of) Tenure Track Progress
- Assignment to a New Supervisor
- Restriction of Stipends, Research, and/or Professional Development Resources
- Suspension/Administrative Leave with Pay
- Suspension/Administrative Leave without Pay
- Termination
- Other Actions: In addition to or in place of the above sanctions/responsive actions, WesternU may assign any other responsive actions as deemed appropriate.

Third Parties: In accordance with applicable law, WesternU reserves the right to issue, among others, any of the following sanctions in any order in these circumstances depending on the facts:

- No-contact directive
- Restriction of University privileges
- Restrictions/limitations/ban on access to campus property;
- Discontinuation of relationship or association
- Referral for action under (an)other policy(s).

APPEAL

A. Request for Appeal: For Appendix A, Title-IX and Appendix B, Track 1 matters, any party may submit a written request for appeal ("Request for Appeal") to the Title IX Coordinator within five (5) business days of the delivery of the Notice of Outcome and/or Notice of Sanctions.

The Title IX Coordinator will designate an Appeal Officer to hear the appeal. No Appeal Officer will have been previously involved in the process. The Title IX Coordinator will forward the Request for Appeal to the Appeal Officer who will determine if the Request for Appeal meets the grounds for appeal. This is not a review of the merits of the appeal, but solely a determination as to whether the request could reasonably be construed to meet the grounds and is timely filed.

If the Request for Appeal does not provide information that meets the grounds for appeal identified above, the Appeal Officer will deny the Request for Appeal. WesternU will provide written notification to the Parties and their Advisors simultaneously notified of the denial and the rationale.

A Party may appeal, based on the following grounds:

i. Procedural irregularity that affected the outcome of the matter; or
ii. New evidence that was not reasonably available at the time the determination regarding responsibility was made, that could affect the outcome of the matter; or
iii. The Title IX Coordinator, Investigator(s), or decision-maker(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter; or

B. Appeal Process: If the Request for Appeal meets the grounds for appeal, WesternU will notify all Parties and their Advisors. WesternU will allow the non-appealing Party to submit a written statement in support of, or challenging, WesternU's decision to dismiss the Formal Complaint or allegations or WesternU's decision in the determination regarding responsibility. WesternU will allow the non-appealing Party at least ten (10) business days from the date of notice of the appeal to submit the written statement.

The Appeal Officer will issue a written decision on whether to grant or deny the appeal, and the rationale for the decision, within 45 business days after the Appeal Officer receives the response to the appeal or the last day to provide a response. WesternU will provide the written decision simultaneously to both Parties.

The Appeal Officer may extend or otherwise modify the deadlines provided above. Either Party may seek an extension by submitting a written request to the Appeal Officer explaining the need for the extension and the proposed length of the extension. The Appeal Officer will respond to the request within 48 hours in writing and will inform the Parties simultaneously whether the extension is granted.

Appeal Outcome: The Appeal Officer will issue a written decision on the appeal, and the rationale for the decision, within 45 business days after the Appeal Officer receives the response to the appeal from the non-appealing Party or the last day to provide a response. WesternU will provide the written decision simultaneously to both Parties.

The Appeal Officer may uphold, modify, or overturn the decision under appeal. If an error cannot be cured, the Appeal Officer may order a new investigation.

A party is entitled to be accompanied by his/her/their Advisor in all meetings and interviews at which the party is expected to be present, including intake, interviews, meetings, hearing, and

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ADVISORS

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An Advisor assists a party in the process, which could include reviewing of any communication between WesternU and the Party, reviewing relevant policies and procedures, assisting in gathering of relevant evidence (including the identification of witnesses), drafting of pertinent party/witness questions, and accompanying the Party to meetings during the process. Advisors are responsible for conducting cross-examination of the parties and witnesses during the hearing. WesternU will appoint an Advisor if a Party does not have an advisor for the hearing. Student parties may request WesternU appoint an Advisor for the entirety of the Complaint Process.

The following contains important guidelines governing the use of an Advisor in the process:

- A Party must advise the Title IX Coordinator of the identity of his/her/their selected Advisor at least five (5) business days before the date of their first meeting (if known). A party must provide subsequent timely notice to the Title IX Coordinator if he/she/they change Advisors. If a Party does not select an Advisor before the hearing, WesternU will provide an Advisor of WesternU's choice at no cost to the party.
- Parties and Advisors are required to sign a confidentiality agreement prior to attending an interview or otherwise participating in WesternU's process. The confidentiality agreement restricts unauthorized disclosure of information and evidence obtained solely through the procedure. The confidentiality agreement will not restrict the ability of either Party to discuss the allegations under investigation.
- Advisors should help their parties prepare for each meeting, and are expected to advise ethically, with integrity and in good faith.
- WesternU generally expects an Advisor to adjust their schedule to allow them to attend meetings/interviews/hearings when planned, but WesternU may change scheduled meetings/interviews/hearings to accommodate an Advisor's inability to attend, if doing so does not cause an unreasonable delay. WesternU may also make reasonable provisions to allow an Advisor who cannot be present in person to attend a meeting/interview/hearing by telephone, video conferencing, or other similar technologies as may be convenient and available.
- The Advisor may not testify in or obstruct an interview or disrupt the process.
- Any Advisor who steps out of their role in any meeting under this process will be warned once. If the Advisor continues to disrupt or otherwise fails to respect the limits of their role, the Advisor will be asked to leave the meeting. When an Advisor is removed from a meeting, that meeting will typically continue without the Advisor present. Subsequently, the Title IX Coordinator will determine whether the Advisor may be reinstated or may be replaced by a different Advisor.
- Advisors are not permitted to create an audio or video recording of any kind during any proceeding of procedure.

Disclosure of Results of Certain Disciplinary Proceedings:

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

Federal Education Rights and Privacy Act (FERPA) AND TITLE IX

The outcome of an investigation is part of the education record of the Respondent and is protected from release under the Federal Education Rights and Privacy Act, except under certain conditions.

Under Title IX, WesternU is required to tell a complainant whether or not it found that the sexual violence occurred, any individual remedies offered or provided to the complainant, or any sanctions imposed on the perpetrator that directly relate to the complainant, and other steps the school has taken to eliminate the hostile environment and prevent recurrence. Further, the Department of Education interprets FERPA as not conflicting with the Title IX requirement that the school notify the complainant of the outcome of its investigation.

CLERY ACT DEFINITIONS

The Clery Act definitions of dating violence, domestic violence, sexual assault, and stalking are listed below. Also listed below, for educational and awareness purposes are the jurisdictional definitions of these terms. This list is intended to be illustrative, not exhaustive.

Dating Violence

Clery Act Definition – 34 CFR § 668.46(a)

Dating violence means 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 based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

California Law

California does not have a specific criminal statute solely addressing dating violence. However, acts of violence occurring within dating relationships may be addressed under California's domestic battery and corporal injury laws.

Domestic Violence

Clery Act Definition – 34 CFR § 668.46(a)

Domestic violence means a felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner of the victim;
- By a person with whom the victim shares a child in common;
- By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime occurred; or
- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime occurred.

California Law

California Penal Code § 243(e)(1) – Domestic Battery

California law addresses battery committed against a spouse; a person with whom the defendant is cohabiting; a person who is the parent of the defendant's child; a former spouse; a fiancé or fiancée; or a person with whom the defendant currently has, or previously had, a dating or engagement relationship.

California Penal Code § 273.5(a) – Corporal Injury

California law also addresses a person who willfully inflicts corporal injury resulting in a traumatic condition upon a qualifying victim.

Qualifying victims include:

- The offender's spouse or former spouse;
- The offender's cohabitant or former cohabitant;
- The offender's fiancé or a person with whom the offender has or previously had an engagement or dating relationship; or
- The mother or father of the offender's child.

Sexual Assault

Clery Act Definition – 34 CFR § 668.46(a)

Sexual assault means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting Program.

Rape: The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Fondling: The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances in which the victim is incapable of giving consent because of age or temporary or permanent mental incapacity.

Incest: Sexual intercourse between persons who are related to each other within the degrees in which marriage is prohibited by law.

Statutory Rape: Sexual intercourse with a person who is under the statutory age of consent.

California Law

California Penal Code § 261(a) – Rape

California law defines circumstances under which an act of sexual intercourse constitutes rape, including when:

- A person is incapable of giving legal consent because of a mental disorder or developmental or physical disability, and this is known or reasonably should be known by the person committing the act;
- The act is accomplished against a person's will by force, violence, duress, menace, or fear of immediate and unlawful bodily injury;
- A person is prevented from resisting by an intoxicating, anesthetic, or controlled substance and that condition was known or reasonably should have been known by the accused;
- A person is unconscious of the nature of the act and this is known to the accused;
- A person submits under the belief that the person committing the act is someone known to the victim other than the accused, when that belief was induced by the accused;
- The act is accomplished against the victim's will through a threat of future retaliation when there is a reasonable possibility that the threat will be carried out; or
- The act is accomplished against the victim's will through a threat to use the authority of a public official to incarcerate, arrest, or deport the victim or another person, and the victim reasonably believes the perpetrator is a public official.

California Penal Code § 261.5 – Unlawful Sexual Intercourse

Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator when that person is a minor. For purposes of this section, a minor is a person under 18 years of age and an adult is a person 18 years of age or older.

California Penal Code § 243.4(a) – Sexual Battery

California law also addresses the touching of an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice when the touching is against the person's will and is committed for the purpose of sexual arousal, sexual gratification, or sexual abuse.

Stalking

Clery Act Definition – 34 CFR § 668.46(a)

Stalking means engaging in a course of conduct directed at a specific person that would cause a reasonable person to:

- Fear for the person's safety or the safety of others; or
- Suffer substantial emotional distress.

For purposes of this definition:

Course of conduct means two or more acts, including acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, communicates to or about a person, or interferes with a person's property.

Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

California Penal Code § 646.9 – Stalking

California law provides that a person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and makes a credible threat with the intent to place that person in reasonable fear for their safety or the safety of their immediate family commits the crime of stalking.

For purposes of the California statute, a **course of conduct** means two or more acts occurring over a period of time, however short, that demonstrate a continuity of purpose. Constitutionally protected activity is excluded from the definition.

A **credible threat** may include a verbal or written threat, a threat made through an electronic communication device, or a threat implied by a pattern of conduct or a combination of statements and conduct. This may include threats directed toward a person's pet, service animal, emotional support animal, or horse when made with the intent to place the targeted person in reasonable fear for their safety or the safety of their family and when the person making the threat has the apparent ability to carry it out.

It is not necessary to establish that the defendant intended to actually carry out the threat. Constitutionally protected activity is excluded from the definition of a credible threat.

Sexual and Gender-Based Harassment, Interpersonal Violence and Other Sexual Misconduct (SIM) Policy

The WesternU California's full-length policy entitled Sexual and Gender-Based Harassment, Interpersonal Violence, and Other Sexual Misconduct (SIM) Policy and Procedure addresses all forms of sex discrimination, including dating violence, domestic violence, sexual assault, stalking, and other related prohibited conduct. The SIM policy provides:

- Full-length description of the investigative and grievance processes available under the policy.
- Definitions and roles of the Title IX Coordinator as well as those involved in any of the process options (including Investigators, Informal Resolution Officers, as well as Decision Makers).
- Scope and Jurisdiction of the policy.
- Full list of rights and responsibilities of the Complainant and Respondent.
- List of supportive measures and Title IX interventions to include interim and protective measures.
- Confidential and Other Supportive Resources.
- Responsible Employees
- Prohibited Conduct Definitions
- Role of the Advisor

Institutional process for reporting prohibited conduct, filing a formal complaint, the grievance process, preliminary review, informal resolution, investigation, making a determination of responsibility, possible sanctions, as well as appeal procedures. finding, results, and appeal procedures.

*The above list is not an exhaustive list of policy contents; please access the University's full policy for more information- Sexual and Gender-Based Harassment, Interpersonal Violence, and Other Sexual Misconduct.

Missing Student Notification

Western University of Health Sciences (WesternU) maintains a Missing Student Notification Policy that establishes procedures for responding to reports of missing students. These procedures include coordination among Campus Security, University Student Affairs, local law enforcement, and other appropriate University resources.

WesternU Pomona provides on-campus student housing. The following procedures apply when a student residing in on-campus housing is reported missing.

Reporting a Missing Student

Any individual who has reason to believe that a student is missing should report the concern as soon as possible. Reports may be made to:

Campus Security: 909-706-3000
University Student Affairs: 909-469-5605
Pomona Police Department: 909-622-1241. For emergencies, call 9-1-1.

Missing student reports received by University officials are referred to Campus Security for investigation and appropriate follow-up.

University Response to a Missing Student Report

When a report is received that a student's whereabouts are unknown, WesternU may take appropriate steps to determine the student's whereabouts.

Depending on the circumstances, these steps may include:

- Checking the student's campus residence.
- Attempting to contact the student by telephone, text message, email, or social media.
- Interviewing roommates or other students, as appropriate, to obtain information about the student's location or recent activities.
- Reviewing the student's class schedule and attempting to contact the student in class.
- Reviewing available University identification-card access information.
- If these efforts are unsuccessful in locating the student, the University may determine that the student is missing and proceed with the notification procedures described below.

Emergency Contact Information

Students may designate an Emergency Contact through their student account in Banner. Students are encouraged to review and update their personal and emergency contact information at the beginning of each academic year and whenever changes occur.

Emergency Contact information is maintained confidentially and is accessible only to authorized University officials or law enforcement personnel acting in furtherance of a missing-person investigation. The information will not be disclosed to other parties except as permitted in connection with an official missing-person investigation.

Students are encouraged to inform individuals whom they designate as Emergency Contacts that they have been identified for this purpose.

Notification Procedures

When Campus Security determines that a student who is the subject of a missing-person report has been missing for more than 24 hours and has not returned to campus, Campus Security will initiate the University's emergency-contact procedures.

Within 24 hours of that determination:

- The student's designated Emergency Contact will be notified, if one has been provided.
- The appropriate local law-enforcement agency having jurisdiction in the area where the student went missing will be notified, regardless of whether the student designated an Emergency Contact.
- If the missing student is under 18 years of age and is not emancipated, the student's custodial parent or guardian will be notified in addition to any Emergency Contact designated by the student.The University may notify a student's Emergency Contact before the student has been missing for more than 24 hours when Campus Security or law enforcement determines that circumstances warrant earlier notification.

Campus Security may also seek assistance from other University resources and may release a photograph of the missing student when appropriate to assist in locating the individual.

Once the student has been located, Campus Security or law enforcement will complete the appropriate documentation closing the missing-person report.

For additional information, members of the WesternU community may review the University's

Missing Student Notification policy.

REGISTERED SEX OFFENDERS

The Adam Walsh Child Protection and Safety Act of 2006 requires convicted sex offenders to register with the Pomona Police Department if they are enrolled at, live at, attend, work for, or carry on a vocation at WesternU, Pomona. This includes contractors or vendors who are on campus for more than 30 days in a year, whether they are paid or unpaid.

Campus Security does not maintain a public database of registered sex offenders at the University.

Sex offender information can be searched by name, zip code, county, city, or address on https://www.nsopw.gov/ The website also includes a map search that allows users to view registered sex offenders within a specific distance of a location, such as a home, workplace, or WesternU, Pomona.

Megan's Law

Megan's Law permits law enforcement agencies to notify the public about registered sex offenders who may pose a risk to the community. Information about registered sex offenders in California is available through the California Megan's Law website at https://www.meganslaw.ca.gov/.

Megan's Law does not provide sex offender registration information that is specific to a particular college or university. Individuals seeking additional information may contact Megan's Law Helpline at 888-ASK-PFML (888-275-7365).

Sex Offender Registration Information

California Penal Code section 290.1 requires certain registered sex offenders to provide additional registration information when they are enrolled, employed, or carrying on a vocation at a university, college, community college, or other institution of higher learning.

Any person required to register under California Penal Code sections 290 through 290.009 who is enrolled as a student, employed full time or part time, working with or without compensation, volunteering, or carrying on a vocation at WesternU for more than 14 days, or for an aggregate period exceeding 30 days in a calendar year, must register with the campus security department within five working days of beginning enrollment, employment, volunteer service, or other qualifying activity.

The term "employed or carrying on a vocation" includes paid employment, unpaid employment, volunteer work, and work performed for governmental or educational benefit.

A registrant must also notify the campus security department within five working days of ceasing enrollment, employment, volunteer service, or other qualifying activity at WesternU.

Weapons, Dangerous Materials, and Chemical Deterrents on Campus Policy

WesternU, Pomona aspires to maintain a safe and healthy environment. As such, the University prohibits firearms, ammunition, certain knives or cutting devices, explosives, incendiary devices or other dangerous objects on university property (owned, operated, leased, or controlled) as outlined in the Weapons, Dangerous Materials, and Chemical Deterrents on Campus policy.

PPROHIBITED ITEMS:

Prohibited weapons/dangerous objects include but are not limited to firearms, martial arts weapons, Nunchakus, airsoft, pellet or bb guns, belt buckle knives, dirk, dagger, cane swords, pen knives, lipstick knifes, switchblade knives, butterfly knives, machetes, slingshots, black jacks, sand clubs, billy clubs, and/or metal knuckles. Prohibited knives include those with blades longer than 2.5 inches, or of any size that open automatically, or have a blade with more than one sharp edge.

PPROHIBITED ACTIVITIES:

The following conduct is prohibited on all WesternU, Pomona property (owned, operated, or leased, or controlled)

- Possession, storage, carrying, display, brandishing, discharging, or unlawful use of firearms, ammunition, prohibited knives or cutting devices, explosives, incendiary devices, or other dangerous objects
- Use of any item outside of its intended use (i.e., metal pipes, razors, etc.) for the purpose of causing harm to self or others is prohibited.

EXCEPTIONS:

University staff or faculty can be authorized to possess a specified weapon/dangerous object for use on campus only within the procedural guidelines of the Weapons and Chemical Deterrent Spray policy and as authorized by the Office of Human Resources and/or University Administration. Pepper spray intended for self-defense may be carried on campus within legal limits provided it is no larger than 2.5 ounces and contains a warning label.

During orientation week in August, students are informed of services offered by the Office of Campus Security. The Office of Campus Security addresses a variety of safety issues including but are not limited to,

Active Shooter Response training, personal safety, protection of property, how Campus Security patrols the campus, and what security systems are available to Campus Security personnel (i.e., cameras, alarms, etc.).

CRIME PREVENTION PROGRAMS

WesternU offers crime prevention and safety programs for students and employees to promote awareness, encourage reporting, and support individual and community safety. These programs are designed to educate the campus community about security procedures and practices, emergency preparedness, personal safety, and the importance of looking out for the safety of oneself and others.

WesternU uses SafeZone, a campus safety app that supports safety-related communication between campus community members and Campus Security. The app allows users to request assistance, report concerns, and share safety-related information. WesternU encourages all students and employees to download and use the SafeZone app as needed.

Crime prevention and safety programs may be offered during Welcome Week, student and employee orientations, scheduled trainings, campus safety events, and throughout the year as needed. Campus security procedures and practice topics may include, but are not limited to:

- Active shooter response training;
- Self-defense training;
- Earthquake preparedness;
- Fire safety and evacuation procedures;
- General campus safety and security awareness;
- Emergency reporting procedures; and
- Use of SafeZone and other campus safety resources.

WesternU encourages all members of the campus community to promptly report hazardous conditions, suspicious activity, emergencies, or concerns involving the health or safety of another person. This includes situations where a person appears injured, severely ill, in need of assistance, or is behaving in a socially aggressive, threatening, or destructive manner toward another person.

In all crime prevention and safety programs, students and employees are encouraged to share responsibility for their own safety and security, as well as the safety and security of others.

Supporting a Safe Campus Environment

To support a safe campus environment, the Office of Campus Security encourages students, employees, visitors, and guests to report concerns as soon as possible. In an emergency, call 9-1-1.

For non-emergency safety concerns or assistance, contact Campus Security at 909-706-3000, use the SafeZone app, or report in person at the Campus Security Office located on the ground floor of the University Services Center, 401 E. Second Street, Pomona, CA 91766.

Campus community members may also notify a nearby University employee or office if they are unsure whether Campus Security should be contacted. Prompt reporting helps the University respond more quickly and provide assistance when needed.

If available, individuals may provide photos or other relevant information when reporting a hazard or concern, as this may help Campus Security assess and respond to the situation.

For more information, please visit the Campus Security webpage Campus Security

Drugs & Alcohol on Campus Policy

WesternU California complies with the Drug-Free Schools and Communities Act of 1989, including the Drug-Free Schools and Campuses Regulations at 34 C.F.R. Part 86. WesternU certifies that it has adopted and implemented programs designed to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees. WesternU also enforces underage drinking laws consistent with local, state, and federal requirements.

As part of these efforts, WesternU completes a biennial review of its Drug and Alcohol Abuse Prevention Program (DAAPP).

Alcohol and other drugs should not interfere with the University's educational mission. All students, faculty, staff, and administrators are subject to local, state, and federal laws regarding the unlawful possession, distribution, or use of alcohol and illegal drugs.

The unlawful manufacture, distribution, dispensing, possession, or use of illegal drugs on University property or at any University-sponsored event, whether on or off campus, is prohibited. No individual may use illegal substances or misuse legal substances, including alcohol, in a manner that impairs their ability to perform assigned responsibilities or participate safely in University activities.

A complete description of these regulations is available in WesternU's Alcoholic Beverages on Campus Policy and Drugs and Alcohol on Campus Policy.

WesternU also prohibits the following conduct:

- Possession or consumption of alcoholic beverages on campus, except at approved event that follow University guidelines.
- Use, possession, distribution, or sale of illegal drugs or marijuana on campus.
- Possession of drug paraphernalia on campus.

Enforcement of Drug Laws and University Policy

WesternU prohibits the unlawful possession, use, sale, manufacture, distribution, or dispensation of illegal drugs in accordance with applicable federal and state laws and University policy. Alleged violations involving employees are evaluated on a case-by-case basis and are generally referred to Employee Relations for review and appropriate action. The University considers the nature of the reported conduct, the individuals involved, and the facts established when determining the appropriate response. Referral to law enforcement is not automatic and may depend on the specific facts and circumstances of the matter

Assistance for Alcohol Abuse and/or Drug Use Problems

Western University of Health Sciences is committed to education and counseling as the primary focuses of its Substance Prevention Program and will provide confidential and professional assistance for any student who wants it. Students enrolled at WesternU main campus are urged to seek information and help regarding substance abuse through the OPTUM. The staff will provide information about the effects of drug and alcohol use, will help students examine the extent of any potential problem and will develop a plan of action that might involve counseling, education, and/or referral to other resources as needed.

To protect students' privacy, information obtained regarding a student or employee during participation in any related program is treated as confidential. Students or employees may seek counseling by calling (909) 469-8496 or (626) 932-2575 (Pager) or by visiting the Counseling Services website at OptumHealth Assistance Program for Students for additional information. To enter the site anonymously, go to www.liveandworkwell.com and click the "Click here to enter using only an Access Code" button on the right side. A field will appear, and you can enter your Access Code, "westernu."

Alcohol (Prohibited Conduct by Students)

The Student Assistance Program (SAP) and the Employee Assistance Program (EAP) are designed to respond to a variety of lifestyle issues. Some of the work is designed to provide quality alcohol and drug information to members of the University community. The listed conduct applies to behavior occurring on university property or University sponsored programs/events:

- The purchase, possession, consumption, manufacturing, transportation, or distribution of any alcoholic beverages (including beer and wine) by any student, except as permitted by law AND as sanctioned by the University, is prohibited.
- Being under the influence of an intoxicating liquor and being unable to care for one's own safety, interfering with the use of a public way, or interfering with, limiting, or depriving an individual from participating or benefitting from the University's education or employment programs and/or activities is prohibited.
- Selling, either directly or indirectly, any alcoholic beverages, except under the authority of a California Alcoholic Beverage Control License AND as sanctioned by the University is prohibited. This includes selling glasses, mixes, ice, or tickets for admission.
- Possession of an alcoholic beverage in an open container in a motor vehicle or on a bicycle is prohibited, regardless of who is driving or whether one is intoxicated.
- The manufacturing, use, or possession of a false State Identification Card or Driver's License on University Property or a University sponsored program/event is prohibited.
- Driving a motor vehicle or bicycle while under the influence of alcohol is prohibited.
- Possessing, collecting, or otherwise displaying empty alcohol containers (i.e., cans, empty bottles) except as sanctioned by the University is prohibited.

FIRE SAFETY REPORT

Fire Log

The Higher Education Opportunity Act, enacted on August 14, 2008, requires institutions that maintain on-campus student housing facilities to publish an annual fire safety report containing information about campus fire safety practices and standards.

WesternU maintains a Fire Log for reported fires that occur in on-campus student housing facilities. The Fire Log includes information about the nature of the fire, the date the fire occurred, the time the fire occurred, and the general location of the fire.

Entries and updates to the Fire Log are made within two business days after the information is received, unless disclosure is prohibited by law or would jeopardize the confidentiality of the victim, an ongoing investigation, the safety of an individual, or the prevention of a crime.

The most recent 60 days of the Fire Log are available for public inspection during normal business hours at the Campus Security Office, located at 401 E. Second Street, Room 102, Pomona, CA

Portions of the Fire Log older than 60 days are available upon request and will be made available within two business days of the request.

The Fire Log may be maintained with the Daily Crime Log, provided that fire-related entries are clearly identifiable. For questions or to request access to the Fire Log, contact Campus Security at 909-706-3000 or visit the Campus Security Office during normal business hours.

FIRE SAFETY STATIST

Year	Housing Facility	Number of Fires	Cause of each Fire	Number of injuries requiring treatment at a medical facility	Number of deaths related to fire	Value of property damage caused by fire	Date and time of incident	Date reported	Case number
2023	Daumier 615 E. 3rd St. Pomona	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a
2024	Daumier 615 E. 3rd St. Pomona	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a
2025	Daumier 615 E. 3rd St. Pomona	0	n/a	n/a	n/a	n/a	n/a	n/a	n/a

A record of fire alarm and sprinkler tests can be obtained from Facilities. Routine fire alarm and sprinkler testing is conducted by a contracted vendor. Records of fire alarm and sprinkler tests can be obtained from Daumier property management staff. A contracted vendor conducts routine fire alarm and sprinkler testing. WesternU has a lease agreement with the management company.

PROCEDURES FOR FIRE AND BUILDING EVACUATION WITHIN UNIVERSITY

HOUSING

34 CFR 668.49(b)(5) If a fire is detected or the fire alarm sounds:

- Everyone is to evacuate the building by stairs and exit pathways. – Do not use elevators. Isolate the fire by closing doors as you leave.
- Do not attempt to extinguish fires unless you have been trained on the proper use of portable fire extinguishers.
- Activate the nearest fire alarm if it has not already been activated. – Report the fire to Campus Security (909)706-3000 by using a telephone in a safe.
- Once outside the building, stay out and move away from the building to clear access for the Fire Department and other emergency responders. – Do not re-enter the building until expressly advised that it is safe to do so by the Fire Department.
- Any fires that are extinguished or any evidence of recent fires must be reported immediately to a university Housing staff member or campus security, which will document and log into the incident as required

Housing Facility	Fire Alarm Monitoring Done On- Site	Partial #1 Sprinkler System	Full #2 Sprinkler System	Number of Drills Each Calendar Year	Evacuation Plans & Placards	Fire Extinguisher Devices	Smoke Detection
Daumier 615 E. 3rd St. Pomona	No	No	Yes	1	Yes	Yes	Yes

FIRE SAFETY EDUCATION AND TRAINING

The Office of Environmental Health and Safety conducts fire extinguisher training classes with hands-on extinguishment of fires annually. Fire drills are conducted once a semester in coordination with Campus Security.

APPLIANCES AND OPEN FLAME RESTRICTIONS AT THE DAUMIER

- Employees and students shall not bring or maintain any electrical appliances used for heating or preparation of food other than those containing enclosed heating elements. Toasters, toaster ovens and other cooking devices that do not contain open-heating elements are permissible only in kitchenette or kitchen areas. Grills and/or the materials for such grills are prohibited (e.g., propane, natural gas, wood/charcoal).
- Approved appliances must be UL (Underwriters Laboratories) approved. Only power strips equipped with circuit breakers, surge suppression, and a construction grade cord with a grounded third prong may be used in a resident's unit. The following fire related items are prohibited: microwave ovens, television/radio antennae placed outside the unit/exterior of the building or adjacent grounds, firearms, fireworks, explosives, CO2 hazardous chemicals, gasoline, candles (with or without a wick), incense, illegal drugs, drug paraphernalia, hookahs, bongs, air conditioners (other than what may be installed by property), halogen lamps, sun lamps, space heaters, and live holiday decorations (including string lights).

Smoking/Vaping

Smoking/Vaping is prohibited in any:

- Buildings owned, leased, or rented by the university, whether on or off campus.
- All university-owned or leased vehicles (including shuttles and carts).
- Smoking/vaping is only permitted in designated areas of university parking lots and public sidewalks immediately adjacent to university parking lots.
- The sale of smoking/vaping materials is prohibited on any university properties.
- Smoking and Vaping policy is inclusive of e-cigarettes, vapes or other smoking devices
- Smoking and Vaping is not permitted on the property of the "Daumier" resident housing.

FIRE SAFETY

Per Daumier's Community Policies, all residents and occupants are expected to follow fire safety policies and procedures. Misuse of, damage to, tampering with, or disabling fire and emergency equipment is strictly prohibited. This includes, but is not limited to, fire pull stations, fire extinguishers, fire doors, fire strobe lighting, fire hoses, smoke detectors, and sprinkler systems.

Tampering with or disabling fire equipment may result in criminal action and is a felony under California law. Residents and occupants may not hang items from sprinkler heads. Damage to sprinkler heads may result in flooding or other property damage, for which the responsible individual may be held financially responsible. When a fire alarm sounds, all occupants must immediately follow the instructions of staff, Campus Safety, law enforcement, and/or other emergency personnel and exit the facility using the nearest emergency exit. Residents may be held responsible for alarms caused by smoke or fire resulting from food preparation in unit kitchens. Participating in any act that causes a false fire alarm, setting fires, or tampering with fire safety equipment may result in cancellation of the Occupancy Agreement and may also result in criminal charges, as applicable by law.

Plans for Future Improvements

Future improvements to fire safety procedures and protocols will be considered based on risk assessment and identified safety needs. Any remodeling of existing buildings or new construction will be completed in accordance with applicable building and fire codes.

Fire Reporting Procedures

1. Pull emergency alarms and give verbal alarm.
2. Call 9-1-1 from a safe location. Please note you will be asked to identify what is burning, where (i.e., the building, floor, room) and your name.
3. Call Campus Security at 909-706-3000 from a safe location
4. Follow evacuation procedures and vacate the building.

WesternU California Campus

Disclosure of Crime Statistics

POMONA, CALIFORNIA CAMPUS

Clery Act geographic locations and year reported

CRIMINAL OFFENSES - ON CAMPUS	2023	2024	2025
Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	1
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	1	2	1
Aggravated Assault	0	1	0
Burglary	4	1	5
Motor Vehicle Theft	6	5	2
Arson	0	0	0
Liquor Law Arrests	0	0	0
Drug Law Arrests	0	0	0
Illegal Weapons Possession Arrests	0	1	0

Criminal Offenses – On-Campus Student Housing Facilities	2023	2024	2025
Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	1	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Liquor Law Arrests	0	0	0
Drug Law Arrests	0	0	0
Illegal Weapons Possession Arrests	0	0	0

Criminal Offenses- Non-Campus	2023	2024	2025
Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Liquor Law Arrests	0	0	0
Drug Law Arrests	0	0	0
Illegal Weapons Possession Arrests	0	0	0

Criminal Offenses – Public Property	2023	2024	2025
Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	1	0	2
Burglary	0	0	0
Motor Vehicle Theft	5	5	4
Arson	0	0	0
Liquor Law Arrests	0	0	0
Drug Law Arrests	0	0	0
Illegal Weapons Possession Arrests	0	2	0

Hate Crimes – On Campus	2023	2024	2025
Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Simple Assault	0	0	0
Larceny-Theft	0	0	0
Intimidation	0	0	0
Destruction/damage/Vandalism of Property	0	0	0

Hate Crimes – On Campus Student Housing	2023	2024	2025
Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Simple Assault	0	0	0
Larceny-Theft	0	0	0
Intimidation	0	0	0
Destruction/damage/Vandalism of Property	0	0	0

Hate Crimes – Non-Campus	2023	2024	2025
Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Simple Assault	0	0	0
Larceny-Theft	0	0	0
Intimidation	0	0	0
Destruction/damage/Vandalism of Property	0	0	0

Hate Crimes – Public Property	2023	2024	2025
Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson	0	0	0
Simple Assault	0	0	0
Larceny-Theft	0	0	0
Intimidation	0	0	0
Destruction/damage/Vandalism of Property	0	0	0

VAWA Offenses – On Campus	2023	2024	2025
Domestic Violence	0	0	2
Dating Violence	0	0	0
Stalking	0	1	2

VAWA Offenses – On Campus Student Housing Facilities	2023	2024	2025
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

VAWA Offenses – Non-Campus	2023	2024	2025
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

VAWA Offenses- Public Property	2023	2024	2025
Domestic Violence	0	0	3
Dating Violence	0	0	0
Stalking	0	0	0

Referrals for Disciplinary Actions - On Campus	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug-Law Violations	0	0	0
Liquor Law Violations	0	0	0

Referrals for Disciplinary Actions - On Campus Student Housing	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug-Law Violations	0	0	0
Liquor Law Violations	0	0	0

Referrals for Disciplinary Actions – Non-Campus	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug-Law Violations	0	0	0
Liquor Law Violations	0	0	0

Referrals for Disciplinary Actions – Public Property	2023	2024	2025
Illegal Weapons Possession	0	0	0
Drug-Law Violations	0	0	0
Liquor Law Violations	0	0	0

HAZING INCIDENTS			
Location	Year 2025		
On-Campus	0		
Public property	0		
Non-campus Buildings or Property	0		

Unfounded Crimes

Unfounded Crimes	2023	2024	2025
Total Unfounded Crimes	0	0	0

*** Unfounded crimes are only those reports determined by sworn or commissioned law enforcement personnel to be false or baseless. Reports may not be unfounded by campus security authorities, campus officials, or other non-law enforcement personnel.**

Definitions of Reportable Crimes per Clery Act

* Unless noted otherwise, these definitions are from Appendix A to Subpart D of Part 668, Title 34.

Criminal Homicide—Manslaughter by Negligence 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.
Criminal Homicide—Murder and Nonnegligent Manslaughter The willful (nonnegligent) killing of one human being by another.	**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.

Motor Vehicle Theft The theft or attempted theft of a motor vehicle.	**Burglary** The unlawful entry of a structure to commit a felony or a theft.

Sexual assault (34 CFR 668.46(a)). An offense that meets the definition of rape, fondling, incest, or statutory rape:	
Statutory Rape —Sexual intercourse with a person who is under the statutory age of consent.	**Incest —Sexual intercourse between persons who** are related to each other within the degrees wherein marriage is prohibited by law.
Rape - the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.	**Fondling —The touching of the private body parts of** another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

Hate crime. A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. The categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability. Hate crimes include all primary crimes (murder and nonnegligent manslaughter, negligent manslaughter, rape, fondling, etc.) that manifest evidence that the victim was chosen based on one of the categories of bias, in addition to the following crimes:	
Larceny-Theft (Except Motor Vehicle Theft) The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another. Attempted larcenies are included. Embezzlement, confidence games, forgery, worthless checks, etc., are excluded.	**Simple Assault** 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.
Intimidation 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.	**Destruction/Damage/Vandalism of Property** 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.

Weapons Law Violations: The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.	**Drug Abuse Violations: The violation of laws** prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of State and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs
Liquor Law Violations: The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.	