

# Pacific Oaks College

## 2024 ANNUAL SECURITY REPORT

### Introduction

This report is provided in compliance with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act, as amended. It provides students and employees of Pacific Oaks College ("College") with information on: the College's security arrangements, policies and procedures; programs that provide education on such things as drug and alcohol abuse, awareness of various kinds of sex offenses, and the prevention of crime generally; and procedures the College will take to notify the campus community in the event of an emergency. Its purpose is to provide students and employees with information that will help them make informed decisions relating to their own safety and the safety of others.

### Policy for Preparing the Annual Report

This report is prepared by the Vice President of Human Resources & Organizational Effectiveness in cooperation with local law enforcement authorities and includes information provided by them as well as by the College's campus security authorities and various other elements of the College. Each year an e-mail notification is made to all enrolled students and employees that provides the website link to access this report. Prospective students and employees are also notified of the report's availability. Hard copies of the report may also be obtained at no cost by contacting Jane Sawyer, Human Resources, 45 Eureka Street, Pasadena, CA, 626-529-8437. The College is committed to taking the actions necessary to provide a safe and secure working/learning environment for all students and staff. As a member of the campus community, you can feel safe and comfortable knowing that security procedures are in place that represent best practices in the field and are constantly tested and re-evaluated for their effectiveness.

### General Safety and Security Policies

#### **Campus Security Personnel & Relationship with Local Law Enforcement**

The College outsources security personnel from a third-party security service provider for its Pasadena Campus. Under the current contract, security personnel are scheduled to be on the Pasadena campus during college operations, which include evening and weekend in-person class instructions.

The security personnel are unarmed and may only make a "citizen's arrest" of a person who is the act of committing a crime; when safely and legally able to do to.

Security personnel are instructed not to attempt to apprehend a suspect, unless the person is caught in a criminal act; however, security personnel will only act in accordance with the provisions of reasonable force.

Criminal incidents are referred to local law enforcement agencies who have jurisdiction on the campus. All crime victims and witnesses are strongly encouraged to report the crime

immediately to the College and the appropriate public agency. Prompt reporting will ensure timely warning notices on campus and timely disclosure of crime statistics.

Security personnel maintain close liaison with local police departments and keep them apprised of any criminal activity on campus. Local police may be called when appropriate by either security personnel or the senior administrator or staff member on campus.

The College recognizes that laws and policies are necessary for society to function and supports the reinforcement of law by governmental agencies and policies by officials of the College. All persons on the campus are subject to these laws and rules at all times.

### ***Relationship with Local Law Enforcement Agencies.***

The College maintains a close working relationship with the Pasadena Police Department (“PPD”) and communicates items of mutual concern when applicable for each of our campuses. PPD dispatch officers when a crime is reported by the College or by a victim. College has requested cooperation from the local police departments in informing the College about any crimes that may warrant a timely warning as well as any incidents that may warrant an emergency response.

PPD have provided training programs for our community, collaborated with College’s campus threat and risk assessments, and reviewed our Campus Emergency Preparedness Manual.

The College does not maintain any special relationships with State and local police and does not have any agreements with those law enforcement agencies (such as a written memorandum of understanding) to investigate alleged crimes.

## **Campus Security Authorities**

The College has designated certain officials to serve as campus security authorities. Reports of criminal activity can be made to these officials. They in turn will ensure that the crimes are reported for collection as part of the College's annual report of crime statistics. The campus security authorities to whom the College would prefer that crimes be reported are listed below.

- Vice President, Human Resources & Organizational Effectiveness at [jsawyer@pacificoaks.edu](mailto:jsawyer@pacificoaks.edu)
- Dean of Student at [mpatton@pacificoaks.edu](mailto:mpatton@pacificoaks.edu)
- Chief of Staff at [czalkind@pacificoaks.edu](mailto:czalkind@pacificoaks.edu)
- Vice President, Academic Affairs at [gjones6@pacificoaks.edu](mailto:gjones6@pacificoaks.edu)

## **Reporting Crime or Emergencies**

The College encourages accurate and prompt reporting of all criminal actions, emergencies, or other incidents occurring on campus, on other property owned by the College, or on nearby public property to the appropriate administrator and appropriate police agencies. Such a report is encouraged even when the victim of a crime elects not to make a report or is unable to do so.

All crimes occurring on the campus should be promptly reported to on-site Security service. This helps ensure incidents are properly included in the annual Disclosure of Crime Statistics and a Crime Alert can be issued when necessary.

In an emergency, dial 911. Police must respond to every 911 call, whether called in on a cellphone or a landline, even if the caller hangs up without saying anything.

Students, staff, and visitors should also report situations to one of the campus security authorities identified above. Once reported, the individual may also be encouraged to report the situation to the appropriate police agency. If requested, a College staff member will assist in making the report to police.

## **Confidential Reporting**

The College will protect the confidentiality of victims. Only those with a need to know the identity for purposes of investigating the crime, assisting the victim or disciplining the perpetrator will know the victim's identity.

If you are the victim of a crime and do not want to pursue action within the institutional system or the criminal justice system, you may still want to consider making a confidential report to the school. In such circumstances, crime victims are encouraged to consider making a confidential report to the Title IX Coordinator, [POTitleIX@pacificoaks.edu](mailto:POTitleIX@pacificoaks.edu). At a minimum, crime victims will receive valuable counseling and referral information.

Confidential reports are important because they provide valuable information that will enhance the safety of the community-at-large and they will, at least, provide a more accurate portrait of actual campus crime. The purpose of a confidential report is to respect the desire of a crime victim to keep the incident confidential, while taking steps to ensure the future safety of the College community. With such information, the school can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime regarding a particular location, method, or assailant, and alert the College Community (students, faculty, and staff) to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the school.

The College does not employ any pastoral or professional counselors and thus does not have procedures for these positions to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.

## **Security of and Access to Campus Facilities**

During regular business hours, the College is restricted to students, employees, and invitees, except when part or all the campus, its buildings or facilities are open to the general public for a designated time or purpose, or when used by non-affiliated groups organizations or individuals that have been granted or approved by authorized College officials.

When an event on campus is open to the general public, attendees are expected to comply with applicable College policies, rules and procedures and to comply with reasonable behavior expectations. Those who do not comply may be required to leave the campus.

The main entrances to buildings on campus are to be open to students, faculty, administrators, staff, and guests of the College during normal operating hours. All College buildings and facilities will be locked when they are not open for general use by those who are authorized or permitted to use them. When a College building or facility is not open for general use and is locked, entry to the building or facility may be controlled or limited by the Facilities Department. Advance authorization by an appropriate College official may be required before an individual is permitted access to a College building or facility when the building or facility is locked and not open for general use. Emergencies may necessitate changes or alterations to any posted schedule.

Permission to access the campus, buildings and facilities of the College may be denied or rescinded at any time, in the College's sole and complete discretion. An individual who refuses to leave the

campus or a College building or facility after being asked to do so by a College official and/or security personnel will be considered to be trespassing on College property.

## **Security Considerations in the Maintenance of Facilities**

The Human Resources Department works with the Facilities Department to identify maintenance issues on campus that may be safety hazards. Safety checks are completed to identify street or safety lights that are not functioning properly, or to determine if shrubs or other landscaping might need trimming. Maintenance personnel regularly check to ensure there is adequate lighting on pathways and that egress lighting is working in hallways and stairwells.

## **Educational Programs Related to Security Awareness and Prevention of Criminal Activity**

The College seeks to enhance the security of its campus and the members of the campus community by periodically presenting educational programs to inform students and employees about campus security procedures and practices, to encourage students and employees to be responsible for their own security and the security of others and to inform them about the prevention of crimes. These programs are discussed below.

### **Safety Awareness & Crime Prevention Programs**

The College recognizes that crime prevention is the responsibility of the College and each person working, attending school, or visiting a College facility. Crime prevention is best served by vigilant surveillance of the premises and reporting any suspicious personal behavior.

To achieve its goals, the College has established a safety program dedicated to providing a safe and healthy working environment through identifying health and safety risks before they become hazards and developing programs for risk prevention. These programs are designed to encourage safety awareness among individuals and to provide essential information on procedures to be followed in case of an accident, injury, illness, or emergency.

### ***Digital contact information card***

The College offers access to Aerogami (formerly known as KeynectUp) for all students, staff, and faculty. Aerogami is a tool that allows all students, staff, and faculty to download and save a digital card, inclusive of all institutional safety resources, it can be downloaded onto a phone and is easily accessible during an emergency within seconds.

The digital cards include campus and community resources such as the institution's phone numbers and email addresses, links for campus safety pages, community resources and the Title IX Coordinator's contact information.

### ***Safety Awareness Strategies***

Each person should have a preconceived plan of action in the event they become involved in, or be a witness to, a criminal act. By following the generally prudent rules listed below, each employee or student can help ensure that they will not become the victim of a crime.

- Park your car in College-designated parking areas, if possible.
  - Do not leave items in your car which are visible from the outside; rather, place the items in the locked trunk of your car, or under a car seat, if possible.
  - Lock all car doors, and check them, before leaving your parked car. Keep your car key in your hand until you are in a well-lit or heavily trafficked area. This will allow you to rapidly reenter your vehicle, should you see a suspicious person in the area.

- Be alert for suspicious persons and activity in the classroom or work area. If you see an unfamiliar face in the vicinity, proceed to your work/class area, and then report the matter immediately.
- If you work in a College office, get in the habit of closing and locking your office door each time you must leave the office unattended.
  - If you leave valuable articles in open view in your office, place them in a locked desk drawer or in a sheltered location.
- Should you be accosted, have a plan of action in mind.
- In case of personal attack, scream as loudly as you can and run toward a more lighted or highly trafficked area. Do not voluntarily enter an assailant's automobile or go with an assailant to a more remote location.
- If an assailant demands your money, you may want to take out a pre-positioned amount of money, throw it away from you, and then begin running as fast as possible in the opposite direction.
  - Try to note the size and physical characteristics of your assailant, as well as the color and make of their car (if applicable), so that you are able to report the crime with critical, detailed information.
- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
  - Try to avoid isolated areas. It is more difficult to get help if no one is around.
  - Walk with purpose. Even if you do not know where you are going, act like you do.
  - Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably is not the best place to be.
  - Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cash money.
- Do not allow yourself to be isolated with someone you do not trust or someone you do not know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.

### ***Crime Prevention Strategies***

The College is strongly committed to crime prevention, and prioritizes the personal physical safety of its students, faculty, and staff to ensure a successful learning environment. College campuses, like all other communities, are not immune to crime. The cooperation and involvement of students, faculty, and staff in campus safety is essential to prevent and minimize criminal activity and injury, as well as enhance the quality of life for members of the College community.

On a semester basis, the College sends a Campus Safety Reminder to inform faculty, staff and students about campus safety and security procedures and practices and to share tips to promote crime prevention. In addition, this information is also disseminated to all students through a weekly newsletter.

Crime prevention includes individual safety consciousness and awareness of personal environment. The College suggests the following crime prevention measures, which can contribute to the safety and security of the College community:

- If anything makes you feel unsafe or threatened, dial 9-1-1.
- When using a personal vehicle, keep the doors always locked.
  - Before entering a vehicle, always look under the vehicle and in the back seat.
- Keep personal keys (car, apartment, home, etc.) in your possession always.
- At night, travel in well-lit areas and in pairs if possible. Avoid short cuts and deserted areas.
- Notice and be aware of suspicious persons and conditions.
  - A suspicious person is either one who is exhibiting suspicious behavior, or who is in an area or doing something that is not normal to the regular campus activities,

such as: a person in the parking lot who is moving from car to car, peeking inside or trying to open the doors, a person who appears to be paranoid or making strange and sudden movements for no apparent reason), among others.

- Do not leave valuable items in your car, including personal items and/or school related materials, such as textbooks, laptop computers, smartphones, etc.
- Do not park in isolated areas.
- **Do not prop doors open.**
- Leave items of high monetary value at home.
- Do not leave personal property unattended.
- Do not carry more cash than necessary and certainly do not advertise the amount you are carrying.
- Keep your purse, backpack, or briefcase close to your body.
- Avoid giving out personal information or making appointments with strangers over the phone.
- Mark personal items that you bring on campus.
  - This includes marking textbooks, laptops, and calculators with your name or some other traceable identification.
- Do not bring any kind of firearms, dangerous weapons, explosives, or lethal materials onto College property.
  - Unauthorized use, possession, or storage of these or other potentially dangerous items on College premises, or at College activities, regardless of whether you have been issued a federal or local license to possess any of these items, is strictly prohibited, and you may be subject to discipline and/or criminal prosecution.

### **Monitoring Off Campus Locations of Recognized Student Organizations**

The College does not have any officially recognized student organizations with off campus locations and therefore does not monitor or record criminal conduct occurring at such locations.

### **Disclosure of the Outcome of a Crime of Violence or Non-Forcible Sex Offense**

Upon written request, the College will disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the College 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 purposes of the paragraph.

The previous paragraph does not apply to victims of dating violence, domestic violence, sexual assault, or stalking because under the Violence Against Women Act both the accused and accuser in these cases are given the results without the need to make a written request.

## **Drug and Alcohol Policy**

### **Alcohol and Other Drug Policies**

The College is committed to creating and maintaining an environment that is free of alcohol abuse. The College prohibits the possession, use, and sale of alcohol beverage on campus or as any part of the College activities, unless it is done so in accordance with applicable College policies, and it also enforces the state's underage drinking laws.

The College also enforces federal and state drug laws. The possession, sale, manufacture or distribution of illegal drugs is prohibited on campus or as any part of the College's activities. Violators of the College's policies or federal and state laws regarding illegal drugs will be subject to disciplinary action and possibly criminal prosecution.

Notwithstanding any California law regarding the use of marijuana, federal law continues to make marijuana, with or without a prescription, an illegal drug at the College.

## Getting Help

Any student, employee, or other member of the College community who is concerned about substance use, abuse and rehabilitation is strongly encouraged to contact their family physician or health plan. Employees may seek help through the College's Employee Assistance Program. For information about the College's Employee Assistance Program (<https://www.guidanceresources.com/groWeb/login/login.xhtml>), please contact the Human Resources Department. In accordance with applicable law, the College will reasonably accommodate an employee who wishes to voluntarily enter and participate in an alcohol or drug rehabilitation program, unless doing so presents undue hardship to the College.

For more information on the College Drug-free & Alcohol-Visit Policy visit: <https://tcsedsystem.sharepoint.com/sites/poc/hr/Pages/policies.aspx>

## Disciplinary Action

Violation of any of the standards set forth in this policy will result in appropriate disciplinary action, up to and including dismissal from the College and referral for prosecution. For those who are not students or employees of the College, disciplinary sanctions may include severance of the individual's relationship with the College and referral for prosecution. For employees, a drug-related or alcohol-related conviction, even for off-campus conduct not part of College-sponsored or College-related activities, may result in disciplinary action, up to and including termination of employment, depending on the relevance of the conviction to the employee's position, the severity of the offense, and other relevant circumstances

### *Federal Sanctions*

**Denial of Federal Benefits (21 U.S.C. § 862)** A federal drug conviction may result in the loss of federal benefits, including loans, grants, scholarships, contracts, and licenses, although the Department of Education has said it will no longer disqualify students from Title IV aid for a federal or state conviction for possession or sale of a controlled substance.

**Forfeiture of Personal Property and Real Estate (21 U.S.C. § 853)** Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation. A warrant of seizure may be issued, and property seized at the time an individual is arrested on charges that may result in forfeiture.

**Federal Drug Trafficking Penalties (21 U.S.C. § 841)** Penalties for federal drug trafficking convictions vary according to the type and quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are more severe. Federally-defined schedules of controlled substances are published at 21 U.S.C. 812.

In the case of a controlled substance in schedule I or schedule II, GHB (or, "liquid ecstasy"), or flunitrazepam (or, "rohypnol"), a person shall be sentenced to a term of imprisonment of not more than 20 years. If death or serious bodily injury results from the use of a controlled substance which

has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million.

In the case of a controlled substance in schedule III, a person shall be sentenced to a term of imprisonment of not more than 10 years, and if death or serious bodily injury results, shall be sentenced to a term of imprisonment of not more than 15 years or a fine not to exceed \$500,000, or both, for a first offense.

For less than 50 kilograms of marijuana, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

In the case of a schedule IV substance, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

Persons convicted on federal charges of drug trafficking within 1,000 feet of an elementary school, secondary school, college, or university **(21 U.S.C. § 860)** face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year, unless the offense involves five grams or less of marijuana.

**Federal Drug Possession Penalties (21 U.S.C. § 844)** Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison, a mandatory fine of no less than \$1,000, or both. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

For the most recent and complete Federal Trafficking Penalties information, visit the website of the U.S. Drug Enforcement Administration at [www.campusdrugprevention.gov/sites/default/files/2022-07/Federal\\_Trafficking\\_Penalties\\_Chart\\_6-23-22.pdf](http://www.campusdrugprevention.gov/sites/default/files/2022-07/Federal_Trafficking_Penalties_Chart_6-23-22.pdf)

### State of California Sanctions

Category	Summary (California Code)
Possession of Marijuana	<p>It is legal for persons 21 years of age or older to smoke or ingest cannabis or cannabis products. Cal. Health &amp; Safety Code § 11362.1. It is legal for persons 21 years of age or older to possess, process, transport, purchase, obtain, or give away to persons 21 years of age or older without any compensation whatsoever, not more than 28.5 grams of cannabis not in the form of concentrated cannabis or not more than eight grams of cannabis in the form of concentrated cannabis, including as contained in cannabis products. <i>Id.</i></p> <p>Persons under 18 years of age who are found guilty of a first offense of possession of not more than 28.5 grams of cannabis, or not more than eight grams of concentrated cannabis, or both, will be required to complete four hours of drug education or counseling and up to 10 hours of community service over a period not to exceed 60 days. Cal. Health &amp; Safety Code § 11357. For a second offense or subsequent offense, persons under 18 years of age will be required to complete six hours of drug education or counseling and up to 20 hours of community service over a period not to exceed 90 days. <i>Id.</i> If the offender is at least 18 years of age but less than 21, a fine of not more than \$100 will be imposed. <i>Id.</i> If the offender is over 18 years of age and possesses more than 28.5 grams of cannabis, or more than eight grams of concentrated cannabis, or both, an imprisonment in a county jail for a period of not more than six months and/or a fine of not more than \$500 will be imposed. <i>Id.</i> As the quantity of cannabis</p>



Category	Summary (California Code)
	increases, the crime classification becomes more severe and related penalties increase. <i>Id.</i>
Controlled Substances	<p>California statutes cover a wide range of offenses related to delivering, selling, furnishing, transferring, possessing, or manufacturing controlled substances formerly classified as “narcotics” and “restricted dangerous drugs.” See Cal. Health &amp; Safety Code §§ 11350 – 11392.</p> <p>Penalties include prison sentences and monetary fines. See Cal. Health &amp; Safety Code §§ 11350 and 11377. These penalties vary widely by the type and amount of controlled substance confiscated, the number and type of prior convictions, and the intent of the individual to manufacture, sell, or use the drug. Involving a minor in any capacity—whether using or employing a minor, inducing a minor to violate provisions, selling or furnishing to a minor, or acting in locations where minors are present—is a distinct offense and will result in heightened penalties. See Cal. Health &amp; Safety Code §§ 11353 – 11354 and 11380.</p> <p>For example, a first-time drug offender found in possession of opiates (Schedule I substances) without a valid prescription may be punished by up to 1 year in jail, a fine of at least \$1,000, or community service. Cal. Health &amp; Safety Code § 11350. Possession of gamma hydroxybutyric acid (“date rape drug”) with intent to commit sexual assault is punishable by up to 3 years imprisonment. Cal. Health &amp; Safety Code § 11350.5; Cal. Penal Code § 1170.</p>
Alcohol and Minors	<p>Any person under 21 years of age who purchases any alcoholic beverage or consumes any alcoholic beverage in any on-sale premises is guilty of a misdemeanor punishable by a fine of \$250 and/or between 24 and 32 hours of community service. Cal. Bus. &amp; Prof. Code § 25658. Second or subsequent offenses are punishable by up to \$500 and/or between 36 and 48 hours of community service. <i>Id.</i></p> <p>A person who sells, furnishes, gives, or causes to be sold, furnished, or given away any alcoholic beverage to any person under 21 years of age is guilty of a misdemeanor, as is a minor who purchases or consumes any alcoholic beverage in any on-sale premises. <i>Id.</i> Furnishing an alcoholic beverage to any person under 21 years of age is punishable by a fine of \$1,000 and at least 24 hours of community service. <i>Id.</i> If the person under 21 years of age subsequently consumes the alcohol and causes great bodily injury or death to himself or any other person, the person who furnished the alcohol will be imprisoned for a term between 6 months and 1 year and/or fined \$1,000. <i>Id.</i></p>
Driving Under the Influence (DUI)	<p>It is illegal to operate a vehicle with a blood alcohol content of 0.08 percent or more. Cal. Veh. Code § 23152. It is also illegal to operate a vehicle when addicted to the use of any drug unless the person is participating in an approved narcotic treatment program. <i>Id.</i> Violation of these provisions is a misdemeanor. See Cal. Veh. Code § 40000.15. Punishment for a first offense is between 96 hours to 6 months imprisonment, with at least 48 continuous hours, as well as a fine of \$390 to \$1,000. See Cal. Veh. Code § 23536.</p>

### Federal Drug Laws (updated 08.05.2024)

**Denial of Federal Benefits (21 U.S.C. § 862)** A federal drug conviction may result in the loss of federal benefits, including loans, grants, scholarships, contracts, and licenses, although

the Department of Education has said it will no longer disqualify students from Title IV aid for a federal or state conviction for possession or sale of a controlled substance.

**Forfeiture of Personal Property and Real Estate (21 U.S.C. § 853)** Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation. A warrant of seizure may be issued and property seized at the time an individual is arrested on charges that may result in forfeiture.

**Federal Drug Trafficking Penalties (21 U.S.C. § 841)** Penalties for federal drug trafficking convictions vary according to the type and quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are more severe. Federally-defined schedules of controlled substances are published at 21 U.S.C. 812.

In the case of a controlled substance in schedule I or schedule II, GHB (or, “liquid ecstasy”), or flunitrazepam (or, “rohypnol”), a person shall be sentenced to a term of imprisonment of not more than 20 years. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million.

In the case of a controlled substance in schedule III, a person shall be sentenced to a term of imprisonment of not more than 10 years, and if death or serious bodily injury results, shall be sentenced to a term of imprisonment of not more than 15 years or a fine not to exceed \$500,000, or both, for a first offense.

For less than 50 kilograms of marijuana, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

In the case of a schedule IV substance, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

Persons convicted on federal charges of drug trafficking within 1,000 feet of an elementary school, secondary school, college, or university **(21 U.S.C. § 860)** face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year, unless the offense involves five grams or less of marijuana.

**Federal Drug Possession Penalties (21 U.S.C. § 844)** Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison, a mandatory fine of no less than \$1,000, or both. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

For the most recent and complete Federal Trafficking Penalties information, visit the website of the U.S. Drug Enforcement Administration at [www.campusdrugprevention.gov/sites/default/files/2022-07/Federal Trafficking Penalties Chart 6-23-22.pdf](http://www.campusdrugprevention.gov/sites/default/files/2022-07/Federal%20Trafficking%20Penalties%20Chart%206-23-22.pdf).

## **Drug and Alcohol State Laws**

Category	Summary (California Code)
Possession of Marijuana	<p>It is legal for persons 21 years of age or older to smoke or ingest cannabis or cannabis products. Cal. Health &amp; Safety Code § 11362.1. It is legal for persons 21 years of age or older to possess, process, transport, purchase, obtain, or give away to persons 21 years of age or older without any compensation whatsoever, not more than 28.5 grams of cannabis not in the form of concentrated cannabis or not more than eight grams of cannabis in the form of concentrated cannabis, including as contained in cannabis products. <i>Id.</i></p> <p>Persons under 18 years of age who are found guilty of a first offense of possession of not more than 28.5 grams of cannabis, or not more than eight grams of concentrated cannabis, or both, will be required to complete four hours of drug education or counseling and up to 10 hours of community service over a period not to exceed 60 days. Cal. Health &amp; Safety Code § 11357. For a second offense or subsequent offense, persons under 18 years of age will be required to complete six hours of drug education or counseling and up to 20 hours of community service over a period not to exceed 90 days. <i>Id.</i> If the offender is at least 18 years of age but less than 21, a fine of not more than \$100 will be imposed. <i>Id.</i> If the offender is over 18 years of age and possesses more than 28.5 grams of cannabis, or more than eight grams of concentrated cannabis, or both, a term of imprisonment for a period of not more than six months and/or a fine of not more than \$500 will be imposed. <i>Id.</i> As the quantity of cannabis increases, the crime classification becomes more severe and related penalties increase. <i>Id.</i></p> <p>Except as otherwise authorized by law, a person aged 18 or older who transports, imports, sells, furnishes, administers, or gives away, or offers to transport, import, sell, furnish, administer, or give away, or attempts to import or transport any cannabis will generally be punished by imprisonment for six months, a fine of not more than \$500, or both. Cal. Health &amp; Safety Code § 11360. However, for a person who transports, offers to transport, or attempts to transport not more than 28.5 grams of cannabis, other than concentrated cannabis, that person will instead be guilty of an infraction and shall be punished by a fine of not more than one hundred dollars (\$100). <i>Id.</i></p>
Controlled Substances	<p>California statutes cover a wide range of offenses related to delivering, selling, furnishing, transferring, possessing, or manufacturing controlled substances formerly classified as “narcotics” and “restricted dangerous drugs.” See Cal. Health &amp; Safety Code §§ 11350 – 11392.</p> <p>Penalties include prison sentences and monetary fines. See Cal. Health &amp; Safety Code §§ 11350 and 11377. These penalties can vary widely based on the type of controlled substance involved, the number and type of prior convictions, and the intent of the individual to manufacture, sell, or use the drug. The possession of many drugs, absent other actions, prior convictions, or additional illicit intent, will lead to a penalty of imprisonment of up to one year. Cal. Health &amp; Safety Code §§ 11350, 11377. Possession of controlled substances with intent to sell leads to longer penalties. Cal. Health &amp; Safety Code §§ 11351, 11378. Even more</p>

Category	Summary (California Code)
	<p>serious punishment can result from transporting, importing into the state, selling, furnishing, administering, or giving away controlled substances. Cal. Health &amp; Safety Code §§ 11352, 11379. Involving a minor in any capacity—such as using or employing a minor, inducing a minor to violate provisions, selling or furnishing to a minor, or acting in locations where minors are present—can also result in lengthy penalties. Cal. Health &amp; Safety Code §§ 11353 – 11354, 11380.</p>
Alcohol and Minors	<p>Any person under 21 years of age who purchases any alcoholic beverage or consumes any alcoholic beverage in any on-sale premises is guilty of a misdemeanor punishable by a fine of \$250 and/or between 24 and 32 hours of community service. Cal. Bus. &amp; Prof. Code § 25658. Second or subsequent offenses are punishable by a fine of up to \$500 and/or between 36 and 48 hours of community service. <i>Id.</i> Additionally, any person under 21 years of age who possesses any alcoholic beverage on any street or highway or in any public place or in any place open to the public is guilty of a misdemeanor and shall be punished by a fine of \$250 or 24 hours to 32 hours of community service. Cal. Bus. &amp; Prof. Code § 25662.</p> <p>Any person who uses false evidence of age or identity for the purpose of ordering, purchasing, attempting to purchase or otherwise procuring or attempting to procure, the serving of any alcoholic beverage, or who possesses any false evidence of age and identity, is guilty of a misdemeanor and will be punished by a fine of at least \$250, 24 to 32 hours of community service, or both. Cal. Bus. &amp; Prof. Code § 25661. It is also a misdemeanor for a person to be intoxicated or under the influence of a controlled substance in public to the extent that the person is unable to exercise care for their own safety or the safety of others or to the extent that they interfere with or obstruct any street, sidewalk, or other public way. Cal. Penal Code § 647(f). This is punishable by a fine of \$1,000, imprisonment for six months or less, or both, although there are circumstances where a person will not be criminally charged. Cal. Penal Code §§ 647(f)-(g), Cal. Penal Code § 19.</p> <p>A person who sells, furnishes, gives, or causes to be sold, furnished, or given away any alcoholic beverage to any person under 21 years of age is guilty of a misdemeanor. Cal. Bus. &amp; Prof. Code § 25658. Furnishing an alcoholic beverage to any person under 21 years of age is punishable by a fine of \$1,000 and at least 24 hours of community service. <i>Id.</i> If the person under 21 years of age subsequently consumes the alcohol and causes great bodily injury or death to themselves or any other person, the person who furnished the alcohol will be imprisoned for a term between 6 months and 1 year and/or fined \$3,000. <i>Id.</i></p>
Driving Under the Influence (DUI)	<p>It is illegal to operate a vehicle while under the influence of alcohol or any drug, or to operate a vehicle or with a blood alcohol content of 0.08 percent or more. Cal. Veh. Code § 23152. It is also illegal to operate a vehicle when addicted to the use of any drug unless the person is participating in an approved narcotic treatment program. See Violation of these provisions is a misdemeanor. Cal. Veh. Code § 40000.15. Punishment for a first offense is between 96 hours to 6 months</p>

Category	Summary (California Code)
	imprisonment, with at least 48 hours of imprisonment being continuous, as well as a fine of \$390 to \$1,000. Cal. Veh. Code § 23536.
	It is an infraction punishable by a fine of up to \$250 to drink any alcoholic beverage or smoke or ingest marijuana or any marijuana product while driving or riding as a passenger in a motor vehicle on the highway or on many lands open and accessible to the public. Cal. Veh. Code §§ 23220 – 23221; Cal. Penal Code § 19.8. It is also an infraction punishable by a fine of up to \$250 for a driver or passenger of a motor vehicle on a highway or on many lands open and accessible to the public to possess an opened container of alcohol. Cal. Veh. Code § 23223. With exceptions, it is illegal for a person under 21 to drive a motor vehicle carrying an alcoholic beverage or for a passenger in a motor vehicle under 21 to possess or have under their control an alcoholic beverage. Cal. Veh. Code § 23224(d). This is punishable by a fine of up to \$1,000, imprisonment for up to six months, or both. Cal. Veh. Code § 23224(d).

## **Policies, Procedures, and Programs Related to Dating Violence, Domestic Violence, Sexual Assault, and Stalking**

Consistent with applicable laws, the College prohibits dating violence, domestic violence, sexual assault, and stalking. The College's policy used to address complaints of this nature, as well as the procedures for filing, investigating and resolving complaints, may be found at:

- Anti-Discrimination, Anti-Harassment and Anti-Retaliation Policy, and Title IX Policy: <https://www.pacificoaks.edu/title-ix-policy-and-training-materials/>

The following sections of this report discuss the College's educational programs to promote the awareness of dating violence, domestic violence, sexual assault and stalking; provides information concerning procedures students and employees should follow and the services available in the event they do become a victim of one of these offenses, and advises students and employees of the disciplinary procedures that will be followed after an allegation that one of these offenses has occurred.

### **Primary Prevention and Awareness Program:**

The College conducts a Primary Prevention and Awareness Program (PPAP) for all incoming students and new employees. The PPAP advises campus community members that the College prohibits the offenses of dating violence, domestic violence, sexual assault and stalking. They are also informed of the topics discussed below, including relevant definitions, risk reduction, and bystander intervention.

### **Crime Definitions**

Crime Type (California Penal Code)	Definitions
Dating Violence	The institution has determined, based on good-faith research, that California law does not define the term dating violence.

Crime Type (California Penal Code)	Definitions
Domestic Violence	<p>“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. (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. (Cal Fam. Code. § 6211).</p> <p>California law (Cal. Pen. Code §§ 242 &amp; 243(e)(1)) provides penalties for battery (i.e., any willful and unlawful use of force or violence against another) when it is committed against a spouse, a person with whom the defendant is cohabiting, a person who is the parent of the defendant's child, former spouse, fiancé, or fiancée, or a person with whom the defendant currently has, or has previously had, a dating or engagement relationship.</p> <p>Also, Cal. Pen. Code § 273.5 provides penalties for willful infliction of corporal injury:</p> <ul style="list-style-type: none"> <li>a. Any person who willfully inflicts corporal injury resulting in a traumatic condition upon a victim described in subdivision (b) is guilty of a felony, and upon conviction thereof shall be punished by imprisonment in the state prison for two, three, or four years, or in a county jail for not more than one year, or by a fine of up to six thousand dollars (\$6,000), or by both that fine and imprisonment.</li> <li>b. Subdivision (a) shall apply if the victim is or was one or more of the following: <ul style="list-style-type: none"> <li>1. The offender's spouse or former spouse.</li> <li>2. The offender's cohabitant or former cohabitant.</li> <li>3. The offender's fiancé or fiancée, or someone with whom the offender has, or previously had, an engagement or dating relationship, as defined in paragraph (10) of subdivision (f) of Section 243.</li> <li>4. The mother or father of the offender's child.</li> </ul> </li> <li>c. Holding oneself out to be the spouse of the person with whom one is cohabiting is not necessary to constitute cohabitation as the term is used in this section.</li> <li>d. As used in this section, “traumatic condition” means a condition of the body, such as a wound, or external or internal injury, including, but not limited to, injury as a result of strangulation or suffocation, whether of a minor or serious nature, caused by a physical force. For purposes of this section, “strangulation” and “suffocation” include impeding the normal breathing or</li> </ul>

Crime Type (California Penal Code)	Definitions
	<p>circulation of the blood of a person by applying pressure on the throat or neck.</p> <p>e. For the purpose of this section, a person shall be considered the father or mother of another person's child if the alleged male parent is presumed the natural father under Sections 7611 and 7612 of the Family Code.</p>
Stalking (Ca. Pen. Code § 646.9)	<ul style="list-style-type: none"> <li>• 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.</li> <li>• The following definitions apply to the crime of stalking: <ul style="list-style-type: none"> <li>○ “harasses” means engages in a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, torments, or terrorizes the person, and that serves no legitimate purpose.</li> <li>○ “course of conduct” means two or more acts occurring over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of “course of conduct.”</li> <li>○ “credible threat” means a verbal or written threat, including that performed through the use of an electronic communication device, or a threat implied by a pattern of conduct or a combination of verbal, written, or electronically communicated statements and conduct, made with the intent to place the person that is the target of the threat in reasonable fear for his or her safety or the safety of his or her family, and made with the apparent ability to carry out the threat so as to cause the person who is the target of the threat to reasonably fear for his or her safety or the safety of his or her family. It is not necessary to prove that the defendant had the intent to actually carry out the threat. The present incarceration of a person making the threat shall not be a bar to prosecution under this section. Constitutionally protected activity is not included within the meaning of “credible threat.”</li> <li>○ the term “electronic communication device” includes, but is not limited to, telephones, cellular phones, computers, video recorders, fax machines, or pagers. “Electronic communication” has the same meaning as the term defined in Subsection 12 of Section 2510 of Title 18 of the United States Code.</li> </ul> </li> </ul>
Sexual Assault	The institution has determined, based on good-faith research, that California law does not define the term sexual assault. California

Crime Type (California Penal Code)	Definitions
	<p>prosecutes such crimes as “sexual battery” under Cal. Penal Code § 243.4 defined as:</p> <ul style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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. A violation of this subdivision is punishable by imprisonment in a county jail for not more than one year, and by a fine not exceeding two thousand dollars (\$2,000); or by imprisonment in the state prison for two, three, or four years, and by a fine not exceeding ten thousand dollars (\$10,000).</li> <li>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.</li> <li>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. (2) As used in this subdivision, “touches” means physical contact with another person, whether accomplished directly, through the clothing of the person committing the offense, or through the clothing of the victim.</li> <li>f. As used in subdivisions (a), (b), (c), and (d), “touches” means physical contact with the skin of another person whether accomplished directly or through the clothing of the person committing the offense.</li> <li>g. As used in this section, the following terms have the following meanings: <ul style="list-style-type: none"> <li>1. “Intimate part” means the sexual organ, anus, groin, or buttocks of any person, and the breast of a female.</li> </ul> </li> </ul>



Crime Type (California Penal Code)	Definitions
	<ol style="list-style-type: none"> <li>2. "Sexual battery" does not include the crimes defined in Section 261 or 289.</li> <li>3. "Seriously disabled" means a person with severe physical or sensory disabilities.</li> <li>4. "Medically incapacitated" means a person who is incapacitated as a result of prescribed sedatives, anesthesia, or other medication.</li> <li>5. "Institutionalized" means a person who is located voluntarily or involuntarily in a hospital, medical treatment facility, nursing home, acute care facility, or mental hospital.</li> <li>6. "Minor" means a person under 18 years of age.</li> </ol>
Rape, Fondling, Incest, Statutory Rape	<p>For purposes of the Clery Act, the term "sexual assault" includes the offenses of rape, fondling, incest, and statutory rape. These definitions under California law are as follows:</p> <ul style="list-style-type: none"> <li>• Rape (Cal. Pen. Code § 261): (a) Rape is an act of sexual intercourse accomplished under any of the following circumstances: <ol style="list-style-type: none"> <li>1. If a person who is not the spouse of the person committing the act is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the person committing the act. This paragraph does not preclude the prosecution of a spouse committing the act from being prosecuted under any paragraph of this subdivision or any other law.</li> <li>2. If it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or another.</li> <li>3. If a person is prevented from resisting by an intoxicating or anesthetic substance, or a controlled substance, and this condition was known, or reasonably should have been known by the accused.</li> <li>4. If a person is at the time unconscious of the nature of the act, and this is known to the accused. As used in this paragraph, "unconscious of the nature of the act" means incapable of resisting because the victim meets any one of the following conditions: (A) Was unconscious or asleep; (B) Was not aware, knowing, perceiving, or cognizant that the act occurred; (C) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraud in fact; (D) Was not aware, knowing, perceiving, or cognizant of the essential characteristics of the act due to the perpetrator's fraudulent representation that the sexual penetration</li> </ol> </li> </ul>

Crime Type (California Penal Code)	Definitions
	<p>served a professional purpose when it served no professional purpose.</p> <ol style="list-style-type: none"> <li>5. If a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by artifice, pretense, or concealment practiced by the accused, with intent to induce the belief.</li> <li>6. If the act is accomplished against the victim's will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, "threatening to retaliate" means a threat to kidnap or falsely imprison, or to inflict extreme pain, serious bodily injury, or death.</li> <li>7. If the act is accomplished against the victim's will by threatening to use the authority of a public official to incarcerate, arrest, or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. As used in this paragraph, "public official" means a person employed by a governmental agency who has the authority, as part of that position, to incarcerate, arrest, or deport another. The perpetrator does not actually have to be a public official.</li> </ol> <ul style="list-style-type: none"> <li>• (b) For purposes of this section, the following definitions apply: (1) "Duress" means a direct or implied threat of force, violence, danger, or retribution sufficient to coerce a reasonable person of ordinary susceptibilities to perform an act which otherwise would not have been performed, or acquiesce in an act to which one otherwise would not have submitted. The total circumstances, including the age of the victim, and the victim's relationship to the defendant, are factors to consider in appraising the existence of duress. (2) "Menace" means any threat, declaration, or act that shows an intention to inflict an injury upon another.</li> <li>• Fondling: The institution has determined, based on good-faith research, that California law does not define the term fondling. California prosecutes such crimes as "sexual battery" under Cal. Penal Code § 243.4 (defined above).</li> <li>• Incest (Cal. Pen. Code § 285): Persons being within the degrees of consanguinity within which marriages are declared by law to be incestuous and void, who intermarry with each other, or who being 14 years of age or older, commit fornication or adultery with each other, are punishable by imprisonment in the state prison.</li> <li>• Statutory Rape: The institution has determined, based on good-faith research, that California law does not define the term statutory rape. California prosecutes such crimes as "Unlawful</li> </ul>

Crime Type (California Penal Code)	Definitions
	sexual intercourse with person under 18" under Cal. Penal Code § 261.5 (defined below).
Other "sexual assault" crimes	<p>Other crimes under California law that may be classified as a "sexual assault" include the following:</p> <ul style="list-style-type: none"> <li>• Unlawful sexual intercourse with person under 18 (Cal. Pen. Code § 261.5): <ul style="list-style-type: none"> <li>a. Unlawful sexual intercourse is an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is a minor. For the purposes of this section, a "minor" is a person under 18 years of age and an "adult" is a person who is 18 years of age or older.</li> <li>b. A person who engages in an act of unlawful sexual intercourse with a minor who is not more than three years older or three years younger than the perpetrator, is guilty of a misdemeanor.</li> <li>c. A person who engages in an act of unlawful sexual intercourse with a minor who is more than three years younger than the perpetrator is guilty of either a misdemeanor or felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170.</li> <li>d. A person 21 years of age or older who engages in an act of unlawful sexual intercourse with a minor who is under 16 years of age is guilty of either a misdemeanor or a felony, and shall be punished by imprisonment in a county jail not exceeding one year, or by imprisonment pursuant to subdivision (h) of Section 1170 for two, three, or four years.</li> </ul> </li> <li>• Unlawful sexual intercourse, sexual penetration, oral copulation or sodomy; consent procured by false or fraudulent representation with intent to create fear (Cal. Pen. Code § 266c): Every person who induces any other person to engage in sexual intercourse, sexual penetration, oral copulation, or sodomy when his or her consent is procured by false or fraudulent representation or pretense that is made with the intent to create fear, and which does induce fear, and that would cause a reasonable person in like circumstances to act contrary to the person's free will, and does cause the victim to so act, is punishable by imprisonment in a county jail for not more than one year or in the state prison for two, three, or four years. As used in this section, "fear" means the fear of physical injury or death to the person or to any relative of the person or member of the person's family.</li> <li>• Aggravated sexual assault of a child (Cal. Pen. Code § 269): Any person who commits any of the following acts [as defined by state</li> </ul>

Crime Type (California Penal Code)	Definitions
	<p>law] upon a child who is under 14 years of age and seven or more years younger than the person is guilty of aggravated sexual assault of a child: (1) Rape; (2) Rape or sexual penetration, in concert; (3) Sodomy; (4) Oral copulation; (5) Sexual penetration.</p> <ul style="list-style-type: none"> <li>• Sodomy (Cal. Pen. Code § 286): Sodomy is sexual conduct consisting of contact between the penis of one person and the anus of another person. Any sexual penetration, however slight, is sufficient to complete the crime of sodomy.</li> <li>• Oral copulation (Cal. Pen. Code § 287): Oral copulation is the act of copulating the mouth of one person with the sexual organ or anus of another person.</li> <li>• Forcible acts of sexual penetration (Cal. Pen. Code § 289): <ul style="list-style-type: none"> <li>A. Any person who commits an act of sexual penetration when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person shall be punished by imprisonment in the state prison for three, six, or eight years.</li> <li>B. Any person who commits an act of sexual penetration upon a child who is under 14 years of age, when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 8, 10, or 12 years.</li> <li>C. Any person who commits an act of sexual penetration upon a minor who is 14 years of age or older, when the act is accomplished against the victim's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the victim or another person, shall be punished by imprisonment in the state prison for 6, 8, or 10 years.</li> </ul> </li> </ul>
Consent (as it relates to sexual activity)	<ul style="list-style-type: none"> <li>• Cal. Pen. Code § 261.6: (a) In prosecutions under Section 261, 286, 287, or 289, or former Section 262 or 288a, in which consent is at issue, "consent" means positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved. (b) A current or previous dating or marital relationship is not sufficient to constitute consent if consent is at issue in a prosecution under Section 261, 286, 287, 289, or former Section 262 or 288a.</li> <li>• Cal. Pen. Code § 261.7: In prosecutions under Section 261, 286, 287, or 289, or former Section 262 or 288a, in which consent is at issue, evidence that the victim suggested, requested, or otherwise communicated to the defendant that the defendant use a condom</li> </ul>

Crime Type (California Penal Code)	Definitions
	or other birth control device, without additional evidence of consent, is not sufficient to constitute consent.

### College Definition of Consent

The College uses the following definition of consent in its Title IX policy for the purpose of determining whether sexual violence (including sexual assault) has occurred:

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 they have the affirmative consent of the other or others to engage in the sexual activity. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. 1. Lack of protest or resistance does not mean consent; 2. Silence does not mean consent; 3. 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; It shall not be a valid excuse that the alleged lack of affirmative consent that Respondent believed that Complainant consented to the sexual activity under either of the following circumstances: (A) Respondent's belief in affirmative consent arose from the intoxication or recklessness of Respondent; 47 (B) Respondent did not take reasonable steps, in the circumstances known to Respondent at the time, to ascertain whether Complainant affirmatively consented. It shall not be a valid excuse that Respondent believed that Complainant affirmatively consented to the sexual activity if Respondent knew or reasonably should have known that Complainant was unable to consent to the sexual activity under any of the following circumstances: (A) Complainant was asleep or unconscious. (B) 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) Complainant was unable to communicate due to a mental or physical condition. Affirmative Consent cannot be given if any of the following are present: Incapacitation, Force, or Coercion.

### Risk Reduction

If you find yourself in an uncomfortable sexual situation, these suggestions may help you reduce your risk:

- Make your limits known before going too far.
- You can withdraw consent to sexual activity at any time. Do not be afraid to tell a sexual aggressor "NO" clearly and loudly.
- Try to remove yourself from the physical presence of a sexual aggressor. Be direct as possible about wanting to leave the environment.
- Grab someone nearby and ask them for help.
- Be responsible about your alcohol and/or drug use. Alcohol and drugs can lower your sexual inhibitions and may make you vulnerable to someone who views an intoxicated/high person as a sexual opportunity.
- Attend large parties with friends you trust. Watch out for your friends and ask that they watch out for you.

- Be aware of someone trying to slip you an incapacitating “rape drug” like Rohypnol or GHB.

If you find yourself in the position of being the initiator of sexual behavior, these suggestions may help you to reduce your risk of being accused of sexual assault or another sexual crime:

- Remember that you owe sexual respect to the other person.
- Don’t make assumptions about the other person’s consent or about how far they are willing to go.
- Remember that consent to one form of sexual activity does not necessarily imply consent to another form of sexual behavior.
- If your partner expresses a withdrawal of consent, stop immediately.
- Clearly communicate your sexual intentions so that the other person has a chance to clearly tell you their intentions.
- Consider “mixed messages” a clear sign that the other person is uncomfortable with the situation and may not be ready to progress sexually.
- Don’t take advantage of someone who is really drunk or on drugs, even if they knowingly and intentionally put themselves in that state. Further, don’t be afraid to step in if you see someone else trying to take advantage of a nearly incapacitated person.
- Be aware of the signs of incapacitation, such as slurred speech, bloodshot eyes, vomiting, unusual behavior, passing out, staggering, etc.

It is also important to be aware of the warning signs of an abusive person. Some examples include: past abuse; threats of violence or abuse; breaking objects; using force during an argument; jealousy; controlling behavior; quick involvement; unrealistic expectations; isolation; blames others for problems; hypersensitivity; cruelty to animals or children; “playful” use of force during sex; Jekyll-and-Hyde personality.

### Bystander Intervention

Bystanders play a critical role in the prevention of sexual and relationship violence. They are individuals who:

- Observe violence or witness the conditions that perpetuate violence.
- Are not directly involved but have the choice to intervene, speak up, or do something about it.

We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help.

If you or someone else is in immediate danger, dial 9-1-1. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

Below is a list of some ways to be an active bystander:

- Watch out for your friends and fellow students/employees. If you see someone who looks like they could be in trouble or need help, ask if they are okay.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.

- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

### Other Information Covered by the PPAP

The PPAP also provides information on possible sanctions and protective measures that may be imposed following a determination that an offense of dating violence, domestic violence, sexual assault, or stalking has occurred, an explanation of the disciplinary procedures that will be followed when one of these offenses is alleged, the rights of the parties in such a proceeding, available resources, and other pertinent information. Much of this information is set forth in the upcoming sections of this security report.

### **Ongoing Prevention and Awareness Campaign:**

The College also conducts an Ongoing Prevention and Awareness Campaign (OPAC) aimed at all students and employees. This campaign covers the same material as provided in the PPAP, but is intended to increase the understanding of students and employees on these topics and to improve their skills for addressing the offenses of dating violence, domestic violence, sexual assault and stalking.

### **PPAP and OPAC Programming Methods:**

The PPAP and OPAC are carried out in a variety of ways, using a range of strategies, and, as appropriate, targeting specific audiences throughout the College. Methods include, but are not limited to: presentations, online training modules, distribution of written materials, periodic email blasts, and guest speakers. A summary of this programming is provided below.

- New students receive education on the prevention of dating violence, domestic violence, sexual assault, and stalking through a presentation by the Office of Student Services during orientation. All new employees are required to complete an online training module on these topics upon hire and are required to retake the online training each year.
- As part of its ongoing campaign, the College uses a variety of strategies, such as inperson presentations by sexual assault organizations, emails blasts with pertinent information, portal announcements, etc. While programming occurs throughout the year, the College also offers educational sessions and literature in coordination with nationally recognized observances such as Sexual Assault Awareness Month and Domestic Violence Awareness Month.

### **Procedures to Follow if You are a Victim of Dating Violence, Domestic Violence, Sexual Assault, or Stalking:**

If you are a victim of dating violence, domestic violence, sexual assault, or stalking, go to a safe place and call 911. You may also contact the College's

The Title IX Coordinator is Michael Patton, Dean of Students

45 Eureka Street, Pasadena, CA 91103  
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Phone: (626) 529-8498

The Deputy Title IX Coordinator is Jane Sawyer, VP, HR & Organizational Effectiveness  
45 Eureka Street, Pasadena, CA 91103  
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Phone: (626) 529- 8437

Victims will be notified in writing of the procedures to follow, including:

1. To whom and how the alleged offense should be reported (contact the Title IX Coordinator or refer to the other resources listed in this report).
2. The importance of preserving evidence that may be necessary to prove the offense in a criminal proceeding or disciplinary action or to obtain a protective order.
3. The victim's options regarding notification to law enforcement, which are: (a) the option to notify either on-campus or local police; (b) the option to be assisted by campus security authorities in notifying law enforcement if the victim so chooses (the institution is obligated to comply with such a request if it is made); and (c) the option to decline to notify such authorities.
4. Where applicable, the rights of victims and the institution's responsibilities regarding orders of protection, no-contact orders, restraining orders, or similar lawful orders issued by a criminal, civil, or tribal court.

#### Preservation of Evidence & Forensic Examinations

Victims of physical assault are advised to not remove clothing items worn during or following an assault, as they frequently contain valuable fiber, hair, and fluid evidence. Don't bathe or wash, or otherwise clean the environment in which the assault occurred. You can obtain a forensic examination at

- **State/Local Resources:**
  - Crime Victims Services 877-433- 9069 <https://oag.ca.gov/victimservices>
  - San Gabriel Valley Medical Center 877-209-3049 (SART)\*

Completing a forensic examination does not require you to file a police report, but having a forensic examination will help preserve evidence in case you decide at a later date to file a police report.

Victims are also advised to retain evidence in electronic formats (e.g., text messages, emails, photos, social media posts, screenshots, etc.). Such evidence is valuable in all situations, and it may be the only type of evidence available in instances of stalking.

#### Security/Law Enforcement & How to Make a Police Report

- Security/Front Desk 626-529-8432
- Pasadena Police/Fire Department 911 207 Garfield Avenue, Pasadena, CA 91101
- To make a police report, a victim should contact the local police agency listed above either by phone or in-person. The victim should provide as much information as possible, including name, address, and when and what occurred, to the best of the victim's ability.



## Information about Legal Protection Orders

### **Information about Legal Protection Orders**

Pacific Oaks complies with California law in recognizing restraining orders or no contact orders. Students should provide a copy to the Dean of Students or their designee. Likewise, employees should provide a copy to the Vice President of Human Resources or their designee.

A complainant may then meet with Dean of Students for students or the Vice President of Human Resources for employees to develop a Safety Action Plan, which is a plan for Campus Safety and the victim to reduce risk of harm while on campus or coming and going from campus. This plan may include, but is not limited to: Security escorts, special parking arrangements, changing classroom or work location, or allowing a student to complete assignments from home, etc.)

The College cannot apply for a legal order of protection from the applicable jurisdiction, aka: Restraining order or Emergency Protective Order, which is issued by a law enforcement agency or court of law for a student. Student Services (students) may assist a Pacific Oaks community member by directing them to the appropriate agency for assistance. NOTE: The College can apply for a Workplace Violence Restraining Order on behalf of an employee that has suffered unlawful violence or threat of violence from another individual that can be construed to be, or to have been, carried out at the workplace.

Type Of Order	Rights of Victims	Institution's Responsibilities
Restraining orders	The right to a restraining order	Develop a Safety Action Plan when requested by the victim
Orders of protection	Same as restraining order	Same as restraining order
No contact orders	Same as restraining order	Same as restraining order
Similar lawful orders issued by a criminal, civil, or tribal court	Same as restraining order	Same as restraining order
Orders by the College	The right to request a "no contact" directive	Student Services and/or Human Resources will evaluate and issue a "no contact" directive if necessary.

Restraining orders and other protective orders may be available through the applicable jurisdiction (see chart below).

Type of Order:	Who Can File For One:	Court:	Based On:
<b>Domestic Violence Civil Protection Order (Restraining Order in California)</b>	Family or household members including: <ul style="list-style-type: none"><li>○ Spouses, former spouses</li><li>○ Parent, child, foster parent</li><li>○ People who have kids together</li><li>○ Intimate partners who lived together in the last 5 years</li></ul>	Domestic Relations Court —where victim lives, where abuser lives or has a business, or where incident(s) occurred	Causing or trying to cause injury or placing someone in fear of imminent serious harm (Courts use different requirements for recent the incident must be)
Type of Order:	Who Can File For One:	Court:	Based On:
<b>Stalking Protection Order (Restraining Order in California)</b>	Any person who is a victim of stalking. No relationship with stalker is required.	Common Pleas Court - Where victim lives (if family or household member, can be filed as DV Protection Order, see above)	Pattern of conduct (2 or more events), closely related in time, that cause distress or make a victim believe the stalker will cause harm

<b>Sexually Oriented Offense Protection Order (Restraining Order in California)</b>	Any person who was a victim of a sexually oriented offense (see ORC 2950.01). No relationship with the offender is required. Case does not have to be criminally prosecuted.	Common Pleas Court – where victim lives	Sexual assault or unwanted sexual contact (see ORC 2950.01)
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The College will also enforce any temporary restraining order or other no contact order against the alleged perpetrator from a criminal, civil, or tribal court. Any student or employee who has a protection order or no contact order should notify the Title IX Coordinator and provide a copy of the restraining order so that it may be kept on file with the institution and can be enforced on campus, if necessary. Upon learning of any orders, the institution will take all reasonable and legal action to implement the order.

The institution does not issue legal orders of protection. However, as a matter of institutional policy, the institution may impose a no-contact order between individuals in appropriate circumstances. The institution may also issue a “no trespass warning” if information available leads to a reasonable conclusion that an individual is likely to cause harm to any member of the campus community. A person found to be in violation of a No Trespass Warning may be arrested and criminally charged.

### **Available Victim Services:**

Victims will be provided written notification about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available to them, both within the College and in the surrounding community. Those services include:

#### *College Resources*

- Student Solutions 855-460-6668; [www.guidanceresources.com](http://www.guidanceresources.com)
  - Web ID: PACIFIC
- Employee Assistance Program (EAP) ComPsych 800-272-7255; [www.guidanceresources.com](http://www.guidanceresources.com)
  - Web ID: COM589
- Student Financial Aid – Sometimes a victim of a crime may feel the need to take a leave of absence from school. If a student is considering a leave of absence based on the circumstances of a complaint, he/she should understand there may be financial aid implications in taking such leave. This should be discussed with financial aid personnel, and the Title IX Coordinator can assist in facilitating this conversation if desired. The College's financial aid website can be found at: <https://www.pacificoaks.edu/admissions/cost-financial-aid/financial-aid-services/>

#### *State/Local Resources*

- **State/Local Resources:**
  - Crime Victims Services 877-433- 9069 <https://oag.ca.gov/victimservices>
  - San Gabriel Valley Medical Center 877-209-3049 (SART)\*
  - Los Angeles County Crisis Hotline 877-727-4747
  - Peace Over Violence (Pasadena)  
Metro Headquarters: 1015 Wilshire Blvd. Suite 200 - Los Angeles, CA 90017

West San Gabriel Valley Center: 892 N. Fair Oaks Avenue, Suite D – Pasadena, CA 91103

24-Hour Hotline: 626-793-3385

Website: [www.peaceoverviolence.org](http://www.peaceoverviolence.org)

- Rape Treatment Center (Greater Los Angeles Area)

Address: 1250 Sixteenth Street, Santa Monica, California 90404

24-hour Hotline: 424-259-7208

Website: <https://www.uclahealth.org/medical-services/rtc>

In addition, the College offers as a benefit to its students and employees the following resources:

#### *National Resources*

- National Domestic Violence Hotline: 1-800-799-7233
- National Sexual Assault Hotline: 1-800-656-4673
- Rape, Abuse and Incest National Network (RAINN): <https://www.rainn.org/>
- US Dept. of Justice Office on Violence Against Women: <https://www.justice.gov/ovw>
- National Coalition Against Domestic Violence: <http://www.ncadv.org/>
- National Sexual Violence Resource Center: <http://www.nsvrc.org/>
- U.S. Citizenship and Immigration Services: <https://www.uscis.gov/>
- Immigration Advocates Network: <https://www.immigrationadvocates.org/>

#### **Accommodations and Protective Measures:**

The College will provide written notification to victims about options for, and available assistance in, changing academic, living, transportation, and working situations or protective measures. If victims request these accommodations or protective measures and they are reasonably available the College is obligated to provide them, regardless of whether the victim chooses to report the crime to campus security or local law enforcement.

Requests for accommodations or protective measures should be made to the Title IX Coordinator at POTitleIX@pacificoaks.edu, and the Title IX Coordinator is responsible for deciding what, if any, accommodations or protective measures will be implemented.

When determining the reasonableness of such a request, the College may consider, among other factors, the following:

- The specific need expressed by the complainant.
- The age of the students involved.
- The severity or pervasiveness of the allegations
- Any continuing effects on the complainant
- Whether the complainant and alleged perpetrator share the same class or job location.
- Whether other judicial measures have been taken to protect the complainant (e.g., civil protection orders).

The College will maintain as confidential any accommodations or protective measures provided a victim to the extent that maintaining confidentiality would not impair the College's ability to provide them. However, there may be times when certain information must be disclosed to a third party in order to implement the accommodation or protective

measure. Such decisions will be made by the College in light of the surrounding circumstances, and disclosures of this nature will be limited so that only the information necessary to implement the accommodation or protective measure is provided. In the event it is necessary to disclose information about a victim in order to provide an accommodation or protective order, the College will inform the victim of that necessity prior to the disclosure, including which information will be shared, with whom it will be shared and why.

## **Making a Report to College**

The Title IX Coordinator will provide the Reporting Party with information about available support services and resources, and assist the Reporting Party in notifying law enforcement, including the local police, if the Reporting Party elects to do so.

To receive assistance from or pursue any options within College, Reporting Party are not required to report to area law enforcement

The Title IX Coordinator is

Michael Patton, Dean of Students  
45 Eureka Street, Pasadena, CA 91103  
E-mail: [POTitleIX@pacificoaks.edu](mailto:POTitleIX@pacificoaks.edu)  
Phone: (626) 529-8498

The Deputy Title IX Coordinator is

Jane Sawyer, VP, HR & Organizational Effectiveness  
45 Eureka Street, Pasadena, CA 91103  
E-mail: [POTitleIX@pacificoaks.edu](mailto:POTitleIX@pacificoaks.edu)  
Phone: (626) 529- 8437

Upon receiving a report of sexual misconduct, the College will respond by providing the Reporting Party with supportive resources and interim interventions (where appropriate) and conducting a prompt, fair, and impartial from the initial investigation to the result by a trained official. The response and investigation procedures are designed to provide a supportive process for those who report sexual misconduct as well as fairness and due process for the individual being accused.

The College recognizes that in certain circumstances, informal resolution of a report of sexual misconduct may be beneficial to the Reporting Party, the Responding Party, other involved persons (witnesses), and/or the College Community at large. Whether a report of sexual misconduct is appropriate for informal resolution is within the discretion of the Title IX Coordinator, except those reports of sexual assault are never appropriate for informal resolution.

When the Title IX Coordinator determines that informal resolution is not appropriate or formal resolution is requested by either the Reporting Party or Respondent, College will launch an investigation.

Typically, an investigation into reports of sexual misconduct will include a period of fact-finding led by the Title IX Coordinator, during which time the Reporting Party (Claimant), Responding Party (Respondent), and other relevant persons will be given the opportunity to participate in the investigation by sharing information with the Title IX Coordinator. Persons participating in an investigation will have the opportunity to submit a written statement, provide supporting materials, and identify witnesses. Absent delay to allow police to gather

evidence or agreement by the parties, the College will make every reasonable effort to investigate and reach a resolution on all reports of sexual misconduct within sixty (60) calendar days after the Title IX Coordinator's receipt of a report.

The College investigates reports of sexual misconduct independently of local law enforcement. In investigating and determining whether a violation of this policy has occurred, the Title IX Coordinator will utilize the "preponderance of the evidence" standard of proof. This means that Title IX Coordinator will determine whether it is "more likely than not" that sexual misconduct occurred.

Both parties to a complaint of sexual misconduct will be updated as to the status of the investigation and related proceedings as necessary, or upon request. During any meetings or proceedings, the Reporting Party and the Responding Party are entitled to have an advisor present if it does not result in undue delay.

An advisor is a support person who is present to provide support to the Reporting Party or Responding Party during any meetings or proceedings. An advisor may not communicate with an investigator on behalf of the Reporting Party or Responding Party. If the advisor is an attorney, the attorney is required to act in a supportive role and may not serve as the student's advocate or formally represent the student.

#### *Disclosure of Disciplinary Proceeding Results*

When disciplinary proceedings resulting from an investigation into sexual misconduct, the College will simultaneously inform all parties, in writing, of:

- The outcome of the disciplinary proceeding.
- College's procedures for appeal.
- Any changes in the outcome of disciplinary proceedings that occur; and
- When the outcome of disciplinary proceedings becomes final.

#### *Disciplinary Proceeding Results*

The College will disclose the results of any disciplinary proceeding against a student who is the alleged perpetrator of a crime of violence (as defined by Section 16 of Title 18 of the United States Code, 18 U.S.C. §16), or a non-forcible sex offense to the alleged victim. If the alleged victim is deceased because of the crime or offense, the next of kin of the victim shall be treated as the victim for purposes of notification.

## **INVESTIGATION & DECISION-MAKING PROCEDURES IN CASES OF SEX-BASED HARASSMENT INVOLVING A STUDENT (106. 46 Procedures)**

This procedure is for all allegations of sex-based harassment involving a student as a party including Quid Pro Quo, Hostile Environment, California Sex-based Harassment in Employment (if a student is a party), Sexual Assault, Dating Violence, Domestic Violence, Stalking, California Sexual Violence, California Sexual Exploitation, regardless of the status of 36 the other party. This section shall refer to this type of Prohibited Conduct collectively as "Sex Based Harassment Involving a Student." A. Notice of Allegations and Investigation Prior to the start of an investigation, the Parties will be provided a written Notice of

Investigation communicating the initiation of an investigation. Should additional allegations be brought forward, or information regarding location or date of the incident(s), a revised written Notice of Investigation shall be provided to all parties. The Notice shall include, at a minimum: 1. Pacific Oaks College's resolution procedures, including the applicable determination procedure that will be used in this investigation and resolution, and a link to the relevant policies; 2. Information about the agreement-based resolution procedures, with a link to the full procedures; 3. Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), a description of the facts alleged to constitute Prohibited Conduct, the type of Prohibited Conduct, and the date(s) and location(s) of the alleged incident(s), if known; 4. A statement that retaliation is prohibited; 5. A statement indicating whether the Investigator, or another individual, shall serve as the Decisionmaker; 6. At the discretion of Pacific Oaks College, the Investigator may serve as the Decisionmaker; 7. A statement indicating the expected length of the major stages of the resolution process, as well as any applicable deadlines; 8. A statement informing the parties that the Investigator will establish and communicate, in writing, all investigation deadlines, including the final deadlines for submitting names of witnesses, evidence, and relevant questions to ask a party or witness. These deadlines may be extended by the Title IX Coordinator for good cause, and any changes will be provided, in writing, to the parties, along with the rationale for the revised deadline(s); 9. A statement explaining the process for raising a challenge to the appointed Investigator, Decisionmaker, resolution officer or Title IX Coordinator, and the deadline for doing so; 10. A statement that the Respondent is presumed not responsible for Prohibited Conduct until a determination is made at the conclusion of the resolution process. Prior to such a determination, the parties will have an opportunity to present relevant and not otherwise impermissible evidence to a trained, impartial Decisionmaker; 11. A statement that the parties may have an advisor of their choice; 12. A statement that the parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence.; 13. If Pacific Oaks College's Code of Conduct prohibits knowingly making false statements or knowingly submitting false information during resolution procedures, include the following: Pacific Oaks College's Student Code of Conduct prohibits knowingly making false statements or knowingly submitting false information during the resolution procedures; 14. If known, the date and time of the initial interview with the Investigator, with a minimum of five (5) days' notice.

Both parties have an equal opportunity to appeal the determination by filing a written appeal with the Title IX Coordinator within five (5) days of being notified of the outcome of the investigation. The non-appealing party will be notified of the appeal and permitted to submit a written statement in response. The Title IX Coordinator will resolve the appeal within ten (10) days of receiving it and may take any and all actions that he/she determines to be in the interest of a fair and just decision.

### **Rights of the Parties in an Institutional Proceeding:**

During the course of the process described in the previous section, both the accuser and the individual accused of the offense are entitled to:

1. A prompt, fair and impartial process from the initial investigation to the final result.
  - A prompt, fair and impartial process is one that is:
    - Completed within reasonably prompt timeframes designated by the institution's policy, including a process that allows for the extension of

- timeframes for good cause, with written notice to the accuser and the accused of the delay and the reason for the delay.
- Conducted in a manner that:
    - Is consistent with the institution's policies and transparent to the accuser and the accused.
    - Includes timely notice of meetings at which the accuser or accused, or both, may be present; and
    - Provides timely access to the accuser, the accused and appropriate officials to any information that will be used during the informal and formal disciplinary meetings and hearings.
  - Conducted by officials who do not have a conflict of interest or bias for or against the accuser or the accused.
2. Proceedings conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault, and stalking and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability.
    - Such training addresses topics such as the definition of sexual harassment; the scope of the College's education programs and activities; how to conduct investigations, hearings, and appeals and informal resolutions (as applicable); relevant evidence and how it should be used during a proceeding; proper techniques for questioning witnesses; basic procedural rules for conducting a proceeding; and avoiding actual and perceived conflicts of interest.
      - **Not Anymore: Sexual Violence Prevention:** This course provides critical information about sexual violence prevention and the definitions of consent, bystander intervention, sexual assault, rape, domestic violence, and stalking. This program also provides information regarding the student's rights, safety, and ability to help stop sexual violence on campus.
      - **Preventing Harassment and Discrimination:** Prepare learners to cultivate and maintain a workplace culture resistant to discrimination, harassment, and retaliation; equips employees with the information and skills that promote intervention, empathy, and allyship. NOTE: new hires complete this course as part of their onboarding activities and existing employees are assigned the course every other year.
  3. The same opportunities to have others present during any institutional disciplinary proceeding, including the opportunity to be accompanied to any related meeting or proceeding by the advisor of their choice. The institution may not limit the choice of advisor, but may establish limits regarding the extent to which that advisor may participate in the proceeding, as long as those limits apply equally to both parties.
  4. Have the outcome determined using the preponderance of the evidence standard .
  5. Simultaneous, written notification of the results of the proceeding, any procedures for either party to appeal the result, any change to the result, and when the result becomes final. For this purpose, "result" means "any initial, interim and final decision by an official or entity authorized to resolve disciplinary matters" and must include the rationale for reaching the result and any sanctions imposed.

### **Possible Sanctions or Protective Measures that the College May Impose for Dating Violence, Domestic Violence, Sexual Assault or Stalking Offenses:**

Following a final determination in the institution's disciplinary proceeding that dating violence, domestic violence, sexual assault, or stalking has been committed, the institution

may impose a sanction depending on the mitigating and aggravating circumstances involved. The possible sanctions include: warning; reprimand; probation; restitution; fine; loss of privileges; housing probation; suspension or expulsion/termination; restriction on eligibility to represent the College at any official function or in any intercollegiate competition. If a suspension is imposed on a student, it may be for part of a semester, a full semester, or an entire academic year. An employee may be suspended for any length of time determined appropriate by the Vice President of Human Resources. Following a suspension, the individual will be required to meet with the Dean of Students (student) or Vice President of Human Resources (employee) to discuss re-entry and expectations going forward.

In addition, the College can make available to the victim a range of protective measures. They include: forbidding the accused from entering the victim's residence hall and from communicating with the victim, other institutional no-contact orders, security escorts, modifications to academic requirements or class schedules, changes in working situations, etc.

### **Publicly Available Recordkeeping:**

The College will complete any publicly available recordkeeping, including Clery Act reporting and disclosures, without the inclusion of personally identifiable information about victims of dating violence, domestic violence, sexual assault, and stalking who make reports of such to the College to the extent permitted by law.

### **Victims to Receive Written Notification of Rights:**

When a student or employee reports to the College that he or she has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the College will provide the student or employee a written explanation of his or her rights and options as described in the paragraphs above.

### **Sex Offender Registration Program:**

The Campus Sex Crimes Prevention Act of 2000 requires institutions of higher education to advise members of the campus community where they can obtain information provided by the state concerning registered sex offenders. It also requires sex offenders to notify the state of each institution of higher education in the state at which they are employed or enrolled or carrying on a vocation. The state is then required to notify the College of any such information it receives. Anyone interested in determining whether such persons are on this campus may do so by contacting the Title IX Coordinator, Michael Patton at Title IX Coordinator, Michael Patton at [POTitlesIX@pacificoaks.edu](mailto:POTitlesIX@pacificoaks.edu). State registry of sex offender information may be accessed at the following link: <http://www.meganslaw.ca.gov/>

### **Timely Warnings and Emergency Response**

#### **Timely Warnings**

In the event of criminal activity occurring either on campus or off campus that in the judgment of Vice President of Human Resources & Organizational Effectiveness constitutes a serious or continuing threat to members of the campus community, a campus-wide "timely warning" will be issued. Examples of such situations may include a sexual assault or



a series of motor vehicle thefts in the area that merit a warning because they present a continuing threat to the campus community. Warnings will be communicated to students and employees via one or more of the methods discussed later in this section. Updates to the warnings will be provided as appropriate.

Anyone with information warranting a timely warning should immediately report the circumstances to:

- Security (contracted personnel) 626-529-8432 POCSecurity@pacificoaks.edu
- Human Resources, 626-529-8436 POCCSHR@pacificoaks.edu

The College has communicated with local law enforcement asking them to notify the College if it receives reports or information warranting a timely warning.

### Emergency Response

The College has an emergency management plan designed to ensure there is a timely and effective response in the event of a significant emergency or dangerous situation occurring on campus involving an immediate threat to the health or safety of members of the campus community. Such situations include, but are not limited to: tornadoes, bomb threats, chemical spills, disease outbreaks, fires, active shooters, etc. The College has communicated with local police requesting their cooperation in informing the College about situations reported to them that may warrant an emergency response.

Students, staff and visitors are encouraged to notify the Human Resources at Human Resources of any emergency or potentially dangerous situation.

Vice President of Human Resources will access available sources of information from campus administrative staff and local authorities to confirm the existence of the danger and will be responsible for initiating the institution's response and for marshaling the appropriate local emergency response authorities for assistance. Depending on the nature of the emergency, other College departments may be involved in the confirmation process.

Once the emergency is confirmed and based on its nature, the Vice President of Human Resources will consult with other appropriate College officials to determine the appropriate segment or segments of the College community to be notified.

The Vice President of Human Resources in collaboration with other appropriate personnel, will determine who should be notified, and will, without delay, and taking into account the safety of the community, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

Depending on the segments of the campus the notification will target, the content of the notification may differ. When appropriate, the content of the notification will be determined in consultation with local authorities. Also, as appropriate, the notification will give guidance as to whether its recipients should shelter in place or evacuate their location.

The Vice President of Human Resources will direct the issuance of emergency notifications, which will be accomplished using one or more of methods discussed later in this section,

depending on the nature of the threat and the segment of the campus community being threatened.

At the direction of President, the University's Vice President of Human Resources will notify local law enforcement of the emergency if they are not already aware of it and local media outlets in order that the larger community outside the campus will be aware of the emergency.

#### Methods for Issuing Timely Warnings and Emergency Notifications

The method(s) listed below may be utilized when the College issues a timely warning or emergency notification to the campus community.

Method	Sign Up Instructions
Rave Alert	Auto enrolled
Emergency Information on Website	www.pacificoaks.edu.
Email Notifications	Auto enrolled
Departmental Communications	Auto enrolled

#### Testing & Documentation

The College tests its emergency response and evacuation procedures at least once a year. The tests may be announced or unannounced. Also, at various times the Emergency Management Team will meet to train and test and evaluate the College's emergency response plan.

The Facilities Engineer maintains a record of these tests and training exercises, including a description of them, the dates and times they were held and an indication of whether they were announced or unannounced. In connection with at least one such test, the College will distribute to its students and employees information to remind them of the College's emergency response and evacuation procedures.

### **Crime Statistics**

The statistical summary of crimes for this College over the past three calendar years follows:

Crime	On Campus			Non Campus			Public Property		
	2023	2022	2021	2023	2022	2021	2023	2022	2021
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Manslaughter by Negligence	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	1	0	0	0	0
Burglary	0	0	0	0	1	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	1	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0

Crime	On Campus			Non Campus			Public Property		
	2023	2022	2021	2023	2022	2021	2023	2022	2021
Arrest - Liquor Law Violation	0	0	0	0	0	0	0	0	0
Arrest - Drug Abuse Violation	0	0	0	0	0	0	0	0	0
Arrest - Weapon Violation	0	0	0	0	0	1	0	0	0
Disciplinary Referral - Liquor Law Violation	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Drug Abuse Violation	0	0	0	0	0	0	0	0	0
Disciplinary Referral - Weapon Violation	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0

\* The College does not have on-campus student housing facilities.

#### **Hate crimes:**

2023: No hate crimes reported.

2022: No hate crimes reported.

2021: No hate crimes reported.

#### **Crimes unfounded by the College:**

2023: 0 unfounded crimes.

2022: 0 unfounded crimes.

2021: 0 unfounded crimes.

#### **Statistics for unfounded crimes provided by law enforcement agencies:**

2023: 0 unfounded crimes.

2022: 0 unfounded crimes.

2021: 0 unfounded crimes.

#### **Data from law enforcement agencies:**

- The data above reflects statistics provided from law enforcement agencies related to crimes that occurred on the University's Clery Geography.