

**Western State College of Law**  
**Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Report**  
**Revised August 1, 2019**

Western State College of Law (Western State) is providing the following information to all of its employees and students as part of Western State College of Law's commitment to safety and security pursuant to the requirements of the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. If you should have any questions about any of the information provided in this material, please contact the Business Manager at 714-459-1167 or the Senior Assistant Dean of Student Affairs at 714-459-1117.

**CAMPUS SECURITY AND CRIME PREVENTION POLICY**

Western State College of Law's Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Report is distributed to every student and employee on an annual basis and is available to prospective employees and students at their request. Employees receive a copy distributed via e-mail. The report is distributed to all students' e-mail. The Report may also be found on the institution's public website, located at: <https://www.wsulaw.edu/~media/wsu/main-site/assets/pdf/crime-report-western-state-university.ashx?la=en>

**REPORTING CRIMINAL ACTIONS OR OTHER EMERGENCIES**

A safe environment is everyone's responsibility. Students, faculty and staff are encouraged to report all criminal acts, suspicious activities or emergencies promptly and have the right to report these matters confidentially. Victims or witnesses to a crime are encouraged to file a report of the incident. Reports can be filed on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics by contacting the Business Manager or Senior Assistant Dean of Student Affairs or any campus security authority. Reports are kept in a secure location in the offices of Business Manager or Senior Assistant Dean of Student Affairs. Names of victims or witnesses are not disclosed in the crime report. It is the policy of Western State College of Law that all criminal acts or other emergencies be properly documented and reported to local authorities as required by law.

Students and employees should promptly report all criminal actions and emergencies occurring on or around Western State College of Law facilities either in person or by calling to the Business Manager at 714-459-1167 or Senior Assistant Dean of Student Affairs at 714- 459-1117. If the Business Manager or Senior Assistant Dean of Student Affairs are not available, you may contact you may contact any member of the senior staff or faculty and the Irvine Police Department by dialing 911. For a complete listing of all Campus Security Authorities, please see page 2, under Campus Law Enforcement.

In the event of fire or medical emergencies, staff and employees should contact the Irvine Police Department by dialing 911 and then notify the Business Manager or Senior Assistant Dean of Student Affairs.

**VICTIM NOTIFICATION**

Western State College of Law will, upon written request, disclose to the alleged victim of a crime of violence, or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by Western State College of Law 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 for these purposes.

**POLICIES FOR PREPARING THE ANNUAL DISCLOSURE OF CRIME STATISTICS**

All incidents are reported and documented on the Incident Report, which is sent to the Business Manager

or Senior Assistant Dean of Student Affairs. Reports are kept in a secure location accessible to the Business Manager or Senior Assistant Dean of Student Affairs. The statistics included in the annual crime report are prepared by compiling campus crime statistics and data from campus security authorities, local police departments, and other relevant information by the Business Manager or Senior Assistant Dean of Student Affairs.

### **SECURITY AND ACCESS TO CAMPUS FACILITIES**

It is the policy of Western State College of Law that access to all campus facilities be limited to authorized personnel, students, and invited visitors. Visitors are at all times subject to college policies and conduct codes. Students and employees are responsible for the conduct of their guests at all times. Students, staff, and faculty are required to show a valid Western State College of Law identification card to gain access to campus facilities or services and may be subject to search.

### **ACCESS TO THE ACADEMIC BUILDINGS**

Security Desks are located in the front lobby. After hours, the building is protected with electronically locked security doors and devices including cameras and proper procedures are followed to ensure limited access to secured areas. Exterior lighting is provided around the building and parking areas, and shrubs and hedges are kept low for safety reasons. Suspicious persons may be questioned or asked to leave by security personnel.

### **CAMPUS LAW ENFORCEMENT**

Persons employed as security personnel on the campus located at 1 Banting, Irvine, CA 92618 are instructed in security, security problems, specific college rules and regulations, and the proper procedures of how to enforce them. These procedures and rules and regulations are reviewed periodically to ensure that security needs are being met. Security personnel on campus report directly to the campus Business Manager, 714-459-1167.

Unarmed security personnel at the college are there at the direction of the college, and are to assist students, faculty and staff of Western State College of Law. Someone is on duty during the evening and weekend hours when the building is occupied. They are responsible for ensuring that persons entering the building are employees, students, and their families or invited guests. They are authorized to request identification from those individuals, who are unfamiliar to them, and identification is required of all individuals arriving or leaving after the building is secured. They have the authority to evict unauthorized persons from the premises. Students are advised to carry their Western State College of Law Photo ID card at all times and to present them upon request. Security personnel may not make arrests, but are instructed to promptly contact the Irvine Police Department, the Business Manager, or Senior Assistant Dean of Student Affairs if any illegal activity occurs.

Law enforcement is provided by the Irvine Police Department. Campus staff with security responsibilities are on the campus during regular business hours. Students are advised to carry their Western State College of Law Photo ID card at all times and to present them upon request. They do not have the authority to arrest, but do have the authority to evict unauthorized persons from the campus. They will promptly contact the Irvine Police Department) if any illegal activity occurs.

Campus Security Authorities at Western State College of Law include police officers who can make arrests, security officers and any official of the institution who has significant responsibility for student and campus activities, including student discipline, student judicial affairs and student life. The president or his designee may identify other officials as it is deemed necessary. Western State College of Law Campus Security Authorities are:

<u>Title</u>	<u>Phone</u>
Dean	714-459-1140

Associate Dean of Academic Affairs	714-459-1141
Business Manager	714-459-1167
Director of the Law Library	714-459-1110
Senior Assistant Dean of Student Affairs	714-459-1117

All members of the campus community are encouraged to report crimes or criminal activity to any of the campus security authorities listed above. This list of Campus Security Authorities is subject to modification, and is not intended to be all inclusive due to changes in responsibilities within the institution.

In accordance with the Clery Act regulations, Campus “Pastoral Counselors” and Campus “Professional Counselors”, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. The school uses the services of a third-party psychologist or counselor who provides confidential professional counseling on campus. The counselor may refer a student for limited visits with an area network mental health provider or assist the student with locating resources within the community. As a matter of policy, the counselor is encouraged; if and when deemed appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary, confidential basis, for inclusion into the annual crime statistics. Students are encouraged to contact the Senior Assistant Dean of Student Affairs, Suite 119, 714-479-1117 to confidentially report a crime. Likewise, faculty and staff are encouraged to contact the Business Manager, room 205, 714-459-1167 to report a crime.

If a student is a victim of a crime and does not want to pursue action with Western State College of Law’s system or the criminal justice system, the student still may want to consider making a confidential report. With the student’s permission, the Business Manager or Senior Assistant Dean of Student Affairs can file a report on the details of the incident without revealing the student’s identity. The purpose of the confidential report is to comply with the student’s wish to keep the matter confidential, while taking steps to ensure the safety of the student and that of others. Reports filed in this manner are counted and disclosed in the annual crime statistics for Western State College of Law. Reports are kept in a secure location accessible to the Business Manager and Senior Assistant Dean of Student Affairs.

The Student Services Department conducts periodic outreach and individual well-being workshops for you that are designed to increase awareness in areas such as diversity, safety, health and wellness.

For additional information on Student Support Services, please contact the Student Services Department at 714-459-1120.

Western State College of Law maintains a Daily Crime Log of all criminal incidents reported to the institution. The *Daily Crime Log* includes the date and time the incident occurred, the nature of the offense, the location of the offense, the offense allegedly committed and the disposition of the complaint if known. The Daily Crime Log is available for public inspection in the Business Manager or Senior Assistant Dean of Student Affairs offices during normal business hours.

**RELATIONSHIPS WITH LOCAL AND STATE POLICE**

Western State College of Law is located in Irvine, California. Western State College of Law maintains close working relationships with the Irvine Police Department with periodic contact initiated by Western State College of Law campus security authorities to ensure that the institution is aware of criminal offenses and arrests occurring on or near the campus so that they can be properly reported, and if necessary, provided for timely warning reports on crimes that represent a continuing threat. The institution does not have any agreements or memoranda of understanding with law enforcement. The data

received from the Irvine Police Department is maintained in the the Business Manager, or Senior Assistant Dean of Student Affairs offices.

### **TIMELY WARNINGS**

Timely warnings are provided to give students, faculty, and staff notification of crimes that have occurred on the institution's geographic area and have been reported to campus security authorities or to local police agencies and are considered by the institution to represent a serious or continuing threat to students and employees. Timely warnings are not limited to violent crimes or crimes against person, but may be threats to persons or to property. For example, there may be a rash of burglaries or motor vehicle thefts that merit a warning because they represent a continuing threat to the campus community.

The decision to issue a timely warning is based on the nature of the crime, the continuing danger to the campus community, and the possible risk of compromising law enforcement efforts. The timely warning should allow the members of the campus community protect themselves. Timely warning reports are provided to the campus community in a variety of ways so that the warning will be able to reach the entire campus community. The timely warning includes information about the crime that triggered the timely warning and all information that will promote safety and that would aid in the prevention of similar crimes. Once Western State College of Law determines the content of the warning, timely warning reports are provided through a variety of mechanisms, including the emergency notification tool 'My Campus Alert', the school website, email, posters, letters and flyers and digital signage.

Information regarding registration for the My Campus Alert System is available under the section of the Clery Report titled "Emergency Notification" and in the Student Services office. Every student can update their My Campus Alert System contact preference by completing a form available in Student Services.

### **PROGRAMS TO INFORM STUDENTS ABOUT CAMPUS SECURITY**

All new Western State College of Law employees and students are instructed on crime awareness, prevention and campus security during orientation, and are encouraged to take responsibility for their own security, as well as the security of their fellow classmates. During the New Student Orientation process new students receive information on campus security policies and procedures, suggestions on how to avoid becoming a crime victim, evacuation plans at the main campus and procedures for reporting any criminal activity or emergency. The program encourages students and employees to be responsible for their own security and the security of others.

In addition Western State College of Law provides presentations on campus safety and security quarterly. These presentations are open to all students, staff and faculty.

Western State College of Law, the Business Manager, as well as the Senior Assistant Dean of Student Affairs, encourage victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics. However, the names of victims or witnesses who provide information on criminal offenses are not disclosed in the annual disclosure of crime statistics and are maintained by Western State College of Law in a secure location in the the Business Manager or Senior Assistant Dean of Student Affairs offices.

### **PROGRAMS TO INFORM STUDENTS AND EMPLOYEES ABOUT THE PREVENTION OF CRIMES**

Western State College of Law also provides seminars and workshops designed to heighten awareness of crime and its prevention. Topics included in these informational programs are personal safety, living in a city, crime prevention, basic safety, and neighborhood watch programs.

Students are requested to review Western State College of Law's *Catalog* where sections discussing Crime Awareness and Campus Security and Student Conduct Policy can be found. Employees are requested to review Westcliff University's *Employee Handbook* where information regarding Standards of Conduct and Safety can be found.

### **OFF-CAMPUS STUDENT ORGANIZATIONS**

At the present time, Western State College of Law does not have any off-campus student organizations.

### **DRUG AND ALCOHOL POLICIES**

In keeping with section 120(a) through (d) of The Higher Education Act of 1965, as amended, including the Drug-Free Schools and Communities Amendments of 1989 (Public Law 101-226), a “Drug Free Schools and Campuses” publication, the Drug Prevention Policy, is provided to all Western State College of Law students and employees annually and is available upon request from Human Resources or Student Services.

Pursuant to federal and state drug laws, employees and students are prohibited from the unlawful manufacture, distribution, possession, sale or use of illicit/illegal drugs. Western State College of Law also enforces state laws regarding underage drinking. This prohibition applies while on the property of Western State College of Law or when participating in any institutional activity. Students or employees who violate this policy will be subject to disciplinary action up to, and including, expulsion from Western State College of Law or termination of employment.

For more information please refer to the Drug and Alcohol Prevention Program and the Drug-Free Workplace and Campus Program that is annually distributed to all employees annually and is available upon request from Human Resources or Student Services.

### **WEAPONS POLICY**

Possession or use of firearms, fireworks, ammunition, or other dangerous weapons or materials is prohibited on Western State College of Law owned or controlled property, at college-sponsored activities.

### **PROGRAMS AND PROCEDURES REGARDING SEXUAL VIOLENCE**

Dating Violence, Domestic Violence, Sexual Assault and Stalking are prohibited by the institution and are incompatible with the institution’s goal of providing a healthy educational environment for students, faculty, staff and guests. Sexual offenses involve the physical contact of a sexual nature which is against one’s will or without one’s consent. Consent requires a voluntary, positive agreement between the participants to engage in specific sexual activity. Sexual activity that is nonconsensual would include, but is not limited to:

- nonconsensual sexual intercourse or penetration (vaginal, oral, or anal) by any means;
- nonconsensual sexual contact (any touching of intimate body parts with any body part or object without consent);
- sexual contact with a person while knowing or having reason to know that the person is incapacitated by any means including alcohol or other drugs.

Sexual violence can be perpetrated by a stranger or acquaintance. Both men and women can be victims or perpetrators.

- Domestic Violence - (i) A felony or misdemeanor crime of violence committed— (A) By a current or former spouse or intimate partner of the victim; (B) By a person with whom the victim shares a child in common; (C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; (D) 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 (E) 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. (i) The existence of such a relationship shall be 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. (ii) For the purposes of this definition— (A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. (B) 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. Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent. A. 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. B. Incest—Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. C. Statutory Rape—Sexual intercourse with a person who is under the statutory age of consent.
- **Stalking** (i) 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. (ii) For the purposes of this definition— (A) Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. (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.

Educational programs promoting the prevention and awareness of rape, acquaintance rape, domestic violence, dating violence, stalking and other sex offenses are provided to all incoming and current students and new and current employees annually via an interactive, online learning module. The training:

- Identifies domestic violence, dating violence, sexual assault and stalking as prohibited conduct;
- Defines what behavior constitutes domestic violence, dating violence, sexual assault, and stalking;
- Defines what behavior and actions constitute consent to sexual activity in California;
- Provides safe and positive options for bystander intervention that may be carried out by an individual to prevent harm or intervene when there is a risk of domestic violence, dating violence, sexual assault, or stalking against a person other than the bystander. For instance, in a situation involving sexual assault, dating violence, or stalking, a bystander should minimize risk and:
  - Approach everyone as a friend;
  - Not be antagonistic;
  - Avoid violence;
  - Be honest and direct whenever possible;
  - Recruit help, if possible;
  - Keep safe; and
  - If things get out of hand, contact the police.
- Provides information on risk reduction so that students and employees may recognize warning signs of abusive behavior and how to minimize the risk of potential attacks. Domestic and dating abuse often escalates from threats and verbal abuse to violence. And, while physical injury may be the most

obvious danger, the emotional and psychological consequences of domestic and dating violence are also severe.

- Warning signs of dating and domestic violence include:
  - Being afraid of your partner;
  - Constantly watching what you say to avoid a “blow up;”
  - Feelings of low self-worth and helplessness about your relationship;
  - Feeling isolated from family or friends because of your relationship;
  - Hiding bruises or other injuries from family or friends;
  - Being monitored by your partner at home, work or school; and
  - Being forced to do things you don’t want to do.
- If you are being abused or suspect that someone you know is being abused, speak up or intervene.
  - Get help by contacting the Dean of Academic Affairs or other institution Officials
  - Learn how to look for “red flags” in relationships so you can learn to avoid some of those characteristics in future partners
  - Consider making a report with local police or campus security
  - Consider getting a protection from abuse order or no contact order from a local judge or magisterial justice; and
  - Trust your instincts—if something doesn’t feel right in a relationship, speak up or end it.

Brochures on sexual assault issues are available in the Human Resources or Student Services offices should a student or employee report to the institution that he or she has been a victim of domestic violence, dating violence, sexual assault, or stalking . It is the student(s) option to notify the appropriate law enforcement authorities, including on-campus security authorities and local police. At the student’s request, the Business Manager, or Senior Assistant Dean of Student Affairs or other Western State College of Law officials will assist in notifying the proper authorities. Victims of sexual assault or rape should follow these recommended steps:

- Go to a safe place following the attack.
- Do not shower, bathe, or destroy any of the clothing you were wearing at the time of the attack. It is important that evidence be preserved for proof of a criminal offense or assistance in obtaining a protection order.
- Go to a hospital emergency room for medical care.
- A medical examination is the only way to ensure you are not injured and it could provide valuable evidence should you decide to prosecute. Even if you 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 disease.
- Call someone to be with you; you should not be alone.
- You are also encouraged to 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 hearing boards/ investigators or police.

It is also recommended that victims call the Rape Crisis Hotline at 714-957-2737. It is open 24 hours a day and their counselors can help answer medical and emotional questions at any hour and in complete confidence. Reporting the rape to the police is up to the victim, but it is important to remember that reporting a rape is not the same as prosecuting a rape. Victims are strongly encouraged to call the police and report the rape. If the victim requests, Western State College of Law staff will assist the victim in notifying law enforcement authorities. If the victim needs additional counseling services beyond those identified below, Western State College of Law staff will assist in identifying off-campus counseling or mental health services.

If the victim does not want to pursue action with Western State College of Law's system or the criminal justice system, the student still may want to consider making a confidential report. With the student's permission, the Business Manager or Senior Assistant Dean of Student Affairs, can file a report on the details of the incident without revealing the student's identity. The purpose of the confidential report is to comply with the student's wish to keep the matter confidential, while taking steps to ensure the safety of the student and that of others.

Any member of the college community may file a complaint against any student, staff or faculty member.

- The complaint shall be prepared in writing or in an incident report and directed to the Title IX Coordinator or his/her delegate.
- The written complaint or incident report should include the nature of the offense, date, approximate time and location of incident. The name of the victim, offender and any witness/s may be included.

After any campus sexual assaults are reported, the victims of such crimes have the right to request that Western State College of Law personnel take steps or actions reasonably feasible to prevent any unnecessary or unwanted contact or proximity with alleged assailants. These measures may include:

- Providing an escort to ensure the alleged victim can move safely between classes and activities.
- Ensuring that the alleged victim and the alleged perpetrator do not attend the same classes.
- Providing referral to counseling services or providers.
- Providing academic support services, such as tutoring.
- Arranging for the victim to re-take a course or withdraw from a class without penalty.
- Relocation in school-sponsored housing if applicable

In addition, Western State College of Law will take the necessary measures, within reason, to comply with any protection orders, no-contact orders, restraining orders or similar lawful orders issued by a criminal, civil or tribal court which Western State College of Law becomes aware.

Victims will receive written notification about options for, and available assistance, in changing academic, transportation, and working situations, if so requested by the victim.

Rape crisis centers or mental health agencies available to assist a victim of sexual offenses include: Sexual Assault Victim Services - Counseling, Accompaniment, Advocacy for Victims of Rape and Sexual Abuse: North Orange County - 714-834-4317, South Orange County - 949-752-1971, Rape Crisis Hotline - 714-957-2737, Domestic Violence Assistance Program - Temporary Restraining Order Assistance Resource and Referral Counseling - 714-935-7956, Temporary Restraining Order Infoline (Available 24 hours) - 714-935-7956, CSP Dispute Resolution Services, Conflict Settlement through Mediation - 949-851-3168. Written notification to students and employees about their rights and options regarding existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available for victims both on-campus and in the community will be provided.

#### **PROCEDURES TAKEN BY WESTERN STATE COLLEGE OF LAW ONCE SEXUAL ASSAULT, DATING VIOLENCE, DOMESTIC VIOLENCE, OR STALKING HAS BEEN REPORTED; DISCIPLINARY ACTION AND SANCTIONS**

Upon learning of possible sexual violence involving a student, regardless of whether the victim chooses to report the incident to law enforcement, Western State College of Law will take immediate action to investigate or otherwise determine what happened. Such action may include, but is not limited to, speaking with the alleged victim, hereby referred to as the "Complainant", the alleged perpetrator, hereby referred to as the "Respondent", and other potential witness as appropriate and reviewing other evidence if available.



Pending a final determination, the Title IX Coordinator or designee will take appropriate interim measures. These measures may include, but are not limited to, the imposition of a no-contact order and/or employment, transportation, residence, and academic modifications. The Title IX Coordinator or designee may limit a student or organization's access to certain Art Institute facilities or activities pending resolution of the matter. The Title IX Coordinator may impose an Interim Suspension on the Respondent pending the resolution of an alleged violation when the Title IX Coordinator determines, at their sole discretion, that it is necessary in order to protect the safety and well-being of members of Western State College of Law community.

On-campus disciplinary procedures against students will be in accordance Western State College of Law's published Sexual Misconduct & Relationship Violence Policy & Procedures for Resolving Complaints Affecting Students, which are prompt, fair, and impartial from the initial investigation to the final result. The Title IX Coordinator will receive annual training 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 victims and promotes accountability.

The Respondent will receive written notice of the report and the nature of the alleged misconduct. He/She will be advised in writing of the investigation process and opportunity to provide any relevant evidence.

The investigation will generally be conducted by the Senior Assistant Dean of Student Affairs for the campus (or any other individual appointed by the Title IX Coordinator) if the Respondent is a student. If the Respondent is a faculty or staff member, Employee Relations will also participate in the investigation. The investigator will separately interview Complainant and Respondent. Both parties will be able to provide evidence and suggest other witnesses to be interviewed. The investigator will interview other relevant witnesses and review any other available relevant evidence. Both the Complainant and Respondent can have another individual present during their own respective interviews. If the Complainant or Respondent elects, they may have an attorney present during their own interview, but said attorney may not advocate during the interview.

The investigator will present all evidence to the Title IX Coordinator (or his/her designated Deputy Title IX Coordinator). In all cases, the Title IX Coordinator or the designated Deputy Title IX Coordinator will be appropriately trained regarding handling and considering sexual misconduct and relationship violence cases.

The Title IX Coordinator will weigh the evidence presented and decide whether additional evidence is necessary for consideration. The Title IX Coordinator will determine whether it is more likely than not that a violation occurred. The standard of evidence that will be used is preponderance of the evidence. This is a burden of proof in which it is determined to be more likely than not, or at least 51% certain, that the violation has in fact occurred.

The institution reserves the right to convene a Determination Panel to review the evidence and make the determination in appropriate circumstances.

If the Respondent is a an employee, the investigator will present all evidence to the Ethics Committee of EDMC. The Ethics Committee will be appropriately trained regarding handling and adjudicating sexual misconduct and relationship violence cases. The Ethics Committee will weigh the evidence presented and make a determination of whether a violation of the Sexual Misconduct & Relationship Violence Policy or any other policy has occurred.

If Western State College of Law determines that sexual violence may have occurred, the institution will take steps proactively designed to promptly and effectively end the sexual violence or the threat of sexual violence, prevent its recurrence, and address its effects regardless of whether the alleged actions are subject to criminal investigation.

For this purpose, the outcome of a disciplinary proceeding means only Western State College of Law's final determination with respect to the alleged sexual offense and any sanction that is imposed against the accused. Sanctions, which may be imposed following a final determination may include but are not limited to coaching, training, probation, suspension, or expulsion in the case of students or coaching, training, written warning, demotion, or termination in the case of employees.

Both the Complainant and Respondent will be notified simultaneously in writing of the outcome of the investigation and of the sanctions imposed, if any.

If the Complainant or Respondent is a student, he or she may appeal the outcome determination by written appeal to the Campus President/Dean within 15 days of notification of the outcome. An appeal may be made based only on one or more of the following reasons:

- New and significant evidence appeared that could not have been discovered by a properly diligent charged student or complainant before or during the original investigation and that could have changed the outcome.
- The Finding is Arbitrary and Capricious: Reading all evidence in the favor of the non-appealing party, the finding was not supported by reasonable grounds or adequate consideration of the circumstances. In deciding appeals, the Campus President/Dean is allowed to make all logical inferences in benefit of the non-appealing party.
- Disproportionate Sanctions: The sanctions were disproportionate to the findings.

The appeal shall consist of a written statement requesting review of the conduct decision or sanction and explaining in detail the basis for the appeal. The Campus President/Dean, or designated representative, will notify the non-appealing party of the request for an appeal. Within five working days of receipt of the notice, the non-appealing party may submit a written statement to be included in the case file. The appeal may proceed without the non-appealing party's written statement if it is not submitted within the designated time limit.

The Campus President/Dean will endeavor to make a determination of the appeal within 15 days of receipt. The President/Dean's decision is final. [no appeal rights for employees who are Respondents]

The complete Sexual Misconduct & Relationship Violence Policy & Procedures for Resolving Complaints Affecting Students may be found in the catalog.

<https://www.wsulaw.edu/~media/wsu/main-site/assets/pdf/wsu-catalog.ashx>

### **INFORMATION REGARDING REGISTERED SEX OFFENDERS**

Information regarding registered sex offenders under section 170101 (j) of the Violent Crime Control and Law Enforcement Act of 1994 is available from the Irvine Police Department or Orange County Sheriff. Information is also available online at: [www.meganslaw.ca.gov](http://www.meganslaw.ca.gov). On-campus computer labs with Internet access are available for you to view the above Web site in the Library computer lab, during regular business hours.

### **CRIME STATISTICS**

Statistics are provided for your information in compliance with the Jeanne Clery Disclosure of Campus Security Act and Campus Crime Statistics Act. Western State College of Law prepares the crime statistic policies annually by gathering all reported data and preparing a report for its employees and students.

Moreover, local/state police agencies are contacted by the Senior Assistant Dean of Student Affairs to maintain a working relationship and formulate statistics for the annual crime statistics report. The chart includes statistics available to Western State College of Law concerning the occurrences on Western State College of Law's campus, noncampus building(s) or property(ies), and on public property, which were reported to the local police agencies or the institution.

### **REPORTING AREA**

Western State College of Law reports statistics from all property owned or controlled by the college. Information relative to areas adjacent or contiguous with Institute facilities has been provided by the Irvine Police Department.

For purposes of the Clery Act, Western State College of Law campus is defined as:

Main Academic Facilities:	1 Banting, Irvine, CA 92618
Public Property:	Defined as within 500 feet of the Western State College of Law Campus, located at 1 Banting, Irvine, CA 92618.

### **EMERGENCY NOTIFICATION**

At Western State College of Law, the safety of our students, faculty, and staff is of primary importance and we all are committed to preventing situations that could cause harm to any member of our community. Sometimes emergencies do occur, however, and in the event of an emergency, it's critical to stay informed. That's why Western State College of Law offers an electronic emergency notification system, called My Campus Alert.

#### **What is it?**

In an emergency, *Western State College of Law My Campus Alert* System enables authorized college officials to inform members of Western State College of Law community about emergency situations through mechanisms other than regular college email, telephones, or building alarms. However, in addition to *My Campus Alert System*, additional methods of notifications used may include emails, phone trees, campus websites, and digital signs.

#### **How does it work?**

*My Campus Alert System* is a system that can transmit short notifications by email to any outside email address, by text message to a cell phone, or by voice message to an off-campus cell phone or telephone anywhere in the U.S., as well as to on-campus email addresses and telephones. The messages are initiated by a member of the college's crisis communication team only when required for safety purposes. Your personal information and the My Campus Alert system will never be used for any purpose other than emergency notification.

#### **How do I register?**

All students, faculty and staff are automatically registered via their school e-mail account. Every student can update their My Campus Alert System contact preference via the student portal homepage. Students can do this via the button entitled 'Update Profile/My Campus Alert'. While additional emergency contact information may be collected directly through human resources or by the registrar, entering your preferred contact information at *Western State College of Law My Campus Alert System* is the only way to ensure that you will receive emergency notification promptly.

#### **Why is this important?**

The information in the emergency notification system will be used primarily to contact all members of the campus community in case of emergency, an evacuation due to a natural disaster, or some other urgent situation that requires rapid, wide-scale notification of Western State College of Law community as determined by the college's senior administration.

### **Questions?**

For further assistance about registering with *My Campus Alert System*, please contact the Business Manager at 714-459-1167 (faculty/staff), or the Senior Assistant Dean of Student Affairs (students), at 714-459-1117. If you need help accessing your Western State College of Law faculty or staff email, contact the Westcliff University Technology Department or for students, contact Student Services at 714-459-1120.

## **EMERGENCY NOTIFICATION AND EVACUATION POLICY**

### **Process used to confirm that there is a significant emergency or dangerous situation:**

In the event of a report of a dangerous or emergency situation to any staff member, the staff member will contact the Dean or any other Executive Committee member (Business Manager, Senior Assistant Dean of Student Affairs, Director of the Law Library, or Associate Dean of Academics) to report the situation. The Campus President/Dean or Executive Committee member will then review the situation, and if appropriate confer with local law enforcement or other first responders, to confirm the issue(s) involved and determine if activation of the Emergency Notification system is warranted.

### **Process used to determine the appropriate segment(s) of the campus community to receive notification:**

In the event of a confirmed emergency situation, the Campus President/Dean or Executive Committee member will determine the appropriate segments of the campus population to receive notification and determine the content of the notification (i.e., how much information is appropriate to disseminate at different points in time), which will then be passed on to the staff members for immediate dissemination to the campus community via blast email and/or verbally to all students/staff present on campus providing the notification would not compromise the ability to contain the emergency or endanger additional students or staff members. If appropriate, Registrar will activate *My Campus Alert System*. The only reason that Western State College of Law would not immediately notify the campus community is if doing so would compromise efforts to assist a victim, contain the emergency, respond to the emergency, or otherwise mitigate the emergency.

### **The following individuals are responsible for determining the validity of an emergency or dangerous situation and initiation of the Emergency Notification system in order of priority:**

Dean, Associate Dean of Academic Affairs, Business Manager, Senior Assistant Dean of Student Affairs, or Associate Director of the Law Library.

### **Procedure used to notify the campus:**

Upon the confirmation of a significant emergency or dangerous situation involving the immediate threat to the health or safety of student or staff occurring on the campus, Western State College of Law will immediately notify the campus community, unless issuing a notification will compromise efforts to contain the emergency.

Western State College of Law will utilize its Senior Staff and Executive Committee members to inform all students and employees on campus of the need to immediately evacuate the premises to a safe location. If the situation allows, Registrar will also immediately activate the *My Campus Alert System* to send out a notification of the need to evacuate the campus to the designated contact information within the *My Campus Alert System*. Depending upon the nature of the emergency, the Campus President/Dean, another Executive Committee member or the senior staff member on campus will

determine if the notification would compromise the ability to contain the emergency or endanger additional students or staff members.

The emergency response and evacuation procedures are publicized on an annual basis to all students and faculty through dissemination of this report via email.

The campus emergency notification protocols and procedure are reviewed with each staff member at orientation and subsequently in staff and faculty meetings. Practice drills are conducted at least annually to assure effectiveness of the plan. A description of the practice drill exercise along with a record of the date, time and whether it was announced or unannounced is maintained by Business Manager/Director of Facilities.

## **SAFETY TIPS**

Prevention is your best protection against crime. Here are some precautions you can take to assure greater security.

### **At Home**

- Leave at least one light on, inside and out when you are away. If possible, use a timer to turn lights on and off.
- Keep your doors and windows locked, even if you are at home, and even if you leave for a few minutes.
- NEVER open the door without knowing who is there. Require the caller to identify himself or herself satisfactorily. Use chain bolt when checking ID. If a stranger asks to use a phone, DO NOT PERMIT HIM OR HER TO ENTER. Make the call for that person if you believe it is an actual emergency.
- Keep in touch with your neighbors. Watch each other's apartments and let each other know of anything suspicious.
- Don't give out personal information, such as your address. Report threatening or harassing calls to the police or phone company.

### **When Walking**

- Plan the safest route to your destination and use it. Choose well-lighted busy pathways and streets, avoiding alleys, vacant lots, or construction sites. Take a longer way if it's safer.
- Know your neighborhood and the campus. Find out which buildings are open late (or early) and where you go to summon help if needed.
- Carry your purse close to your body and keep a firm grip on it. Carry a wallet in an inside coat or side trouser pocket, not in the rear trouser pocket.
- Don't flaunt expensive jewelry, clothing, or "flash" cash.
- Have your car or house key in hand and ready as you approach your vehicle or home.
- Never hitchhike.

### **While Traveling**

- Keep doors locked and windows rolled up, especially at stoplights. Always lock your car and take the keys. Keep valuables out of sight in the trunk. Park in areas that will be well-lit when you return. Check the back seat and the area around the car before getting in.
- Car Trouble: Raise the hood. Put on emergency flashers. Stay inside the car and lock the doors. Ask anyone who stops to help to call the police or the nearest service station for you.
- On public transportation, wait in well-lit areas near other people. If someone bothers you, move to a more populated area of the bus or train.

**Responding to an Attack**

In any situation, your goal is to get away with the least injury to yourself. If an attacker only wants your valuables, give them up. Valuables can be replaced; your life can't. Notify local police immediately.

Learning to defend yourself is a good idea. However, don't overestimate your abilities. It may take lots of practice before you can use the techniques effectively.

