



## **2018 Annual Safety & Security Report**

**Including Clery Act Disclosures of Campus Security Policy and Crime Statistics  
(Beverly Hills, Ontario and Phoenix campuses)  
Calendar Year 2015, 2016 and 2017 Crime Statistics  
Published September 20, 2018**

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To maintain compliance with Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (“Clery Act”), Higher Education Act (“HEA”) requirements, and related statutes and regulations, and in an effort to continuously promote and improve safety and security measures on campus, West Coast Ultrasound Institute (“the College” or “WCUI”) collects and publishes information regarding its security policies, available services and crime statistics. Once collected, the information is presented annually in this Annual Safety and Security Report (“Report”) to prospective and current students, prospective and current faculty and staff, and to the public. Any questions about this Report should be directed to Deanna Martin, Assistant Corporate Director of Compliance who serves as WCUI’s Campus Security Survey Administrator at (602) 954-3834; Deanna@wcui.edu.

## **I. COMPLETION AND DISSEMINATION OF THE REPORT**

Prior to October 1<sup>st</sup> of each year, the College compiles this Report based on crime, arrest and referral information obtained from local law enforcement agencies and as reported to the College’s designated Campus Security Authorities (listed in chart below). The Annual Security Report is published every year by October 1<sup>st</sup> and contains three years of campus crime statistics and campus security policy statements. All crime statistics contained in this Report are for Clery Act reportable crimes occurring on the campus, as defined by 34 C.F.R. § 668.46(a), and on public property, including thoroughfares, streets, sidewalks, and parking facilities, within the campus or immediately adjacent to or accessible from the campus. The Report also includes WCUI’s current policies required pursuant to the current version of 34 C.F.R. § 668.46 and the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act), as amended by the Violence Against Women Reauthorization Act of 2013 (VAWA), Pub. Law 113-4.

WCUI administrators prepare this Report which includes reported campus crime, arrest and referral statistics to local law enforcement agencies and designated campus officials. Additionally, WCUI reviews crime reports from local law enforcement agencies whenever published and maintains incident reports. Both sources of information are utilized in the review process regarding this Report and this documentation is maintained by the Campus Security Survey Administrator.

WCUI distributes this Report to all enrolled students and current employees via a notice by electronic mail that the current version of the Report has been posted to the Consumer Information page of WCUI’s website; [www.wcui.edu/page/consumer-information](http://www.wcui.edu/page/consumer-information) and that a paper copy of the Report will be provided upon request by contacting Pouya Shafiekermani at the Beverly Hills Campus by phone at (310) 289-5123 or by email at [pouya@wcui.edu](mailto:pouya@wcui.edu), Bruce Reiss at the Ontario Campus by phone at (909) 483-3808 or by email at [bruce.reiss@wcui.edu](mailto:bruce.reiss@wcui.edu), Deanna Martin at the Phoenix Campus by phone (602) 954-3834 or by email at [deanna@wcui.edu](mailto:deanna@wcui.edu). The Student Catalog provides written notice to all prospective students prior to enrollment regarding the availability and location of the Report. The Campus Director/Assistant Campus Director provides all prospective employees with information regarding the availability and location of the Report and can also provide the prospective employee with a paper copy of the Report upon request. Additionally, a copy of the current Report is made available to the public on the College’s website. The crime

statistics contained in this Report, as reported annually to the U.S. Secretary of Education, can also be viewed by searching WCUI's name at <http://nces.ed.gov/collegenavigator/>.

## II. POLICIES FOR REPORTING AND RESPONDING TO CRIME AND EMERGENCIES

### Reporting Emergencies

“Emergency” includes any dangerous situation involving immediate threat to the health or safety of students, faculty, staff or guests occurring on or near the campus, including fire. Upon observing or involvement in any type of emergency, students, faculty, staff and guests should immediately **call 911**.

If possible, information about the emergency should also be communicated immediately to the Campus Director/Assistant Campus Director or other available College staff for purposes of expediting the College's activation of its Emergency Response and Evaluation Procedures as set forth below.

### Reporting Crimes

Students, faculty, and staff are strongly encouraged to report all crimes to local law enforcement, dial 9-1-1 (emergencies only). Any suspicious activity or person seen in the parking lots or loitering around vehicles or inside the building should be reported to the local law enforcement agency.

Local Law Enforcement Agency	Local Phone Number	Emergency Number
Beverly Hills Police Department	(310) 550-4951	911
Ontario Police Department	(909) 395-2001	911
Phoenix Police Department	(602) 262-6151	911

In addition, crimes that should be reported to the Campus Director/Assistant Campus Director or other Campus Security Authority (CSA) by students, faculty and staff include: criminal homicide, murder and non-negligent manslaughter, manslaughter by negligence, rape, fondling, incest, statutory rape, dating violence, domestic violence, stalking, robbery, aggravated assault, burglary, motor vehicle theft, arson, drug and alcohol violations, and illegal weapons possession. Where there is any question about whether an incident is a crime, a report should be made to the Campus Director/Assistant Campus Director or other CSA for assistance in determining the nature of the incident. Witnesses or victims of crimes may report crimes on a confidential basis for inclusion in the College's annual crime statistics reporting.

Upon observing or involvement in any type of crime on campus or on public property, including thoroughfares, streets, sidewalks, and parking facilities, within the campus or immediately adjacent to or accessible from the campus:

- *A student should immediately notify the Campus Director/Assistant Campus Director, other CSA, or the nearest available College employee. All College employees are trained to notify the Campus Director/Assistant Campus Director, or his/her on-site designee, or CSA immediately of all crimes reported to them by students.*
- *Faculty and staff should immediately notify the Campus Director/Assistant Campus Director, or his/her on-site designee, or other CSA.*

## Campus Security Authorities by Campus

### Beverly Hills CSAs

Myra Chason, Campus Director	(310)289-5123	myra@wcui.edu
Mieke Wibowo, Assistant Campus	(310)289-5123	mieke.wibowo@wcui.edu
Pouya Shafiekermani, Facilities	(310)289-5123	pouya@wcui.edu

### Ontario CSAs

Emad Mishriki, Campus Director	(909)483-3808	dr.emad@wcui.edu
Bruce Reiss, Facilities Manager	(909)483-3808	bruce.reiss@wcui.edu

### Phoenix CSAs

Sophia Perkovich, Campus Director	(602)954-3834	sophia.perkovich@wcui.edu
Deanna Martin, Student Services	(602)954-3834	deanna@wcui.edu

Timely reporting of criminal activity enables WCUI to respond in a timely manner and potentially reduce the recurrence of that crime. Timely manner shall be defined to mean immediately or as immediately as possible under the circumstances. The College strongly encourages individuals to report all crimes in an accurate and timely manner to local law enforcement agencies. 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.

WCUI works cooperatively with local law enforcement agencies when necessary; however, there are no written memoranda of understanding agreements between WCUI and local law enforcement agencies to investigate alleged crimes. WCUI does, in good faith effort, contact local law enforcement agencies to obtain data on Clery Act crimes that occurred on or near the campus. Not all agencies respond to our requests for data.

### Response to Reports of Crime or Emergency

Upon receipt of a report of a crime or emergency, the Campus Director/Assistant Campus Director will:

- Immediately assess, based on his/her own judgment or after consultation with other WCUI employees, whether the situation warrants contacting 911 and/or following the emergency response and evacuation procedures contained below.
- Immediately assess, based on his/her own judgment and/or after consultation with other WCUI employees or the local police, whether a “timely warning” to the campus community should be issued pursuant to the Timely Warning policy below.
- With regard to a reported incident that is or may be a sex offense, immediately contact the College’s Title IX Coordinator who has authority to evaluate and respond to the reported sex offense in accordance with the College’s “Policy Regarding Sexual Misconduct (Title IX)” contained in this Report.
- For all reported crimes, the Campus Director/Assistant Campus Director will contact the Campus Security Survey Administrator within 24 hours of the incident to provide all available and relevant information including the date, time, location, and description of the incident.
- The Campus Director/Assistant Campus Director will cooperate with the Campus Security Survey Administrator and/or Title IX Coordinator to investigate and gather any additional information necessary to determine whether the incident must be reported in the crime statistics contained in this Report.

### **Timely Warning of Reported Crime**

In the event that a situation arises, either on or off campus, that, in the judgment of the Campus Director/Assistant Campus Director, constitutes an ongoing or continuing threat to students and employees, including with regard to any crime reportable pursuant to the Clery Act, a campus wide “timely warning” will be issued. Depending on the particular circumstances of the crime, especially in all situations that could pose an immediate threat to the students and employees, WCUI will post a warning via one or more of the following means of communication: email or text message and/or other verbal or written notice, including local television station or other appropriate local media.

The intent of a timely warning is to provide adequate information necessary to enable the campus community to protect themselves when a significant emergency or dangerous situation occurs. The content of the timely warning will not disclose information that may compromise law enforcement efforts. Anyone with information that warrants a timely warning should report the circumstances immediately to the Campus Director/Assistant Campus Director in person or by phone (contact information listed above).

### **Emergency Response and Evacuation Procedures**

Emergencies are unexpected events which must be dealt with urgently to protect the health and safety of others. In the event the building needs to be evacuated or locked down for any reason, maps of the evacuation route have been posted in each office, common areas and classrooms.

WCUI maintains an Emergency and Safety Information binder that includes emergency response and evacuation procedures and outlines the actions staff, faculty, and students must take to protect their mutual health and safety.

WCUI will, without delay, and taking into account the safety of the students, faculty and staff, determine the content of the notification and initiate the notification system, unless issuing a notification will, in the professional judgment of the Campus Director/Assistant Campus Director or other responsible authority, compromise efforts to assist victims or to contain, respond to or otherwise mitigate the emergency.

The Campus Director/Assistant Campus Director will create the notification and the IT Department along with the Facility Managers will be responsible for notifying students/employees. Notification may include spoken, verbal, text message or email announcement or any combination of methods determined to be necessary. If deemed necessary, the front desk personnel and Campus Director/Assistant Campus Director or his/her trained designee will notify the local police, fire, public health agency or other appropriate first responder to assist with the emergency. Local authorities will determine when and if necessary to notify the surrounding community. WCUI's administrative staff will contact parents, guardians, spouses and those listed as emergency contacts by the student via phone if the situation warrants. Other staff and faculty members may be designated as back-ups and to assist with assigned tasks.

Evacuations to safe locations will be implemented when necessary and proceed in an organized manner per policy and procedure. All students are required to comply with the plan and the directions given to them by campus safety staff, faculty, or public emergency response teams or law enforcement agencies during actual emergencies and drills for their personal safety. At no time during an actual campus emergency or drill shall students be permitted to leave the campus unless directed to do so.

WCUI tests its emergency response and evacuation procedures at least once annually on an announced or unannounced basis. All present students, faculty and staff are required to participate and conduct themselves appropriately. When tests are conducted, the College publicizes its emergency response and evacuation procedures to students, faculty, and staff, including making available a copy of this policy. WCUI maintains documentation of each test exercise including date and time performed and whether it was announced or unannounced.

The plan, including any updates, is reviewed with new students and employees during orientation, at a number of faculty meetings during the year and on days when the emergency response and evacuation procedures are tested.

Students and employees are encouraged to be responsible for their own security and the security of others. Employees and students are expected to follow safe practices while on campus property. Following safe practices will reduce the possibility of accidental emergencies and increase the effectiveness of the campus response to unforeseen emergencies. Students are required to wear their student ID badges at all times when on campus or participating in school related functions.

The campus community should report all unsafe activities, potential and real emergencies, and/or criminal activities to the Campus Director/Assistant Campus Director or other CSA as soon as possible.

### **III. NON-EMERGENCY SCHOOL CLOSURES OR DELAYS**

Upon decision by the Campus Director/Assistant Campus Director, after consultation with other WCUI officials as appropriate, to close a campus or delay opening for any reason, including for weather related reasons; the College will notify students and staff using text message, email, social media, TV and/or radio. Notification for closure or delays will be sent separately for morning, evening, and weekend schedules.

### **IV. POLICY STATEMENT ADDRESSING COUNSELORS AND COUNSELING SERVICES**

There are no Pastoral or Professional Counselors on campus. Crisis, mental health and victim resource hotline numbers are available from the Student Services department. The “Policy Regarding Sexual Misconduct (Title IX)” within this Report addresses WCUI’s policies with respect to support services and confidentiality for victims of sexual misconduct.

WCUI provides referrals to students and employees for counseling and treatment services through 2-1-1. Students and employees can dial 211 or find referrals at [www.211california.org](http://www.211california.org) or [www.211arizona.org](http://www.211arizona.org). Services available through 2-1-1 include hotlines, in-patient and out-patient treatment centers and support and counseling services. Services are available 24 hours, 7 days a week.

### **V. ACCESS POLICY, SECURITY OF CAMPUS FACILITIES AND SECURITY CONSIDERATIONS USED IN THE MAINTENANCE OF CAMPUS FACILITIES**

WCUI does not maintain residential facilities and does not have any officially recognized student organizations with non-campus locations. The campus facilities are open during day, evening and weekend business hours (8:30am to 10:30pm Monday through Friday and 8:30am to 6:30pm on weekends) and are accessible to students, employees, contractors, and guests. The campus is secured during non-business hours by locking doors and setting alarms and only accessible by issued key and alarm pass code. Maintenance personnel enter the facilities during the evening or early morning non-business hours by issued key and alarm pass code.

Facilities and landscaping are maintained in a manner that minimizes hazardous conditions. The Campus Director/Assistant Campus Director regularly reviews the campus and reports malfunctioning lights and other unsafe physical conditions to WCUI’s Facilities Department for correction.

### **VI. CAMPUS LAW ENFORCEMENT AND RELATED POLICIES**

WCUI does not employ campus police. During the evening hours (6:00pm to 10:30pm), while students are on campus, WCUI has contracted with a security agency at each campus to provide an un-armed security guard. Neither the security personnel nor the College employees have the authority to arrest or detain any individual. The College will assist in notifying appropriate law enforcement authorities if a student requests assistance in contacting police. Students, faculty, and staff are encouraged to accurately and promptly report all crimes and public safety related incidents to the College, as set forth in the “Reporting Crimes” section of this Report and to notify local police.

If you are a victim of or witness to a crime and do not want to pursue action through the College’s procedures or the criminal justice system, the College encourages you to consider reporting the incident to the Campus Director/Assistant Campus Director, other CSA or the Campus Security Survey Administrator for the limited purpose of permitting the College to include the incident in its crime statistic reporting without revealing your identity. With such information, the College can keep an accurate record of the number of similar incidents, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. The College will make best efforts, to the extent permitted by law, to maintain the privacy of that information and to comply with the Family Educational Rights and Privacy Act of 1974 (FERPA). Police reports are public records under state law, the College cannot hold reports of crime obtained from police records in confidence. Policies with respect to victims of sexual misconduct are contained in the “Policy Regarding Sexual Misconduct (Title IX)” section of this Report.

## **VII. SECURITY AWARENESS AND CRIME PREVENTION PROGRAMS**

Safety and security awareness programs are in place for students and employees. The common theme of awareness and crime prevention programs are to encourage students and employees to be aware of their responsibility for their own security and the security of others. During new student and new employee (faculty and staff) orientations, individuals are informed of the College’s current security and crime prevention policies and practices as well as the protection of personal safety and prevention of crime. Such orientations may include a PowerPoint presentation and/or review of the policies contained in this Report and the student catalog/employee handbook. The presentations include training required by Title IX of the Higher Education Act regarding preventing and responding to sexual misconduct and other topics discussed below in the “Policy Regarding Sexual Misconduct (Title IX)” section. Additionally, visual emergency exiting layouts are posted at the entrances of all campus rooms.

WCUI abides by Orders of Protection (Restraining Orders). Orders of Protection are issued by a Domestic Relations or a Municipal Court to protect a person or entity, and the general public, in a situation involving alleged assault, domestic violence, harassment, stalking or sexual assault. In the State of California, forms can be obtained online at [www.courts.ca.gov](http://www.courts.ca.gov). A person must complete the DV-100 Domestic Violence Description form and the DV101 form. Both completed forms must be submitted to the court clerk. In Arizona, Orders of Protection are filed with the Superior Court: [www.azleg.state.az.us/ars/13/03602.htm](http://www.azleg.state.az.us/ars/13/03602.htm). WCUI’s objective is to provide a safe and secure environment for students, faculty, staff and visitors.

## **Procedures**

- Students, staff and faculty must notify the Campus Director/Assistant Campus Director or other CSA if they have an Order of Protection.
- The front desk person must be provided a copy of the Order of Protection with a picture of the suspect.
- The Campus Director/Assistant Campus Director, faculty, staff and students that are involved with the Order of Protection and campus security guards will be informed of expected actions and security measures.
- If anyone sees the suspect, call 911 immediately.
- In the event of eminent danger or immediate emergency, information is released through the emergency notification system.

## **VIII. POLICY ON POSSESSION, USE AND SALE OF ALCOHOLIC BEVERAGES AND ILLEGAL DRUGS AND THE DRUG AND ALCOHOL ABUSE PREVENTION PROGRAM**

WCUI is committed to maintaining a drug-free school and workplace. WCUI is committed to full compliance with the Drug Free Workplace Act and the Drug-Free Schools and Communities Act regulations as contained in 34 C.F.R. Part 86. New students, faculty and staff are provided this information during orientation. Annually, students and employees are provided this information by means of WCUI's publication of this Report and material posted on campus. In accordance with federal regulations, the College conducts reviews at least biennially to determine the effectiveness of this policy to ensure consistent enforcement of applicable drug and alcohol related statutes, ordinances, and institutional policies against students and employees found to be in violation. Annual Review reports and supporting documents will be maintained by the College and made available upon request. Students or employees with any questions concerning this policy should contact the Campus Director/Assistant Campus Director.

All Students and employees are prohibited from the unlawful manufacture, distribution, possession, or use of illicit drugs and alcohol on WCUI's property or as part of any of any WCUI officially sponsored off-campus activities. Students are also prohibited from being under the influence of alcohol, illegal drugs or any other substance that could adversely affect the health, safety or welfare of students and staff on WCUI property or at any of its officially sponsored activities. This includes all forms of marijuana, regardless of the state legality of the substance.

### **Reporting of Violations to Local and/or State Law Enforcement**

WCUI will report to local and/or state law enforcement, as applicable by federal and state drug laws, any student who is found in possession of, using, or selling illegal drugs on campus as well as anyone who is found to have broken the state laws regarding underage drinking.

## **Disciplinary Sanctions**

Illegal possession or use of drugs or alcohol can have penalties, including loss of Title IV eligibility, community service, suspension or loss of driver's license, jail time and fines. WCUI will impose disciplinary sanctions on students and employees consistent with federal, state, and local laws and ordinances. Students who violate WCUI's prohibitions against drug and alcohol are subject to disciplinary action up to and including termination of their enrollment at WCUI and referral of their violation for prosecution. Additionally, employees who violate the prohibitions against drugs and alcohol are subject to disciplinary action up to and including immediate termination of their employment and referral of their violation for prosecution.

## **Treatment Programs**

Students and employees are encouraged to seek substance abuse treatment. While no facility is available on campus, WCUI provides referrals through 2-1-1. Students and employees can dial 211 or find referrals at [www.211california.org](http://www.211california.org) or [www.211arizona.org](http://www.211arizona.org). Services available through 2-1-1 include hotlines, in-patient and out-patient treatment centers and support and counseling services. Services are available 24 hours, 7 days a week.

Additionally, the following is a list of outside services and support groups available to students and employees:

- Alcohol and Drug Abuse Hotline: 800-444-9999
- Alcohol and Drug Recovery Center: 888-978-3685

## **Health Risks**

There are definite health risks associated with the abuse of alcohol and drugs. Alcohol or any other drug used in excess over time can produce illness, disability, and death. The health consequences of substance abuse may be immediate and unpredictable, such as cardiac arrest with cocaine use, or more subtle and long term, such as liver deterioration associated with the prolonged use of alcohol. In addition to health related problems, other concerns relating to substance abuse include the following:

- People who abuse alcohol and other drugs often have erratic life styles which interfere with sleep, nutrition, and exercise.
- Alcohol and substance use and abuse may lead to financial difficulties, domestic violence, deterioration of the family structure, motor vehicle accident injuries, and reduced job performance.
- Repeated abuse of alcohol can lead to dependence.

## **Descriptions of Dangerous Drugs**

- *Alcohol* is a potentially addictive drug of significant physical and psychological consequence. Alcohol is a central nervous system depressant that affects all neurological functions. At relatively low levels it affects one's judgment and decision-making, and at higher levels it impairs the functioning of one's vital organs and can result in a coma or death. Alcohol is an irritant to the

gastrointestinal tract and moderate over-indulgence ordinarily results in nausea, vomiting, and diarrhea. In addition to these significant physical consequences, there are a number of less obvious consequences to alcohol use. For example, the effects of alcohol on sleep have been well documented. Consuming several drinks before bedtime has been found to decrease the amount of REM (rapid eye movement) or dreaming sleep. The consequences of being deprived of REM sleep are impaired concentration and memory, as well as anxiety, tiredness, and irritability. Additionally, research has demonstrated that alcohol tends to decrease fear and increase the likelihood that an individual will accept risks. This lack of inhibition and judgment is a major contributor to the extraordinarily high percentage of serious accidents and accidental deaths related to alcohol use. Prolonged and excessive use of alcohol usually causes progressively more serious erosion of the gastrointestinal tract lining ranging from gastritis to ulcers and hemorrhage. Damage to the pancreas is frequent among those who have used alcohol.

- ***Marijuana (cannabis) (nicotina glauca)*** is an illegal drug that impairs memory, perception, judgment, and hand-eye coordination skills. The tar content in cannabis smoke is at least 50% higher than that of tobacco and thus smokers run the added risk of lung cancer, chronic bronchitis, and other lung diseases. Recently, the medical community has diagnosed the existence of an AA motivational syndrome that affects moderate to chronic users and includes symptoms of loss of energy, motivation, effectiveness, concentration, ability to carry out long-term plans, and performance in school and work.
- ***LSD (Lysergic Acid Diethylamide)*** is a semi-synthetic drug regarded as a hallucinogenic. Short-term effects of this drug are generally felt within an hour of consumption and may last from two to 12 hours.  
Physiologically the user experiences increased blood pressure, rise in body temperature, dilated pupils, rapid heartbeat, muscular weakness, trembling, nausea, chills, numbness, loss of interest in food, and hyperventilation. Fine motor skills and coordination are usually impaired, as are perception, thought, mood, and psychological processes. Long-term effects may include flashbacks, weeks and even months after taking the drug, mental illness, prolonged depression, anxiety, psychological dependence, and suicidal thoughts.
- ***PCP (Phencyclidine Hydrochloride)*** is a white crystalline powder that was originally used as a local anesthetic, but due to extreme side effects, was discontinued in 1967. In humans, PCP is a difficult drug to classify in that reactions may vary from stupor to euphoria and resemble the effects of a stimulant, depressant, anesthetic, or hallucinogen. Short-term effects include hyperventilation, increase in blood pressure and pulse rate, flushing and profuse sweating, general numbness of the extremities, and loss of muscular coordination. At higher doses it causes nausea, vomiting, blurred vision, loss of balance, and disorientation. It produces profound alteration of sensation, mood and consciousness, and can cause psychotic states in many ways indistinguishable from schizophrenia. Large doses have been known to cause convulsions, permanent brain damage, and coma.
- ***Cocaine*** is a naturally occurring stimulant drug which is extracted from the leaves of the cocoa plant. Cocaine is sold as a white translucent crystalline powder frequently cut to about half its strength by a variety of other ingredients including sugars and cleaning powders. It is one of the most powerfully addictive drugs in use today. Short-term effects of cocaine include constricted

peripheral blood vessels, dilated pupils, increased heart rate and blood pressure. It also causes appetite suppression, pain indifference, possible vomiting, visual, auditory, and tactile hallucinations, and occasionally paranoia. Long-term effects include nasal congestion, collapse of nasal septum, restlessness, irritability, anxiety, and depression. Overdoses or chronic use may result in toxicity which includes symptoms of seizures followed by respiratory arrest, coma, cardiac arrest, and/or death.

- **Amphetamines** are central nervous system stimulants that were once used medically to treat a variety of symptoms including depression and obesity. They may be taken orally, sniffed, or injected into the veins. Short-term effects disappear within a few hours and include reduction of appetite, increased breathing and heart rate, raised blood pressure, dilation of pupils, dry mouth, fever, sweating, headache, blurred vision and dizziness. Higher doses may cause flushing, rapid and irregular heartbeat, tremor, loss of coordination, and collapse. Death has occurred from ruptured blood vessels in the brain, heart failure, and very high fever. Psychological effects include increased alertness, postponement of fatigue, a false feeling of well-being, restlessness, excitability, and a feeling of power. Long-term effects include drug dependence and the risk of drug induced psychosis. Withdrawal includes extreme fatigue, irritability, strong hunger, and deep depression that may lead to suicide.

## **Drug and Alcohol Laws**

Federal law, California law and Arizona law consider the illegal use of drugs and alcohol to be serious crimes. The sanctions for violations of these laws range from fines to lengthy terms of incarceration, or both. The following provisions of the Federal, state, and municipal law serve as the foundation for WCUI's policy. (Note: This list is not a complete summary of relevant laws and ordinances regarding alcohol and drugs.)

### ***Alcohol Laws***

#### ***Federal Laws***

- Federal law has set 21 as the minimum age to purchase or possess any alcoholic beverage. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone under 21 years of age in a public place or a place open to the public is illegal.

#### ***Arizona Laws***

- It is unlawful for a person under the age of twenty-one years, to buy, receive, have in possession or consume spirituous liquor. (A.R.S. 4-241)
- It is unlawful for a person to buy for resale, sell or deal in spirituous liquors in this state without first having procured a license duly issues by the Arizona State Liquor Board. (A.R.S. 4-244(1))
- It is unlawful to consume spirituous liquor in a public place, thoroughfare or gathering as set forth in A.R.S. 4-244(20).

- It is unlawful for any person to serve or to furnish spirituous liquor to an intoxicated or disorderly person, or for any person to allow or to permit an intoxicated or disorderly person to come into or to remain at an event where spirituous liquor is being served or consumed. (A.R.S. 4-244(14))
- It is unlawful for a person to operate a motor vehicle on any highway while consuming spirituous liquor. (A.R.S. 4-244(21))
- It is unlawful to conduct drinking contest, or to sell or provide to a person an unlimited number of spirituous liquor beverages during any set period of time for a fixed price or to provide more than two spirituous liquor beverages to one person at one time for that person's consumption as set forth in A.R.S. 4-244(23).
- It is unlawful to sell or give liquor to underage person; illegally obtaining liquor by underage person; violation; classification; definitions. (A.R.S. 4-241)

### *California Laws*

- It is illegal for persons under the age of 21 to possess an alcoholic beverage in any public place or any place open to the public (California Business & Professions Code §25662).
- Any person who furnishes, gives or sells any alcoholic beverage to someone under the age of 21 is guilty of a misdemeanor (California Business & Professions Code §25658(a)).
- Any person under the age of 21 who attempts to purchase an alcoholic beverage is guilty of an infraction (California Business & Professions Code §25658.5).
- Any person under the influence of alcohol in a public place and unable to exercise care for one's own safety or that of others is guilty of a misdemeanor (California Penal Code §647(f)).
- It is illegal for persons to operate a motor vehicle while under the influence of alcohol or other intoxicants or with a blood alcohol level of .08% or higher (California Vehicle Code §23152).  
NOTE: A golf cart is a motor vehicle.
- It is unlawful for a person under the age of 21 years who has 0.05 percent or more, by weight, of alcohol in his or her blood to drive a vehicle (California Vehicle Code §23140(a)).
- It is illegal for a person under the age of 21 to drive a vehicle when he or she has a blood alcohol concentration (BAC) of .01% or higher (California Vehicle Code § 23136).
- It is a misdemeanor to ride a bicycle under the influence of alcohol, drugs or both (California Vehicle Code § 21200.5).

- It is an infraction to possess an open container of an alcoholic beverage while in a motor vehicle (California Vehicle Code §23223).
- It is an infraction for an owner or driver of a motor vehicle to allow an open container of alcohol in the passenger area (California Vehicle Code § 23225).

## ***Drug Laws***

### *Federal Laws*

- The Controlled Substances Act places all substances that are regulated under existing federal law into one of five schedules:

#### Schedule I Controlled Substances

Substances in this schedule have a high potential for abuse. Some examples of substances listed in schedule I are: heroin, lysergic acid diethylamide (LSD), marijuana (cannabis), peyote, methaqualone, and 3, 4-methylenedioxymethamphetamine (“ecstasy”).

#### Schedule II Controlled Substances

Substances in this schedule have a high potential for abuse that may lead to severe psychological or physical dependence. Examples of single entity schedule II narcotics include morphine and opium. Other schedule II narcotic substances and their common name brand products include: hydromorphone (Dilaudid®), methadone (Dolophine®), meperidine (Demerol®), oxycodone (OxyContin®), and fentanyl (Sublimaze® or (Duragesic®). Examples of schedule II stimulants include: amphetamine (Dexedrine®), Adderall®, methamphetamine (Desoxyn®), and methylphenidate (Ritalin®). Other schedule II substances include: cocaine, amobarbital, glutethimide, and pentobarbital.

#### Schedule III Controlled Substances

Substances in this schedule have a potential for abuse less than substances in schedules I or II and abuse may lead to moderate or low physical dependence or high psychological dependence. Examples of schedule III narcotics include combination products containing less than 15 milligrams of hydrocodone per dosage unit (Vicodin®) and products containing not more than 90 milligrams of codeine per dosage unit (Tylenol with Codeine®). Also included are buprenorphine products (Suboxone®) and (Subutex®) used to treat opioid addiction. Examples of schedule III non-narcotics include benzphetamine (Didrex®), phendimetrazine, ketamine, and anabolic steroids such as oxandrolone (Oxandrin®).

#### Schedule IV Controlled Substances

Substances in this schedule have a low potential for abuse relative to substances in schedule III. An example of a schedule IV narcotic is propoxyphene (Darvon® and Darvocet-N 100®). Other schedule IV substances include: alprazolam (Xanax®), clonazepam (Klonopin®), clorazepate

(Tranxene®), diazepam (Valium®), lorazepam (Ativan®), midazolam (Versed®), temazepam (Restoril®), and triazolam (Halcion®).

#### Schedule V Controlled Substances

Substances in this schedule have a low potential for abuse relative to substances listed in schedule IV and consist primarily of preparations containing limited quantities of certain narcotics. These are generally used for antitussive, antidiarrheal, and analgesic purposes. Examples include cough preparations containing not more than 200 milligrams of codeine per 100 milliliters or per 100 grams (Robitussin AC® and Phenergan with Codeine®).

#### *Federal Penalties and Sanctions for Illegal Possession of a Controlled Substance*

- **21 U.S.C. 844(a)**  
1<sup>st</sup> conviction: Up to 1 year imprisonment and fined at least \$1,000 but not more than \$100,000, or both.  
After 1 prior drug conviction: At least 15 days in prison, not to exceed 2 years and fined at least \$2,500 but not more than \$250,000, or both.  
After 2 or more prior drug convictions: At least 90 days in prison, not to exceed 3 years and fined at least \$5,000 but not more than \$250,000, or both, if:
  - (a) - 1<sup>st</sup> conviction and the amount of crack possessed exceeds 5 grams.
  - (b) - 2<sup>nd</sup> crack conviction and the amount of crack possessed exceeds 3 grams.
  - (c) - 3<sup>rd</sup> or subsequent crack conviction and the amount of crack possessed exceeds 1 gram.
- **21 U.S.C. 853(a)(2) and 881(a)(7)**  
Forfeiture of personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1 year imprisonment.
- **21 U.S.C. 881(a)(4)**  
Forfeiture of vehicles, boats, aircraft or any other conveyance used to transport or conceal a controlled substance.
- **21 U.S.C. 844a**  
Civil fine of up to \$10,000.
- **21 U.S.C. 853a**  
Denial of Federal benefits, such as student loans, grants, contracts, and professional and commercial licenses, up to 1 year for first offense, up to 5 years for second and subsequent offences.
- **18 U.S.C. 922(g)**  
Ineligible to receive or purchase firearms.

#### *Miscellaneous*

Revocation of certain Federal licenses and benefits, e.g. pilot licenses, public housing tenancy, etc., are vested within the authorities of individual Federal agencies.

### *Arizona Laws*

- It is unlawful for a person to possess, use, sell or transfer drugs (marijuana, peyote, prescription drugs, dangerous drugs or narcotic drugs) or manufacture of dangerous drugs in a drug free school zone. (A.R.S. 12-3411) (A)(1-3))
- A person shall not knowingly possess, use administer, acquire, sell manufacture or transport narcotic drugs. (A.R.S. 13-3408 (A)(1-7))
- A person shall not knowingly possess, use, administer, acquire, sell, manufacture or transport dangerous drugs. (A.R.S. 13-3407 (A)(1-7))
- A person shall now knowingly possess, use, administer, acquire, sell, manufacture or transport prescription-only drugs. (A.R.S. 13-3406 (A)(1-7))
- Criminal penalties for marijuana are located in A.R.S. 13-3405.

### *California Laws*

- Possession of more than 28.5 grams of cannabis, or more than eight grams of concentrated cannabis (defendant 18 and over) constitutes a misdemeanor punishable under California Health & Safety Code § 11357. A misdemeanor may be up to six months in jail and/or up to \$500.00 fine.
- Every person who sells, dispenses, distributes, furnishes, administers, or gives, or offers to sell, dispense, distribute, furnish, administer, or give, or possesses for sale any synthetic cannabinoid compound, or any synthetic cannabinoid derivative, to any person, is guilty of a misdemeanor, punishable by imprisonment in a county jail not to exceed six months, or by a fine not to exceed one thousand dollars (\$1,000), or by both that fine and imprisonment. (California Health & Safety Code § 11357.5)
- Every person who possesses for sale any cannabis, except as otherwise provided by law is punishable under California Health & Safety Code § 11359.
- It is unlawful to sell controlled substances: Imprisonment in State prison for two to four years for possession or sale of specified controlled substances including opium derivatives and cocaine. (California Health & Safety Code §11351)
- It is unlawful to distribute prescription drugs: it is unlawful for any person who is not a pharmacist to manufacture, compound, furnish, sell, or dispense any dangerous drug or dangerous device, or to dispense or compound any prescription. (California Business & Professions Code § 4051 (a))

- It is unlawful to be under the influence of controlled substance: No person shall use or be under the influence of any controlled substance. Any person convicted of violating this is guilty of a misdemeanor and shall be sentenced to serve a term of not less than 90 days or more than one year in a county jail. (California Health & Safety Code §11550 (a))

## IX. VIOLENCE AGAINST WOMEN ACT (VAWA)

The Violence Against Women Reauthorization Act of 2013 (VAWA) requires publication of the state law definitions for “dating violence,” “domestic violence,” “sexual assault,” “stalking,” and “consent.”

### California State Law Definitions

- **Dating Violence** – included in the domestic violence definition in California Penal Code § 13700
- **Domestic Violence** – California Penal Code §13700  
Abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. For purposes of this subdivision, "cohabitant" means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to, (1) sexual relations between the parties while sharing the same living quarters, (2) sharing of income or expenses, (3) joint use or ownership of property, (4) whether the parties hold themselves out as husband and wife, (5) the continuity of the relationship, and (6) the length of the relationship.
- **Sexual Assault** – California does not specifically define “Sexual Assault.”
- **Stalking** – California Penal Code § 646.9  
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, punishable by imprisonment in a county jail for not more than one year, or by a fine of not more than one thousand dollars (\$1,000), or by both that fine and imprisonment, or by imprisonment in the state prison.
- **Consent** – California Penal Code § 261.6  
Consent shall be defined to mean 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. A current or previous dating or marital relationship shall not be sufficient to constitute consent where consent is at issue in a prosecution under Section 261, 262, 286, 288a, or 289. Nothing in this section shall affect the admissibility of evidence or the burden of proof on the issue of consent. Arizona State Law Definitions

- **Dating Violence** – is defined within A.R.S. 13-3601 with Domestic Violence.
- **Domestic Violence** – A.R.S. 13-3601  
 Any act that is a dangerous crime against an adult or a child as defined in section 13-705 or an offense prescribed in section 13-1102, 13-1103, 13-1104, 13-1105, 13-1201, 13-1202, 13-1203, 13-1204, 13-1302, 13-1303, 13-1304, 13-1406, 13-1425, 13-1502, 13-1503, 13-1504, 13-1602 or 13-2810, section 13-2904, subsection A, paragraph 1, 2, 3 or 6, section 13-2910, subsection A, paragraph 8 or 9, section 13-2915, subsection A, paragraph 3 or section 13-2916, 13-2921, 13-2921.01, 13-2923, 13-3019, 13-3601.02 or 13-3623, if any of the following applies:
  1. The relationship between the victim and the defendant is one of marriage or former marriage or of persons residing or having resided in the same household.
  2. The victim and the defendant have a child in common.
  3. The victim or the defendant is pregnant by the other party.
  4. The victim is related to the defendant or the defendant's spouse by blood or court order as a parent, grandparent, child, grandchild, brother or sister or by marriage as a parent-in-law, grandparent-in-law, stepparent, step-grandparent, stepchild, step-grandchild, brother-in-law or sister-in-law.
  5. The victim is a child who resides or has resided in the same household as the defendant and is related by blood to a former spouse of the defendant or to a person who resides or who has resided in the same household as the defendant.
  6. The relationship between the victim and the defendant is currently or was previously a romantic or sexual relationship:
    - (a) The type of relationship.
    - (b) The length of the relationship.
    - (c) The frequency of the interaction between the victim and the defendant.
    - (d) If the relationship has terminated, the length of time since the termination.
- **Sexual Assault** – A.R.S.13-1406  
 A person commits sexual assault by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person without consent of such person.
- **Stalking** – A.R.S. 13-2923.  
 A person commits stalking if the person intentionally or knowingly engages in a course of conduct that is directed toward another person and if that conduct causes the victim to:
  1. Suffer emotional distress or reasonably fear that either:
    - (a) The victim's property will be damaged or destroyed.
    - (b) Any of the following will be physically injured:
      - (i) The victim.
      - (ii) The victim's family member, domestic animal or livestock.

(iii) A person with whom the victim has or has previously had a romantic or sexual relationship.

(iv) A person who regularly resides in the victim's household or has resided in the victim's household within the six months before the last conduct occurred.

2. Reasonably fear death or the death of any of the following:

(a) The victim's family member, domestic animal or livestock.

(b) A person with whom the victim has or has previously had a romantic or sexual relationship.

(c) A person who regularly resides in the victim's household or has resided in the victim's household within the six months before the last conduct occurred.

- **Consent** – A.R.S. 36-551.

Voluntary informed consent. Consent is voluntary if not given as the result of coercion or undue influence. Consent is informed if the person giving the consent has been informed of and comprehends the nature, purpose, consequences, risks and benefits of the alternatives to the procedure, and has been informed and comprehends that withholding or withdrawal of consent will not prejudice the future provision of care and services to the client. In cases of unusual or hazardous treatment procedures performed pursuant to section 36-561, subsection A, experimental research, organ transplantation and non-therapeutic surgery, consent is informed if, in addition to the foregoing, the person giving the consent has been informed of and comprehends the method to be used in the proposed procedure.

## **X. POLICY REGARDING SEXUAL MISCONDUCT (TITLE IX)**

WCUI is committed to providing a work and school environment free of unlawful harassment, sexual violence (including dating violence, domestic violence, sexual assault and stalking) and discrimination. College policy prohibits harassment or discrimination based on race, religion, creed, color, national origin, ancestry, sex, military or veteran status, physical or mental disability, medical condition, age, sexual orientation, gender, gender identity or expression, genetic information or any other basis protected by the federal, state or local law. In accordance with Title IX of the Education Amendments of 1972, the College prohibits discrimination based on sex, which includes sexual harassment and sexual violence (collectively referred to as “sexual misconduct”) and the College has jurisdiction over Title IX complaints. In furtherance of this commitment, all students and employees are required to take our mandatory Title IX training. Upon starting with the College, students are provided Title IX training during new student orientation and generally every year thereafter. New employees are provided with Title IX training upon hire and generally every year thereafter.

This policy applies to all persons involved in the operation of the College, and prohibits sexual misconduct by any employee of the College, as well as students, customers, vendors or anyone who does business with the College. It further extends to prohibit sexual misconduct by or against students. Any employee, student

or contract worker who violates this policy will be subject to disciplinary action. To the extent a customer, vendor or other person with whom the College does business engages in sexual misconduct, the College will take appropriate corrective action.

As part of the College's commitment to providing a working and learning environment free from sexual misconduct, this policy shall be disseminated to the College community through publications, the College website, new employee orientations, new student orientations, and other appropriate channels of communication. The College provides training to key staff members to enable the College to handle any allegations of sexual misconduct promptly and effectively. The College will respond quickly to all reports, and will take appropriate action to prevent, to correct, and if necessary, to discipline behavior that violates this policy.

If you believe that you have experienced or witnessed harassment or discrimination on the basis of a protected category other than sex, please follow the procedure outlined in the Non-Discrimination/Anti-Harassment policy located in the Student Catalog.

### Key Definitions

- **Sexual Harassment** is defined as unwelcomed conduct of a sexual nature. It includes unwelcomed sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment is conduct that explicitly or implicitly affects a person's employment or education or interferes with a person's work or educational performance or creates an environment such that a reasonable person would find the conduct intimidating, hostile or offensive. A hostile environment is created when the alleged conduct is sufficiently serious to deny or limit a student's ability to participate in or benefit from the recipient's education program and activities.

Sexual harassment is conduct based on sex, whether directed towards a person of the opposite or same sex, and may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing", practical jokes, jokes about or displays of obscene printed or visual material, questions about sexual fantasies, preferences or history, and physical contact such as patting, pinching, or intentionally brushing against another person's body. Gender-based harassment, including acts of verbal, nonverbal or physical aggression, intimidation, or hostility based on sex or sex-stereotyping are strictly prohibited, even if those acts do not involve conduct of a sexual nature.

- **Sexual Violence** is defined as physical sexual acts engaged in without the consent of the other person or when the other person is unable to consent to the activity. Sexual violence includes sexual assault, rape, battery, and sexual coercion; domestic violence; dating violence; and stalking.
- **Sexual Assault occurs** when a physical sexual activity is engaged in without the consent of the other person or when the other person is unable to consent to the activity. The activity or conduct may include physical force, violence, threat, or intimidation, ignoring the objections of the other person, causing the other person's intoxication or incapacitation through the use of drugs or

alcohol, and taking advantage of the other person's incapacitation (including voluntary intoxication). Non-stranger sexual assaults, someone known to the victim, are much more common than stranger sexual assaults. Non-stranger sexual assaults are no less a crime than those committed by strangers. The same definition and policies herein applies regardless of whether the responding party is a stranger or a non-stranger.

- **Domestic Violence** is defined as a felony or misdemeanor crime of violence committed against an adult or a minor who is a spouse or former spouse, cohabitant or former cohabitant, or someone with whom the abuser has a child, has an existing dating or engagement relationship, or has had a former dating or engagement relationship.
- **Dating Violence** is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
- **Stalking** is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress.
- **Consent** is informed, voluntary and revocable. Consent is an affirmative, unambiguous, and conscious decision by each participant to engage in mutually agreed-upon sexual activity. It must be given without coercion, force, threats or intimidation. Lack of protest or resistance does not mean consent, nor does silence mean consent. Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Once consent is withdrawn, the sexual activity must stop immediately. Lack of affirmative consent shall not be a valid excuse to the responding party that they believed that the reporting party consented to the sexual activity under either of the following circumstances: (a) the responding party's belief that affirmative consent arose from the intoxication or recklessness of the responding party; (b) the responding party did not take reasonable steps, in the circumstances known to the responding party at the time, to ascertain whether the reporting party affirmatively consented. Additionally, it shall not be a valid excuse that the responding party believed that the reporting party affirmatively consented to the sexual activity if the responding party knew or reasonable should have known that the reporting party was unable to consent to the sexual activity under any of the following circumstances: (a) the reporting party was asleep or unconscious; (b) the reporting party was incapacitated due to the influence of drugs, alcohol, or medication, so that the reporting party could not understand the fact, nature, or extent of the sexually activity; (c) the reporting party was unable to communicate due to a mental or physical condition.

### **Victims of Assault/Violence**

If you are a victim of a sexual violence, your first priority should be to get to a place of safety. You should then obtain any necessary medical treatment. Information about the alleged offense should be provided to the Title IX Coordinator as soon as possible. Time is a critical factor for evidence collection and

preservation. If you are a victim of sexual violence or a sexual assault and you do not want to report it to the police, it is still important to preserve evidence, through a forensic examination, in case you would like to file a police report at a later time. Completing a forensic examination does not require someone to file a police report. To find a location near you that performs free forensic examinations, call the National Sexual Assault Hotline at (800) 656-4673. WCUI also utilizes the resources available through the Rape Abuse & Incest National Network (RAINN) to aid victims. Victims can obtain help directly through RAINN by visiting their website, [www.RAINN.org](http://www.RAINN.org).

WCUI strongly advocates that a victim of sexual assault or violence report the incident to police in a timely manner and, if requested by the victim, the College will assist the victim in contacting the police. However, the victim is not required to contact the police in order to pursue the procedure contained in this policy or for WCUI to conduct an independent investigation under this section.

Filing a police report with the local law enforcement agency will not obligate the victim to prosecute.

Filing a police report will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests at no expense to the victim;
- Provide the opportunity for collection of evidence helpful in prosecution which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam); and
- Assure the victim has access to free confidential counseling from counselors specifically trained in the area of sexual assault crisis intervention.

### **Procedure for Reporting Sexual Misconduct**

If you believe that you have experienced or witnessed sexual misconduct, notify someone as soon as possible after the incident. Students should notify the Title IX Coordinator, or the Campus Director and employees should notify the Title IX Coordinator, their supervisor, or the Campus Director. Do not allow an inappropriate situation to continue by not reporting it, regardless of who is creating the situation. No employee, contract worker, student, vendor or other person who does business with the College is exempt from the prohibitions in this policy. All complaints involving a student will be referred to the Title IX Coordinator and to the Campus Director if the complaint involves an employee. In order to facilitate the investigation, your complaint should include details of the incident or incidents, names of the individuals involved, and names and locations of any witnesses.

In a situation deemed to be an emergency by the Title IX Coordinator, or the Campus Director, the College will issue a Timely Warning and the individual alleged to have caused the complaint may be temporarily transferred or put on leave pending the outcome of the complaint. The Title IX Coordinator need not wait for the conclusion of a criminal investigation or criminal proceeding to begin an investigation where warranted.

The College ensures that its employee(s) designated to serve as Title IX Coordinator(s) have adequate training on what constitutes sexual misconduct (including issues related to dating violence, domestic violence, sexual assault, and stalking), they understand how this policy operates, and understand how to conduct an investigation that protects the safety of victims and promotes accountability. Because complaints can also be filed with an employee’s supervisor or the Campus Director, these employees also receive training on the College’s procedures and any other procedures used for investigating reports of sexual misconduct.

A report may be made to either or both the police and the Title IX Coordinator. In order to ensure availability of witnesses and fresh memories of the alleged sexual misconduct, all reports should be made as promptly as possible after the alleged conduct. Where there is any question about whether an incident of sexual misconduct, a report should be made to the College for assistance in determining the nature of the incident.

The Title IX Coordinators are listed below. He/she oversees all Title IX complaints and is also responsible for identifying and addressing any patterns or systemic problems that arise during the review of such complaints.

<b>Title IX Coordinators</b>	<b>Local Phone Number</b>	<b>E-mail Address</b>
Carla Dominguez (Beverly Hills)	(310)289-5123	Carla.Dominguez@wcui.edu
Bryn Logan (Ontario)	(909)483-3808	Bryn.Logan@wcui.edu
Terri Simons (Phoenix)	(602)954-3834	Terri.Simons@wcui.edu

The Title IX Coordinator has primary responsibility for receiving, evaluating and investigating sexual misconduct complaints and for maintaining accurate Clery Act crime statistics. Students, faculty and staff who believe they are the victim of sexual misconduct should report the incident to the Title IX Coordinator or the Campus Director. Upon receipt of the complaint, the Title IX Coordinator has the following responsibilities:

1. Provide the reporting party with a copy of this policy, information on the availability of the College’s investigatory procedures (see below), and written information about local victim support resources for victims including existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available to victims. Victims of sexual violence will be provided information about evidence preservation.
2. WCUI does not provide on-campus or off-campus counseling services. However, WCUI can and will refer the victim to a non-related, outside counseling service such as a local rape counseling center.
3. Make reasonable accommodations to facilitate changes to transportation, working, academic and/or living situations, if requested, prior to or while an investigation is pending, including the option to aid in issuing a no-contact order (see Interim Measures below). The College will seek to maintain the confidentiality of the identity of the victim and any accommodations or protective measures

provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the College to provide the accommodations or protective measures. These steps will be taken by the College regardless of whether the victim chooses to file a complaint to the College or local law enforcement.

4. Inform the reporting party that the College investigates all reports to the fullest extent possible based on the reporting party and/or victim's request for confidentiality (see Requests for Confidentiality section below). The College does not utilize an informal resolution process.
5. Inform the reporting party of the right to file a separate criminal complaint for allegations relating to sexual violence and that the College can assist the victim in doing so, if requested.

The Title IX Coordinator will then evaluate the report and determine whether further action is warranted. If the Title IX Coordinator determines that the report does involve an instance of sexual misconduct, he/she will initiate an investigation in accordance with the investigation procedure described below.

### **Requests for Confidentiality**

Reports regarding sexual misconduct do not have to be formal signed complaints. The College is committed to protecting the confidentiality of victims, and will work closely with individuals who wish to obtain confidential assistance regarding an incident of sexual misconduct and will maintain the privacy of information to the extent permitted or required by law, even if the victim does not specifically request confidentiality. A victim's personally identifying information will not be included in any publicly available recordkeeping, including Clery Act reporting and disclosures such as this Annual Security Report. Memoranda describing any formal reprimand or disciplinary action for violating this policy will be placed in a student's permanent academic file and an employee's permanent personnel file. These documents are maintained in a locked filing cabinet that only applicable administrative staff has access to.

Reporting party(s) should be aware that in an investigation, due process generally requires that the identity of the charging party and the substance of the complaint be revealed to the person charged with the alleged sexual misconduct. Generally, once the College decides to open an investigation that may lead to disciplinary action against the responding party, the College will provide written notice to the responding party of the allegations constituting the potential violation, and the date and location of the alleged incident.

In some cases, the College may need to disclose some information about a victim to a third party to provide necessary accommodations or protective measures. The Title IX Coordinator and Campus Director/Assistant Campus Director will meet to weigh the victim's confidentiality against the impact on the College being able to provide these necessary accommodations or protective measures. Should it be deemed necessary, they will determine what information about the victim needs to be disclosed and to whom it needs to be disclosed to. The victim will be notified regarding which information will be shared, with whom it will be shared and why prior to the College sharing the information. The College will strive to share as limited information as possible in an effort to protect the victim's identity.

## **Investigation of Complaints**

In response to all reports, the College promises prompt and equitable resolution through a reliable and impartial investigation. The Title IX Coordinator will maintain regular communications with both the reporting party and responding party and provide both parties with equal opportunity to provide information, witness statements, evidence, and other information that may be necessary for the Title IX Coordinator to fully evaluate the alleged offense. Both the reporting party and the responding party will be afforded equitable rights and access during the investigative process. The College may not require a reporting party to participate in a formal investigation that it has initiated.

Generally, an investigation will consist of interviewing the reporting party, the responding party, and any witnesses to the conflict. Additionally, the College will investigate allegations that alcohol or drugs were involved in the incident. As applicable, the College will provide each party with written notice in advance of any interview allowing the party sufficient time to prepare for meaningful participation. The Title IX Coordinator will, barring extenuating circumstance, complete the investigation and make a determination regarding any necessary discipline of the responding party and remedies to the reporting party within sixty (60) days of the date that the report is first received by the Title IX Coordinator. Each party will be presented with the investigative report before the Title IX Coordinator finalizes disciplinary action - giving the parties the opportunity to respond to the investigative report in writing in advance of a decision. In the event of a delay, the Title IX Coordinator will provide written notice to the reporting party and the responding party explaining the reason for the delay. If there is a conflict of interest between the Title IX Coordinator and the reporting party/responding party, an alternative trained official will conduct the investigation and determination (including disciplinary sanctions).

No party may have their lawyer present at any stage of the investigation but may be assisted in the process by a support person of their choice including someone who is an attorney. The “preponderance of the evidence” standard will apply to investigations, meaning the College will evaluate whether it is more likely than not that the alleged conduct occurred.

Both parties will receive simultaneous written notification of the outcome of the determination and disciplinary proceeding, including notification that the investigation results are final. If the complaint presented more than a single allegation of sexual misconduct, a decision will be reached separately as to each allegation of sexual misconduct. Determination notices will be placed into the files of any student or employee. The Title IX Coordinator will determine if the incident is indicative of a systemic issue and, if so, work with the College staff to recommend changes to College policies, procedures or training to prevent re-occurrence.

To initiate a criminal investigation, reports of sexual violence should be made to “911” or local law enforcement. The criminal process is separate from the College’s disciplinary process.

Reporting parties and witnesses participating in an investigation of sexual assault, domestic violence, dating violence, or stalking will not be subject to disciplinary sanctions for a violation of the institution’s student conduct policy at or near the time of the incident, unless the institution determines that the violation

was egregious, including, but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic dishonesty.

### **Interim Measures**

Prior to or during an investigation, the College will provide interim measures, as necessary. Interim measures are individualized services offered as appropriate to either or both the reporting and responding parties involved in an alleged incident of sexual misconduct and include: counseling, extensions of time or other course-related adjustments, modifications to work or class schedules, campus escort services, restrictions on contact between the parties, leave of absence, increased security and monitoring of certain areas on campus, and other similar accommodation.

### **Disciplinary Actions**

Through the investigation process, if the College determines that unlawful sexual misconduct has occurred (including acts of dating violence, domestic violence, sexual assault or stalking), immediate, appropriate corrective action will be taken in accordance with the circumstances involved, and the College will take steps to prevent recurrence. Any employee determined by the College to be responsible for an act of sexual misconduct will be subject to appropriate disciplinary action, up to and including termination. Remedies for student-related claims may include, but are not limited to, additional training, a restriction on contact, suspension, or termination. In addition, reporting parties who make accusations in bad faith may be subject to equivalent disciplinary action.

Disciplinary actions taken will be determined on a case-by-case basis and may include all or some of the following actions. In general, if WCUI has determined that unlawful sexual misconduct has occurred, the responding party will receive additional Title IX training. If WCUI determines that a restriction on contact is an appropriate disciplinary action, the responding party will be required to stay away from the reporting party for the duration of the reporting party's program, unless the reporting party is comfortable with a lesser amount of time. If such a restriction on contact is not feasible, the responding party will be suspended from WCUI until the reporting party and the responding party can be separated. For example, if the reporting party and the responding party are in the same class, the responding party may be suspended until he/she can be placed in a separate class. WCUI may also determine, based on the act of sexual misconduct, that the responding party should be terminated from WCUI. Termination is generally reserved for instances of sexual violence.

### **Retaliation Prohibited**

The College will not retaliate against you for filing a report and will not tolerate retaliation by students or employees. If you believe you have been retaliated against, you should promptly notify the Campus Director, your supervisor, or the Title IX Coordinator.

### **Reporting Requirements**

Victims of sexual misconduct should be aware that College administrators must issue timely warnings for incidents reported to them that pose a substantial threat of bodily harm or danger to other members of the campus community. The College will make every effort to ensure that a victim's name and other

identifying information is not disclosed, while still providing enough information for community members to make safety decisions in light of the danger. The College reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, or a change in student status.

The Title IX Coordinator is responsible for informing the Campus Security Survey Administrator within 24 hours after receiving a sex offense report for purposes of maintaining accurate Clery Act crime statistics.

### **Additional Information**

Students and employees may contact the Title IX Coordinator with any questions related to this policy. In addition, the U.S. Department of Education Office for Civil Rights (“OCR”) investigates complaints of unlawful harassment of students in educational programs or activities. This agency may serve as a neutral fact finder and will attempt to facilitate the voluntary resolution of disputes with the parties. For more information, visit the OCR website at: <http://www.hhs.gov/ocr/>. To the extent that an employee or contract worker is not satisfied with the College’s handling of a complaint, he or she may also contact the appropriate state or federal enforcement agency for legal relief.

### **Education and Training**

In an effort to promote a safe environment and to prevent acts of sexual misconduct, the College engages in primary prevention, awareness, bystander intervention and risk reduction training regarding sexual violence, including dating violence, domestic violence, sexual assault and stalking. The College educates the student community about this policy, sexual violence prevention and related College policies during all orientations held for new students upon the onset of a class. The Title IX Coordinator and other designated persons will receive annual training on issues related to sexual violence. The Title IX Coordinator is responsible for training current students and all College faculty and staff about the College’s Title IX policies and conducting the new student training. The College also provides ongoing prevention and awareness training for current students and staff at least annually.

### **Bystander Intervention and Risk Reduction**

Sexual violence prevention training includes bystander strategies to intervene and prevent possible dating violence, domestic violence, sexual assault, or stalking before it occurs. Under the Clery Act, Bystander Intervention means safe and positive options that may be carried out by an individual or individuals to intervene and prevent harm

*when there is a risk of dating violence, domestic violence, sexual assault or stalking.* As a bystander it is important to recognize a situation that could lead to a crime, be aware of cultural differences that may lead to violence, identify safe and positive intervention options and take action to intervene. Suggestions for bystander intervention include:

- If you suspect that an individual is intent on having sexual intercourse with an unwilling partner, try to redirect one or both individuals.
- If you know someone who is intent on having sexual intercourse with a partner who is intoxicated, try to redirect them.
- Don’t condone sexual bantering in group settings.

- Approach everyone as a friend, avoid using violence.
- Recruit help if necessary and if a situation becomes serious contact the police.

If someone tells you they have been sexually assaulted; believe the person, tell them it is not their fault, get the victim to a safe place, help them notify the Title IX coordinator and encourage them to make a police report (remember it is the victim's choice to report the crime or not).

All crimes, including crimes of sexual violence, can be prevented through steps by the campus community to reduce risk of being a victim of a crime and by intervening before a crime has occurred where there is a reasonable belief that a crime may occur. The College urges members of the campus community to take steps to reduce their chances of being a victim of a crime including by: locking doors, securing items of value, walking in pairs at night, avoiding impairment caused by alcohol or drugs and other self-protective steps. In addition, if you witness what you believe to be a situation that may lead to the commission of a crime, the College urges all members of the campus community to call 911 or to contact a College employee immediately. In addition, members of the campus community may be able to interrupt the commission of a crime of sexual violence by intervening in the situation on a potential victim's behalf where the intervention is not likely to pose harm to the intervener. The College urges all members of the campus community work together to promote a safe campus environment for everyone. The College includes training on bystander intervention and risk reduction in all primary and ongoing training for students and staff. The College includes bystander intervention and risk reduction awareness in its student and employee sexual violence prevention training.

## **XI. POLICY STATEMENT ADDRESSING SEX OFFENDER REGISTRATION INFORMATION**

The College is required to inform students and employees about where law enforcement information provided by a State concerning registered sex offenders may be obtained. The law also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. In Arizona a complete list of sex offenders can be obtained at [www.azdsp.gov/services/sex\\_offender/downloads/](http://www.azdsp.gov/services/sex_offender/downloads/). In California, information about convicted sex offenders is available at [www.meganslaw.ca.gov](http://www.meganslaw.ca.gov).

The National Registry of Sex Offenders is available via Internet at the following web address:

<http://www.nationalsexoffenderregistry.com>

## **XII. CLERY ACT CRIME REPORT STATISTICS**

\*None of the WCUI campuses have non-campus property.

## Beverly Hills Campus

OFFENSE	PROPERTY	2015	2016	2017
Murder/ Non-Negligent Manslaughter	On-Campus Property	0	0	0
	Public Property	0	0	0
Manslaughter By Negligence	On-Campus Property	0	0	0
	Public Property	0	0	0
Rape	On-Campus Property	0	0	0
	Public Property	0	0	0
Fondling	On-Campus Property	0	0	0
	Public Property	0	0	0
Incest	On-Campus Property	0	0	0
	Public Property	0	0	0
Statutory Rape	On-Campus Property	0	0	0
	Public Property	0	0	0
Robbery	On-Campus Property	0	0	0
	Public Property	0	0	0
Aggravated Assault	On-Campus Property	0	0	0
	Public Property	0	0	0
Burglary	On-Campus Property	0	0	0
	Public Property	0	0	0
Motor Vehicle Theft	On-Campus Property	0	0	0
	Public Property	0	0	0
Arson	On-Campus Property	0	0	0
	Public Property	0	0	0
VAWA Offenses: Domestic Violence	On-Campus Property	0	0	0
	Public Property	0	0	0
VAWA Offenses: Dating Violence	On-Campus Property	0	0	0
	Public Property	0	0	0
VAWA Offenses: Stalking	On-Campus Property	0	0	0
	Public Property	0	0	0
Hate Crimes:	On-Campus Property	0	0	0

Related to any of the above listed crimes, and Hate Crimes involving simple assault, larceny-theft, intimidation, or destruction/damage/vandalism of property	Public Property	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	On-Campus Property	0	0	0
	Public Property	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	On-Campus Property	0	0	0
	Public Property	0	0	0
Arrests: Drug Abuse Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Disciplinary Referrals: Drug Abuse Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Arrests: Liquor Law Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Disciplinary Referrals: Liquor Law Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Unfounded Crimes	On-Campus Property + Public Property	N/A	N/A	N/A

## Ontario Campus

OFFENSE	PROPERTY	2015	2016	2017
Murder/ Non-Negligent Manslaughter	On-Campus Property	0	0	0
	Public Property	0	0	0
Manslaughter By Negligence	On-Campus Property	0	0	0
	Public Property	0	0	0
Rape	On-Campus Property	0	0	0
	Public Property	0	0	0
Fondling	On-Campus Property	0	0	0
	Public Property	0	0	0
Incest	On-Campus Property	0	0	0
	Public Property	0	0	0
Statutory Rape	On-Campus Property	0	0	0
	Public Property	0	0	0
Robbery	On-Campus Property	0	0	0
	Public	0	0	0

	Property			
Aggravated Assault	On-Campus Property	0	0	0
	Public Property	0	0	0
Burglary	On-Campus Property	0	1	0
	Public Property	0	0	0
Motor Vehicle Theft	On-Campus Property	0	0	1
	Public Property	0	0	0
Arson	On-Campus Property	0	0	0
	Public Property	0	0	0
VAWA Offenses: Domestic Violence	On-Campus Property	0	0	0
	Public Property	0	0	0
VAWA Offenses: Dating Violence	On-Campus Property	0	0	0
	Public Property	0	0	0
VAWA Offenses: Stalking	On-Campus Property	0	0	0
	Public Property	0	0	0
Hate Crimes: Related to any of the above listed crimes, and Hate Crimes involving simple assault, larceny-theft, intimidation, or destruction/damage/vandalism of property	On-Campus Property	0	0	0
	Public Property	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	On-Campus Property	0	0	0
	Public Property	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	On-Campus Property	0	0	0
	Public Property	0	0	0
Arrests: Drug Abuse Violations	On-Campus Property	0	0	0
	Public Property	0	1	2
Disciplinary Referrals: Drug Abuse Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Arrests: Liquor Law Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Disciplinary Referrals: Liquor Law Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Unfounded Crimes	On-Campus Property + Public Property	N/A	N/A	N/A

**Phoenix Campus**

OFFENSE	PROPERTY	2015	2016	2017
Murder/ Non-Negligent Manslaughter	On-Campus Property	0	0	0
	Public Property	0	0	0
Manslaughter By Negligence	On-Campus Property	0	0	0
	Public Property	0	0	0
Rape	On-Campus Property	0	0	0
	Public Property	0	0	0
Fondling	On-Campus Property	0	0	0
	Public Property	0	0	0
Incest	On-Campus Property	0	0	0
	Public Property	0	0	0
Statutory Rape	On-Campus Property	0	0	0
	Public Property	0	0	0
Robbery	On-Campus Property	0	0	0
	Public Property	0	0	0
Aggravated Assault	On-Campus Property	0	0	0
	Public Property	0	0	0
Burglary	On-Campus Property	0	0	0
	Public Property	0	0	0
Motor Vehicle Theft	On-Campus Property	0	0	0
	Public Property	2	2	0
Arson	On-Campus Property	0	0	0
	Public Property	0	0	0
VAWA Offenses: Domestic Violence	On-Campus Property	0	0	0
	Public Property	0	0	0
VAWA Offenses: Dating Violence	On-Campus Property	0	0	0
	Public Property	0	0	0
VAWA Offenses: Stalking	On-Campus Property	0	0	0
	Public Property	0	0	0
Hate Crimes:	On-Campus Property	0	0	0

Related to any of the above listed crimes, and Hate Crimes involving simple assault, larceny-theft, intimidation, or destruction/damage/vandalism of property	Public Property	0	0	0
Arrests: Weapons: Carrying, Possessing, etc.	On-Campus Property	0	0	0
	Public Property	0	0	0
Disciplinary Referrals: Weapons: Carrying, Possessing, etc.	On-Campus Property	0	0	0
	Public Property	0	0	0
Arrests: Drug Abuse Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Disciplinary Referrals: Drug Abuse Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Arrests: Liquor Law Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Disciplinary Referrals: Liquor Law Violations	On-Campus Property	0	0	0
	Public Property	0	0	0
Unfounded Crimes	On-Campus Property + Public Property	N/A	N/A	N/A