



2018
ANNUAL
SECURITY REPORT

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ADDENDUMS

Student-Employee Assistance Programs document can be found at;

“enter URL”

2018 Phillips’ Clery report can be found at;

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DEPARTMENT OF CAMPUS SECURITY

INTRODUCTION

Phillips Graduate University is a private university located in the city of Chatsworth, California. The overall crime rate for Chatsworth is 35% lower than the national average. For every 100,000 people, there are 5.26 daily crimes that occur in Chatsworth, making it safer than 65% of the cities in California. The campus encompasses one 40,000 square foot building on approximately an acre of land.

ANNUAL SECURITY REPORT

In compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act [20 USC, Section 1092(f)], Phillips Graduate University publishes this Annual Security Report to inform the Phillips community about campus security policies, initiatives and programs aimed at preventing and responding to crimes and emergencies, and to disclose crime and fire statistics.

The Clery Act requires colleges and universities to have emergency notification and evacuation procedures, issue timely warnings, maintain a crime and fire log, collect crime reports from Campus Security Authorities, request crime statistics from local law enforcement, submit crime and fire statistics to the Department of Education, have a missing student notification procedure, and publish an annual security and fire safety report. This report contains three years' worth of crime statistics, as well as certain policy statements, including sexual assault and misconduct policies. More information about the Clery Act and its regulations can be found on the Clery Center for Security on Campus, Inc. website at www.clerycenter.org.

The preparation of the College's annual report is a continual process. The information in this report is compiled by the Department of Campus Security with assistance from the, Human Resources Department and the Health and Safety Committee Chair(s). Statistical information is gathered from the Los Angeles Police Department, the Department of Campus Security, the Human Resources Department, and those individuals identified as Campus Security Authorities (CSAs). The policies and statements provided in this report are updated annually and include the most current information.

The information contained in this report is intended to educate you about the policies, procedures, and programs that exist to assist you in protecting your safety and wellbeing.

In the event of an emergency, always call 911

MISSION STATEMENT

Our aim is to provide a safe environment where risks are eliminated or properly controlled for the benefit of the health and safety of all its students, staff, faculty and visitors. We are dedicated to reducing injuries, accidents and ensuring compliance. This is achieved by monitoring and assessing the facilities and equipment, providing high-quality training and education, conducting comprehensive workplace evaluations, and developing policies and procedures for dealing with any emergencies that may arise

The Department of Campus Security is authorized by the University to protect the Phillips community and campus property and strives to make the campus safe for Phillips Graduate University students, faculty and staff.

When and if the need arises, Campus Safety officers are authorized to make a citizen's arrest (Ca PC 837) of any and all persons creating disturbances against the general peace, interfering with the security of campus facilities or grounds, or interfering with, or disturbing, the safety and general welfare of the College community. When such a citizen's arrest is necessary, the Campus Security Department shall, as promptly as possible, notify the Los Angeles Police Department to come and render assistance as needed and necessary.

Campus Security is present on the campus whenever the university is open and conducting business. Officers perform many security functions on property owned and operated by the University, such as:

- Answering calls for service and emergencies
- Enforcing traffic and parking regulations
- Securing the Facility
- Providing educational programs
- Performing campus safety inspections
- Providing an escort service
- Coordination of Key Access (key control)
- Instituting campus watch programs and operation identification

The Department of Campus Security is deeply concerned with the security and well-being of everyone who is a part of the Phillips community. The Department focuses on areas such as fire safety, medical emergencies, crime prevention through environmental design,

earthquake preparedness, bomb threats, floods, spills, health and physical safety. Campus Security is responsible for a variety of safety and security programs, including emergency management, the Health & Safety Committee, the Emergency Response Team, physical security and security technology. The Department also conducts threat assessments and special event management.

The Phillips Graduate University Department of Campus Security consists of one (1) full-time officer, one (1) on-call security company officer, and one (1) part-time Director of Security, comprising the Patrol Division, the Investigation Division, and department administrative staff.

Campus Security uses a variety of crime suppression and prevention methods to maintain a safe environment for the University on a daily basis.

Training for department personnel covers a variety of topics, ranging from emergency response to criminal law and patrol techniques to report writing.

The officers at Phillips Graduate University Campus Security are required to be certified in the following:

- P.O.S.T. Training, as required by all local municipal police officers
- B.S.I.S. Training and license
- First Aid, CPR/AED Training
- Specialty officers receive 100 to 200 hours of in-service training each year

WORKING RELATIONSHIP WITH OTHER LAW ENFORCEMENT AGENCIES

The Department of Campus Security maintains a close working relationship with city, county, state, and federal law enforcement agencies, as well as all appropriate elements of the criminal justice system. Crime-related reports and statistics are routinely exchanged.

CRIME REPORTING PROCEDURES

It is an essential goal of Phillips Graduate University to promote and seek to provide a safe learning, working, and campus environment for its community members and visitors. Threats or acts of violence involving persons or property are therefore prohibited and constitute cause for removal from campus, discipline through appropriate channels, and/or civil or criminal prosecution.

The official reporting entity for criminal offenses and public safety related incidents that occur at Phillips Graduate University is the Campus Security Department.

Reporting incidents will aid in providing timely warning notices to the community, aid in any investigation of criminal conduct, and will ensure inclusion of required incidents in the annual disclosure of crime statistics for the University. The Campus Security Department strongly promotes the prompt reporting of all incidents to include criminal activity, missing persons, and hate/bias incidents to the appropriate police agencies

Phillips Graduate University always advocates the prompt and accurate reporting of all crimes. Members of the University community are encouraged to immediately report any criminal or suspicious activities or other emergencies that occur on campus to Campus Security, including when the victim of a crime elects to or is unable (physically/mentally) to make such a report. To report a crime or suspicious activity, call Campus Security at 818-386-5600 or 9-1-1 for emergencies.

In cases where there is sexual assault, dating violence, domestic violence, and stalking, we recommend that you report these incidents to Campus Security. Reporting these cases is sometimes difficult for victims, but the University provides alternative reporting options in these cases.

Phillips Graduate University acknowledges the importance of officially reporting all crimes and will provide assistance with reporting. The University also recognizes that reporting a crime is different from pressing criminal charges.

VOLUNTARY CONFIDENTIAL OR ANONYMOUS CLERY REPORTING

If you are the victim of a crime and do not want to pursue action within the University system or the criminal justice system, you should still consider making a confidential report. With your permission, Campus Security can file a report on the details of the incident while maintaining confidentiality in the reporter's identity.

The purpose of a confidential report is to comply with your wish to keep the matter confidential while taking steps to ensure the future safety of yourself and others, although depending on the nature of the crime, the University may not be able to guarantee anonymity.

With such information, the University can keep an accurate record of the number of incidents involving students, employees, and visitors; determine where there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger as required by federal law. Reports filed in this manner are counted and disclosed in the annual crime statistics for the University.

Campus Security will respond to any criminal complaints, complete a thorough criminal investigation, and make any timely warning or emergency notification to the campus community if necessary. Priority response is given to crimes against persons and personal injuries.

UNIVERSITY INCIDENT RESPONSE

Timely Warnings

When a confirmed Clery crime occurs on campus, or in a geographic area near to campus (i.e. within Clery geography), that represents a continuing threat or the possibility of a continuing threat to the safety of the Phillips Graduate University community, a timely warning will be made to alert the campus community of the incident. Whenever a timely warning is sent, it shall be sent to the entire campus community. At no time shall the name of the victim(s) be included as part of a timely warning.

Timely warnings are distributed through the University's Emergency Notification system, which automatically sends an e-mail communication to all members of the University community. All members of the University community may also have emergency notices sent to them by any or all of the following: text message and/or voice message to a cell phone, campus phone and/or home phone.

The decision whether to issue a timely warning will be made on a case by case basis through consultation with appropriate University officials. Timely warning notices will normally be issued by Campus Security Department, in consultation with other University administrative leadership, as appropriate. A timely warning will not be issued if it is determined the risk of compromising efforts to contain the emergency outweighs the benefit to the campus community of a particular warning. Periodic updates to timely warnings maybe disseminated as information becomes available.

Emergency Notification

In addition to above procedures for initiating a timely warning, the University has a policy and procedure regarding immediate emergency response and evacuation. Emergency Notifications shall be issued through the system upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health safety of students or employees on campus. As appropriate, emergency notifications may be targeted at the full campus community, or at a limited segment or segments of the campus community that is at risk. Emergency notifications will be issued without delay unless doing so would compromise efforts to assist a victim or to contain, respond to, or otherwise mitigate the emergency. Notifications of such an emergency condition and appropriate evacuation procedures may also be disseminated via the University's Mass Emergency Notification system.

Twice a year, the Health and Safety Committee Chairs will authorize the initiation of a test emergency response alert message (usually in September and January). The procedures contained within this statement will be publicized to faculty, staff, and students each September when affiliates are given advance notice of the upcoming test and encouraged to opt-in for expanded notification. A record of all such tests, including a description of the test, the date, time, and whether the test was announced or unannounced is available at the Campus Security Department

SECURITY AND ACCESS TO CAMPUS FACILITIES

Phillips Graduate University is a private university, and the facilities are used by students, staff, and faculty only. Persons with legitimate business with the University are welcomed; however, entrance may be denied and the trespass laws invoked for persons found in or around the campus without legitimate reasons.

CRIME PREVENTION AND SECURITY AWARENESS

CRIME AWARENESS

Security awareness and crime prevention programs offered each academic year include date rape and sexual assault programs, a Campus Security-sponsored theft prevention program, and personal safety discussions with Campus Security. In addition, alcohol and chemical dependency awareness programs are also available.

Please see the “Student-Employee Assistance Programs” document. Located on the Phillips University website under the Campus Safety page

The following policies are articulated in compliance with the Crime Awareness and Campus Security Act of 1990. Phillips students, staff, and faculty each play a significant role in combating campus crime. Sharing campus policies, trends, and crime statistics is one important way to increase awareness and fight crime within our community.

Daily: A Daily Crime Log (“Crime Log”). The information in the Crime Log typically includes the nature, date, time, general location, and disposition (if known) of each crime. An entry, an addition to an entry, or a change in the disposition of a complaint, is recorded in the Crime Log within two (2) business days of a report of necessary information to Campus Security.

A synopsis of activity for the previous 24 hours, as well as crime mapping, is also available at the following link: www.crimemapping.com/map/ca/losangeles

Annually: A statistical report of criminal activities and services for the fiscal year to date, and comparison of previous fiscal years data. Available to: campus and public. As a matter of policy, to the extent permitted by law, all entries made in the Crime Log and the *Annual Security Report*, which are both forms of publically available recordkeeping, shall not include identifying information about the victim.

Crime Prevention

Phillips Graduate University maintains a strong commitment to campus safety and security. Exterior lighting is an important part of this commitment. Motor vehicle parking lots, pedestrian walkways, and building exteriors are well lit. Formal surveys of exterior lighting on campus are conducted by the Campus Security Department on a bi-weekly basis, and this report is directed to the IT/OPS Department for appropriate action. Members of the campus community are encouraged to report any exterior lighting deficiencies to the IT/OPS Department at (818) 386-5605.

Landscaping

Shrubbery, trees, and other vegetation on campus are trimmed and managed on an ongoing basis to help prevent individuals from concealing themselves within that vegetation. Campus Security continually surveys the campus grounds to help ensure that a safe environment exists. The Campus Security Department personnel regularly patrol the campus and report malfunctioning lights and other unsafe physical conditions to the IT/OPS Department. Other members of the University community are helpful when they report equipment problems to the IT/OPS Department.

Key Systems

The Phillips Graduate University facilities are open during regular business hours to students, staff, faculty, and visitors. The University has professional locksmiths designated to repair and maintain the integrity of the key and lock system. Based upon occupant requirements, Phillips facilities are opened and closed at various times. Once the exterior doors are locked, Campus Security personnel conduct patrols to recheck the security of the facility.

A cooperative effort by Campus Security and the IT/OPS Department is utilized in surveying exterior doors. The purpose of this program is to ensure that exterior doors and their locking mechanisms are working properly. Exterior doors on campus are locked and secured each evening by the Campus Security Department. Campus Security reports all door and security hardware operating deficiencies to the IT/OPS Department.

The maintenance and security of campus buildings for the safety of users spans the areas of key control, maintenance of door hardware, replacement of broken windows, fire protection, fire drills, ventilation, life safety items, etc.

Anti-Intrusion Alarm

The Phillips Graduate University campus is protected by an alarm system which rings directly to the Los Angeles Police Department dispatch. Once the alarm is activated, officers are dispatched to out to evaluate the situation.

Students are encouraged to lock the doors to their vehicles and to take a proactive approach to safe guard their personal property. The University will make reasonable efforts to protect students' property. However, the University is not liable for loss, theft or damage of any property belonging to students.

Helpful Safety Tips: Workplace Safety:

- Secure your work area when no one is in it
- If you must be on campus before or after normal business hours, contact Campus Security and let them know
- Be aware of your environment
- Report suspicious and strange activity by co-workers
- Secure propped doors
- Report defective lighting, lock, and phones

Helpful Safety Tips: Personal Safety:

- Walk or jog with a friend, not alone
- Avoid isolated and dark areas
- Carry your cell phone (fully charged)
- Tell a friend where you are going and will you plan to return
- Be aware of your surroundings
- Lock your car, and lock valuables in the trunk

CODE OF STUDENT RIGHTS AND RESPONSIBILITIES

By formulating a general student code of rights and responsibilities, the University reaffirms the principle of student freedom coupled with personal responsibility and accountability for individual action and the consequences of that action. Reports of a perceived violation of the Code of Student Rights and Responsibilities may be made to the Dean of Students at (818) 386-5679. A perceived criminal activity report to Campus Security will be appropriately investigated and the report forwarded to the Dean of Students when a student is the alleged perpetrator.

Upon receipt of a report from any source, the Dean of Students will evaluate the report and determine whether, if the facts as alleged were proven, and/or would be a violation of this Code. The Dean of Students may decide, in sole discretion and based on this review, whether to proceed with the conduct process by way of a formal conduct hearing or by way of an alternate process, such as administrative action, mediation, or others as fully outlined in the Student Code of Conduct. Any student found responsible for violation of the Code of Conduct will be subject to the University disciplinary sanctions up to and including immediate suspension or dismissal.

EMPLOYEE CODE OF CONDUCT

Employees, including both staff and faculty, are subject to discipline for violation of work rules, criminal conduct, or other conduct that presents a threat to the health and safety of the Phillips campus community. When a report of alleged misconduct is received by a supervisor or employee, he/she is required to notify the Campus Security Department if the alleged conduct is criminal in nature.

If the alleged conduct implicates a violation of the University policies on discrimination, including policies prohibiting harassment, including instances of sexual misconduct, the supervisor or employee must report the incident to the Human Resources Department. Upon completion of an investigation by Campus Security or the Human Resources Department, a report is provided to the President of the University to determine appropriate discipline after the employee is provided an opportunity to respond to any alleged misconduct before a final determination is made.

Phillips Graduate University prohibits the offenses of domestic violence, dating violence, sexual assault and stalking (as defined by the Clery Act) and reaffirms its commitment to maintaining a campus environment that emphasizes the dignity and worth of all members of the university community. Phillips Graduate University issues this statement of policy to inform the campus community of our programs to address domestic violence, dating violence, sexual assault and stalking as well as the procedures for institutional disciplinary action in cases of alleged dating violence, domestic violence, sexual assault, or stalking, which will be followed regardless of whether the incident occurs on or off campus when it is reported to a University official.

The Clery Act defines the crimes of domestic violence, dating violence, sexual assault and stalking as follows:

Domestic Violence

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 of violence 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 of violence occurred.

Dating Violence

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 shall be 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.

For the purposes of this definition—

- 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.

Sexual Assault

An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting (UCR) program. Per the National Incident-Based Reporting System User Manual from the FBI UCR Program, a sex offense is "any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent."

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

Fondling is defined as the touching of the private parts of another person for the purposes 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.

Incest is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

Statutory Rape is defined as sexual intercourse with a person who is under the statutory age of consent.

Stalking

Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

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

For the purposes of this definition—

- a) Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person's property.
- b) Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.
- c) Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling

California Definitions of Domestic Violence, Dating Violence, Sexual Assault and Stalking

Domestic Violence

The State of California defines domestic violence as follows:

"Domestic violence" is abuse perpetrated against any of the following persons:

- (a) A spouse or former spouse.
- (b) A cohabitant or former cohabitant, as defined in Section 6209.
- (c) A person with whom the respondent is having or has had a dating or engagement relationship.
- (d) A person with whom the respondent has had a child, where the presumption applies that the male parent is the father of the child of the female parent under the Uniform Parentage Act (Part 3 (commencing with Section 7600) of Division 12).
- (e) A child of a party or a child who is the subject of an action under the Uniform Parentage Act, where the presumption applies that the male parent is the father of the child to be protected.
- (f) Any other person related by consanguinity or affinity within the second degree.

Dating Violence

The State of California does not have a definition of dating violence; however, it does include dating or engagement relationships in its definition of domestic violence (see above).

Sexual Assault

The State of California defines sexual assault as follows:

- (a) Any person who touches an intimate part of another person while that person is unlawfully restrained by the accused or an accomplice, and if the touching is against the will of the person touched and is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery.
- (b) Any person who touches an intimate part of another person who is institutionalized for medical treatment and who is seriously disabled or medically incapacitated, if the touching is against the will of the person touched, and if the touching is for the purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of sexual battery.
- (c) Any person who touches an intimate part of another person for the purpose of sexual arousal, sexual gratification, or sexual abuse, and the victim is at the time unconscious of the nature of the act because the perpetrator fraudulently represented that the touching served a professional purpose, is guilty of sexual battery.
- (d) Any person who, for the purpose of sexual arousal, sexual gratification, or sexual abuse, causes another, against that person's will while that person is

unlawfully restrained either by the accused or an accomplice, or is institutionalized for medical treatment and is seriously disabled or medically incapacitated, to masturbate or touch an intimate part of either of those persons or a third person, is guilty of sexual battery.

(e) (1) Any person who touches an intimate part of another person, if the touching is against the will of the person touched, and is for the specific purpose of sexual arousal, sexual gratification, or sexual abuse, is guilty of misdemeanor sexual battery.

Stalking

The State of California defines stalking as follows:

Any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family is guilty of the crime of stalking.

Consent

The State of California has adopted an affirmative consent standard in the determination of whether consent was given by both parties to sexual activity.

“Affirmative consent” means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

In addition, in the evaluation of complaints in any disciplinary process:

1. It shall not be a valid excuse to alleged lack of affirmative consent that the accused believed that the complainant consented to the sexual activity under either of the following circumstances:

- a. The accused’s belief in affirmative consent arose from the intoxication or recklessness of the accused.*
- b. The accused did not take reasonable steps, in the circumstances known to the accused at the time, to ascertain whether the complainant affirmatively consented.*

2. *It shall not be a valid excuse that the accused believed that the complainant affirmatively consented to the sexual activity if the accused knew or reasonably should have known that the complainant was unable to consent to the sexual activity under any of the following circumstances:*

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

Safe and Positive Options for Bystander Intervention

(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 harm to another individual. 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).

There are four common strategies for Bystander Intervention, commonly referred to as the “Four D’s”. They are:

- Direct – Directly intervening, in the moment, to prevent a problem situation from happening;
- Delegate – Seeking help from another individual, often someone who is authorized to represent others, such as a police officer or campus official;
- Distract – Interrupting the situation without directly confronting the offender.
- Delay – Recognition that you may not be able to do something right in the moment. Checking in with the victim after an incident has occurred to see if you can do anything to help them. Providing support shows the victim that they are not alone.

In a given situation, any one or combination of these strategies may be appropriate. Some things to keep in mind when intervening in a concerning situation are:

- Do not put yourself at risk – if you are concerned that directly intervening could escalate a situation and put you or others at risk of harm, consider delegating by calling police, or interrupting the situation with a distraction;
- Do not make a situation worse – when intervening it is important to identify a way to stop the concerning situation without escalating it. If people are upset or fighting, a situation can be unpredictable and you should call the police;
- Intervene at the earliest point possible;
- Remember, intervening does not necessarily mean confronting – there are resources at your disposal such as UVM Police Services, your RA or RD (in a

residence hall), a professor (in a classroom environment), a supervisor or manager (in a work environment), or another official who may be present or reachable in a given set of circumstances;

- Ask for help! Bystander intervention is a community effort – alert your friends if you see something and need to intervene, or call the police.

Procedures Victims Should Follow if a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking Occurs

After an incident of sexual assault, dating violence or domestic violence, the victim should consider seeking medical attention as soon as possible at a medical facility. In California, evidence may be collected even if you chose not to make a report to law enforcement.

It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 96 hours so that evidence may be preserved that may assist in proving that the alleged criminal offense occurred/or is occurring or may be helpful in obtaining a protection order.

In circumstances of sexual assault, if victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually transmitted infections. Victims of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful to University adjudicators/investigators or police.

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining protection from abuse orders related to the incident more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Campus Security or other law enforcement to preserve evidence in the event that the victim decides to report the incident to law enforcement or the University at a later date to assist in proving that the alleged criminal offense occurred or that may be helpful in obtaining a protection order.

Involvement of Law Enforcement and Campus Authorities

Although the University strongly encourages all members of its community to report violations of this policy to law enforcement, it is the victim's choice whether or not to make such a report. Furthermore, victims have the right to decline to notify law enforcement. However, the University Campus Security department will assist any victim with notifying law enforcement if the victim so desires.

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

If you have been the victim of domestic violence, dating violence, sexual assault, or stalking, you should report the incident promptly to the Director of Human Resources and Security (see contact information below) by calling, writing or coming into the office to report in person and Campus Safety (if the victim so desires.) Reports of all domestic violence, dating violence, sexual assault and stalking made to Campus Security will automatically be referred to the Director of Human Resources and Security for investigation regardless of if the complainant chooses to pursue criminal charges.

Procedures the University Will Follow When a Crime of Domestic Violence, Dating Violence, Sexual Assault and Stalking is Reported

The University has procedures in place that serve to be sensitive to victims who report sexual assault, domestic violence, dating violence, and stalking, including informing individuals about their right to file criminal charges as well as the availability of counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services on and/or off campus as well as additional remedies to prevent contact between a complainant and an accused party, such as housing, academic, transportation and working accommodations, if reasonably available. The University will make such accommodations, if the victim requests them and if they are reasonable available, regardless of whether the victim chooses to report the crime to Campus Security or local law enforcement.

Steps and Procedures

<i>Stalking</i>	<ol style="list-style-type: none">1. Campus Security will assess the immediate safety needs of the complainant and put measures in place2. Campus Security will assist the complainant with contacting local police if the complainant requests AND provide the complainant with contact information for local police department3. Campus Security will provide written instructions on how to apply for a Restraining Order4. Campus Security will provide written information to complainant on how to preserve evidence5. Campus Security and Director of Human Resources and Security will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate6. Campus Security and Director of Human Resources and Security will provide the victim with a written explanation of the victim's rights and options7. Campus Security will provide a "No trespass" directive to the accused party if deemed appropriate
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Sexual Assault	<ol style="list-style-type: none">1. Campus Security Safety shall work in conjunction with Director of Human Resources and Security to provide complainant with access to medical care2. Campus Security will assess the immediate safety needs of the complainant and put measures in place3. Campus Security will assist the complainant with contacting local police if the complainant requests AND provide the complainant with contact information for local police department4. Upon gathering the facts, Campus Security will assess whether to provide timely warning to other students and employees5. The Director of Human Resources and Security will provide the complainant with referrals to on and off campus mental health providers6. Campus Security and Director of Human Resources and Security will assess the need to implement interim or long-term protective measures, such as housing changes, on campus employment changes, changes in class schedule, and a “No Contact” directive between both parties7. Campus Security, Director of Human Resources and Security will provide the victim with a written explanation of the victim’s rights and options8. Campus Security will provide a “No trespass” directive to the accused party if deemed appropriate9. Campus Security will provide written instructions on how to apply for a Protective Order10. The Director of Human Resources and Security will meet with the complainant. The applicable department will provide a copy of the “Procedure for Processing Complaints of Unlawful Discrimination, Including Sexual Harassment and Sexual Assault” to the complainant
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	<p>and inform the complainant regarding timeframes for inquiry, investigation and resolution</p> <p>11. The Director of Human Resources and Security will inform the complainant of the outcome of the investigation, whether or not the accused will be administratively charged and what the outcome of the hearing is</p> <p>12. Campus Security Director of Human Resources and Security will enforce the anti-retaliation policy and take immediate and separate action against parties that retaliate against a person for complaining of sex-based incidents</p>
<p>Dating Violence</p>	<ol style="list-style-type: none"> 1. Campus Security will assess the immediate safety needs of the complainant and put measures in place 2. Campus Security will assist the complainant with contacting local police if the complainant requests AND provide the complainant with contact information for local police department 3. Campus Security will provide written instructions on how to apply for a Restraining Order 4. Campus Security will provide written information to complainant on how to preserve evidence 5. Campus Security and the Director of Human Resources and Security will assess need to implement interim or long-term protective measures to protect the complainant, if appropriate 6. Campus Security and the Director of Human Resources and Security will provide the victim with a written explanation of the victim's rights and options 7. Campus Security will provide a "No trespass" directive to the accused party if deemed appropriate

Assistance for Victims: Rights & Options

Regardless of whether a victim elects to pursue a criminal complaint or whether the offense is alleged to have occurred on or off campus, the university will assist victims of sexual assault, domestic violence, dating violence, and stalking and will provide each victim with a written explanation of their rights and options. Such written information will include:

- The procedures victims should follow if a crime of dating violence, domestic violence, sexual assault or stalking has occurred;
- Information about how the institution will protect the confidentiality of victims and other necessary parties;
- A statement that the institution will provide written notification to students and employees about victim services within the institution and in the community;
- A statement regarding the institution's provisions about options for, available assistance in, and how to request accommodations and protective measures; and
- An explanation of the procedures for institutional disciplinary action

Accommodations and Protective Measures Available for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Phillips Graduate University will provide written notification to students and employees about accommodations available to them, including academic, living, transportation and working situations. The written notification will include information regarding the accommodation options, available assistance in requesting accommodations, and how to request accommodations and protective measures (i.e., the notification will include the name and contact information for the individual or office that should be contacted to request the accommodations).

At the victim's request, and to the extent of the victim's cooperation and consent, university offices will work cooperatively to assist the victim in obtaining accommodations. If reasonably available, a victim may be offered changes to academic, working situations regardless of whether the victim chooses to report the crime to Campus Security or local law enforcement. Examples of options for a potential change to the academic situation may be to transfer to a different section of a class, distance learning through the learning center, withdraw and take a class at another time if there is no option for moving to a different section, etc. Possible changes to work situations may include changing working hours, changing assigned work location, etc. Possible changes may include assisting the student or employee with a safety escort, etc.

To request changes to academic, transportation and/or working situations or protective measures, or to receive assistance in requesting these accommodations a victim should contact Director of Human Resources and Security

On and Off-Campus Services for Victims

Upon receipt of a report of domestic violence, dating violence, sexual assault or stalking, Phillips Graduate University will provide written notification to students and employees about existing assistance with and/or information about obtaining resources and services including counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and assistance in notifying appropriate local law enforcement

Adjudication of Violations

The university's disciplinary process includes a prompt, fair, and impartial investigation and resolution process. In all instances, the process will be conducted in a manner that is consistent with the institution's policy and that is transparent to the accuser and the accused. Usually, the resolution of domestic violence, dating violence, sexual assault and stalking complaints are completed within 60 days of the report. However, each proceeding allows for extensions of timeframes for good cause with written notice to the accuser and the accused of the delay and the reason for the delay. University officials involved in the investigation or adjudication of domestic violence, dating violence, sexual assault and stalking complaints are trained annually on the issues related to domestic violence, dating violence, sexual assault, and stalking as well as how to conduct an investigation and hearing process that protects the safety of the victim and promotes accountability. Furthermore, each policy provides that:

1. The accuser and the accused will have timely notice for meetings at which the accuser or accused, or both, may be present;
2. The accuser, the accused and appropriate officials will have timely and equal access to any information that will be used during formal and informal disciplinary meeting and hearings;
3. The institutional disciplinary procedures will not be conducted by officials who have a conflict of interest or bias for or against the accuser or the accused;
4. The accuser and the accused will have the same opportunities to have others present during any institutional disciplinary proceeding. The accuser and the accused each have the opportunity to be advised by an advisor of their choice at any stage of the process and to be accompanied by that advisor to any related meeting or proceeding. The University will not limit the choice of advisor or presence for either the accuser or the accused in any meeting or institutional disciplinary proceeding. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting or hearing.
5. The accuser and the accused will be notified simultaneously, in writing, of the any initial, interim and final decision of any disciplinary proceeding; and
6. Where an appeal is permitted under the applicable policy, the accuser and the accused will be notified simultaneously in writing, of the procedures for the accused and the victim to appeal the result of the institutional disciplinary

proceeding. When an appeal is filed, the accuser and the accused will be notified simultaneously in writing of any change to the result prior to the time that it becomes final as well as of the final result once the appeal is resolved.

Whether or not criminal charges are filed, the university or an individual may file a complaint under the following policies, depending upon the status of the accused (student or employee):

Types of Disciplinary Proceedings Utilized in Cases of Alleged Domestic Violence, Dating Violence, Sexual Assault and Stalking

Any person who believes he/she has been discriminated against, sexually harassed, or subject to domestic violence, dating violence, or stalking involving sexual assault or sexual harassment may file a complaint with the Director of Human Resources and Security. All individuals are encouraged to file a timely complaint. The university's ability to investigate and respond effectively may be reduced with the passage of time.

Within five (5) working days after the receipt of the complaint, the Director of Human Resources and Security will review the complaint to determine whether it describes the kind of unlawful discrimination or sexual misconduct which is prohibited under these procedures and whether the complaint sufficiently describes the facts of the alleged misconduct.

If the complaint does not describe the kind of prohibited conduct the university investigates under these procedures, the complainant will be notified and will be referred to the appropriate process. If the complaint does not sufficiently describe the facts giving rise to the complaint so that a determination can be made regarding the alleged misconduct, the complaint will be returned and the complainant will be invited to submit an amended complaint providing enough factual detail to allow the above determination to be made.

Steps in the Disciplinary Process with Anticipated Timelines

On the Unlawful Discrimination or Sexual Misconduct Complaint, the complainant shall submit a detailed account of the alleged, unlawful discrimination or sexual misconduct and the action the complainant requests to resolve the matter. All written complaints shall, where known, contain at least the name(s) of the individual(s) involved, the date(s) of the event(s) at issue, and a detailed description of the actions constituting the alleged, unlawful discrimination or sexual misconduct. Names, addresses, and phone numbers of witnesses or potential witnesses should also be included, if possible.

Within five (5) working days after the receipt of the complaint, the Director of Human Resources and Security will review the complaint to determine whether it describes the

kind of unlawful discrimination or sexual misconduct which is prohibited under these procedures and whether the complaint sufficiently describes the facts of the alleged misconduct.

If the complaint does not describe the kind of prohibited conduct the University investigates under these procedures, the complainant will be notified and will be referred to the appropriate process. If the complaint does not sufficiently describe the facts giving rise to the complaint so that a determination can be made regarding the alleged misconduct, the complaint will be returned and the complainant will be invited to submit an amended complaint providing enough factual detail to allow the above determination to be made.

Within ten (10) working days of receiving the complaint or amended complaint, the Director of Human Resources and Security shall act as investigator or shall appoint one or more investigators to act alone, together, or in conjunction with the Director of Human Resources and Security to investigate the charges and shall notify the appropriate vice president and the respondent that a written complaint has been received and a formal investigation has begun.

For allegations involving sexual misconduct, the Director of Human Resources and Security will determine whether “interim actions” should be taken. This process seeks to assess the need to remove any person from campus deemed an immediate threat or danger to any member of the campus community or to take other temporary actions to protect the safety of the complainant. The University will investigate claims of sexual misconduct even if the complainant does not wish to pursue disciplinary or legal action. Additionally, if the complainant desires to press legal charges, local law enforcement may also conduct a formal investigation.

The investigator(s) shall, within ten (10) working days of the complainant’s referral to the formal complaint process, commence an investigation of the alleged unlawful discrimination or sexual misconduct.

The investigator(s) shall meet with the complainant to review:

1. the nature of the complaint, and
2. to identify the scope and nature of the investigation.

The investigator(s) shall also meet with the respondent to:

1. present a copy of the complaint,
2. present a copy of the Title IX policy if needed,
3. receive the respondent’s answer to the complaint, and

4. review with the respondent the scope and nature of the investigation.

Any written response from the respondent shall be given to the complainant.

The investigator(s) shall thoroughly investigate the complaint. Prior to completing the investigation, the investigator(s) may meet again with the complainant and the respondent separately to give an overview of the steps taken during the investigation, to ask the complainant and the respondent for the names of any others the investigator(s) should speak with, and to request any additional information.

Decision-Making Process and Standard of Evidence

Within sixty (60) calendar days of receiving the complaint, the investigation shall be completed and a determination shall be made. A preponderance of evidence standard will be utilized. The Provost or other appropriate vice president shall concurrently forward to the complainant and respondent all of the following:

1. a summary of the investigative report; and
2. a written notice setting forth:
 - a. the findings of the appropriate vice president as to whether unlawful discrimination, sexual misconduct, domestic violence, dating violence, or stalking did or did not occur with respect to each allegation in the complaint;
 - b. a description of actions taken, if any, to remedy any unlawful discrimination, sexual misconduct, domestic violence, dating violence, or stalking that occurred and to prevent similar problems from occurring in the future;
 - c. the complainant's and respondent's right to appeal the determination either as to the finding or to the appropriateness of the recommended actions.

Possible Sanctions

The university may impose any one or more sanctions following the results of a disciplinary procedure for an allegation of sexual assault, domestic violence, dating violence, or stalking

Sex Offender Registration

The federal Campus Sex Crimes Prevention Act, enacted on October 28, 2000, requires institutions of higher education to issue a statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a state to provide notice, as required under state law, of each institution of higher education in that State at which the person is employed, carries on a vocation, volunteer's services or is a student.

In California, convicted sex offenders must register with the local law enforcement agency for the jurisdiction in which they live. You can link to this information, which appears on the California Department of Justice's official Internet web site www.meganslaw.ca.gov or by contacting the Los Angeles County Sheriff Department

Hate Crimes

For purposes of this report, hate crimes include any of the crimes listed in the table on the next page, any other crime involving bodily injury, and any crime of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property, reported to the Campus Safety Department, a local law enforcement agency, or a campus security authority, that manifests evidence that the victim was selected because of the perpetrator's bias. Categories of bias are: race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

DRUG AND ALCOHOL OFFENSES

The Drug Free Schools and Communities Act Amendments of 1989 require that as a condition of receiving funds or any other form of financial assistance under any federal program, Phillips Graduate University must certify that it has adopted and implemented a program to prevent the unlawful possession, use or distribution of illicit drugs and alcohol by students and employees

All students, faculty, staff, and visitors are subject to local, state, and federal laws, as well as University drug and alcohol policy rules and regulations. The Phillips Graduate University campus has been designated as "Drug Free", "Alcohol Free" and "Tobacco Free".

The possession, sale, or the furnishing of alcohol on the University campus is governed by the Phillips Graduate Policy and California state law. The possession, use, sale, manufacturing or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the Campus Security Department. Violators are subject to University disciplinary action, criminal prosecution, fine, and imprisonment, as applicable.

Prevention and Treatment

In compliance with the Drug Free Schools and Communities Act. Phillips Graduate University published information regarding the University's educational programs related to drug and alcohol abuse prevention; sanctions for violations of federal, state, and local laws and University policy; a description of health risks associated with alcohol and other drug use; and a description of available treatment programs for Phillips Graduate students and employees

Alcohol/Substance Abuse Health Risk

Alcohol and Substance abuse can cause very serious health and behavioral problems, including short and long term effects upon the body (physiological) and (psychological), as well as impairment of learning ability

Legal Sanctions-Laws Governing Alcohol

The California Business and Profession Code states the purchase, possession, distribution, or use of alcoholic beverages is illegal for those under the age of 21 in the State of California and constitutes a misdemeanor under B & P Code 25658 (section a and b), 25658.5 and 25662

Students violating this policy on campus are subject to disciplinary actions up to and including suspension or dismissal from the University in accordance with University policies and procedures. In addition to the University process, the University will involve local law enforcement officials when appropriate. The Department of Campus Security has primary responsibility for the enforcement of state underage drinking

Legal Sanctions- Laws Governing Illegal Substances

The California Health & Safety Code states that every person who possesses any controlled substance shall be punished by imprisonment in the county jail for not more than one year, except that such person shall instead be punished pursuant to subdivision (h) of Section 1170 of the Penal Code if that person has one or more prior convictions for an offense specified in clause (iv) of subparagraph (C) of paragraph (2) of subdivision (e) of Section 667 of the Penal Code or for an offense requiring registration pursuant to subdivision (c) of Section 290 of the Penal Code (H&S 11350) and, every person who possesses for sale, or purchase for the sale, any controlled substance shall be punished by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code for two, three, or four years(H & S 11351).

Purchase or possession of marijuana for the purpose of sale, shall be punished by imprisonment pursuant to subdivision (h) of Section 1170 of the Penal Code (H&S 11359). In addition, It is unlawful to possess an opium pipe or any device, contrivance, instrument, or paraphernalia used for unlawfully injecting or smoking (1) a controlled substance specified in subdivision (b), (c), or (e) or paragraph (1) of subdivision (f) of Section 11054, specified in paragraph (14), (15), or (20) of subdivision (d) of Section 11054, specified in subdivision (b) or (c) of Section 11055, or specified in paragraph (2) of subdivision (d) of Section 11055, or (2) a controlled substance that is a narcotic drug classified in Schedule III, IV, or V. (H & S 11364).

In addition, the unlawful distribution or possession of a prescribed medication is also prohibited and punishable by imprisonment in the state penitentiary (B & P 4059 & 4060).

Phillips Graduate University Sanctions

Students violating this policy are subject to disciplinary actions up to and including suspension or dismissal from the University in accordance with university policies and procedures

Employees found to have violated the tenets of this policy are subject to disciplinary action, up to and including the suspension or termination of employment. A review by Human Resources of the nature of the violation will determine the particular action to be taken

In addition to University process, the University will involve law enforcement officials when appropriate.

WEAPON OFFENSES

The possession of firearms, fireworks, explosives, or weapons of any kind and replicas or facsimiles thereof is prohibited on Phillips Graduate University property and facilities, including leased spaces and personal vehicles in Phillips Graduate University parking lots, as they pose substantial danger to the safety of all students, staff, faculty, and visitors.

For the purpose of this policy, a weapon is any device designed to produce death or serious bodily injury. Weapons include, but are not limited to:

- Firearms, whether loaded or unloaded
- Pellet, flare, tranquilizer, stun, spear and dart guns
- Knives with blades larger than that of a folding pocket knife
- Switchblades or daggers
- Striking instruments, including clubs, truncheons, blackjacks, metal knuckles and sap gloves
- Martial arts weapons, including nunchakus, tonfas, staff and throwing stars
- Bow and arrow combinations
- Explosive devices, including hand grenades, bombs, black powder, smokeless powder, percussion caps, friction primers and pyrotechnic fuses

The definition of weapons under this policy does not include devices such as commercially available aerosol dispensers of non-lethal chemical irritants, pocket knives or general tools not designed as weapons.