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## WEST COAST UNIVERSITY'S NOTICE OF COMPLAINANT'S RIGHTS

West Coast University does not discriminate on the basis of sex in its educational programs. Sexual harassment and sexual violence are types of sex discrimination. Other acts can also be forms of sex-based discrimination and are also prohibited whether sexually based or not and include dating violence, domestic violence, and stalking. As a result, the University issues this statement of policy to inform the community of this comprehensive plan addressing sexual misconduct, educational programs, and procedures that address sexual assault, domestic violence, dating violence, and stalking, whether the incident occurs on or off campus and when it is reported to a university official. In this context, WCU prohibits the offenses of domestic violence, dating violence, sexual assault and stalking and reaffirms its commitment to maintain a campus environment emphasizing the dignity and worth of all members of the university community.

It is the policy of West Coast University that no member of the campus community - students, faculty, administrators, staff, vendors, contractors, or third parties, may conduct sexual violence or harassment on any other member of our community.

For a complete copy of West Coast University's policy governing sexual misconduct visit:

<http://westcoastuniversity.edu/uploads/pdf/Sexual-Misconduct-Policy.pdf>

### **A. Definitions**

There are numerous terms used by West Coast University in the Sexual Misconduct Policy Governing Students and Employees. Because an individual may complain under WCU's policy as well as criminal state statutes (for sexual misconduct incidents that could also constitute a crime under state law), the corresponding statutes are provided below.

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

**Impairment:** The state of being diminished or weakened due to the consumption of a substance.

**"FERPA":** Means the Family Educational Rights and Privacy Act, 20 U.S.C. Section 1232g; 34 C.F.R. Part 99.

**Force:** Means using physical force, threats, intimidation or coercive actions to gain sexual access to another.

**Physical:** Hitting, pushing, holding, pinching, leaning on, obstructing an exit, or carrying a person away. It could also include the use or display of any weapon.

**Coercion:** Undue amount of pressure to gain sexual access to another.

**Threat:** An overt threat to someone made so that the person engages in sexual activity.

**Intimidation:** An implied threat to make someone engage in sexual activity.

**Incapacitation:** Means the physical and/or mental inability to make informed, rational judgments and to render self-care. States of incapacitation include, without limitation, sleep, blackouts, and flashbacks. Where alcohol is involved, one does not have to be intoxicated or drunk to be considered incapacitated. Rather, incapacitation is determined by how the alcohol consumed impacts a person's decision-making capacity, awareness of consequences, and ability to make informed judgments.

**Sexual Harassment:** Means conduct, including physical contact, advances, and comments in person and/or via phone, text message, email, or other electronic medium, that is (1) unwelcome; (2) based on sex or gender; and (3) is so severe or pervasive that it unreasonably interferes with a person's academic performance or equal opportunity to participate in or benefit from University programs or activities. Sexual Harassment may include, depending upon the facts, persistent and unwelcome efforts to develop a romantic or sexual relationship; persistent and unwelcome commentary about an individual's body or sexual activities; threatening to engage in the commission of a sexual act with another person; stalking or cyberstalking; and engaging in indecent exposure. Title IX and WCU's policy also prohibit gender-based harassment, which may include acts of verbal, nonverbal, or physical aggression, intimidation, or hostility based on sex or sex-stereotyping, even if those acts do not involve conduct of a sexual nature.

**Fondling:** Defined as the touching of the private parts of another person for the purposes of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

**Sexual Contact:** Means the deliberate touching of a person's intimate parts (including genitalia, groin, breast or buttocks, or clothing covering any of those areas), or using force to cause a person to touch his or her own or another person's intimate parts. This also includes forcible kissing.

**Sexual Intercourse:** Means penetration (anal, oral or vaginal) by a penis, tongue, finger, or an inanimate object.

**Sexual Assault:** "Sexual assault" means an offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI's Uniform Crime Reporting system. A sex offense is any act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.

**Rape:** Defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim (FBI's Uniform Crime Reporting).

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

#### **California Code § 285. Adultery and fornication by persons forbidden to marry; incest.**

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.

#### **Florida Code §826.04. Adultery and fornication by persons forbidden to marry; incest.**

Whoever knowingly marries or has sexual intercourse with a person to whom he or she is related by lineal consanguinity, or a brother, sister, uncle, aunt, nephew, or niece, commits incest, which constitutes a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. "Sexual intercourse" is the penetration of the female sex organ by the male sex organ, however slight; emission of semen is not required.

**Texas Code. Adultery and fornication by persons forbidden to marry; incest.**

Texas has no criminal statute against incest.

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

*Statutory rape is prosecuted under each state's rape, carnal knowledge, and juvenile delinquency laws.*

*Penalties depend on the ages of the defendant and victim, and the conduct that occurred, as described below.*

**California Code § 261.5. Carnal knowledge of a minor under 18 years of age.**

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 the age of 18 years and an "adult" is a person who is at least 18 years of age.

**Florida Code § 800.04 and 794.05. Carnal knowledge of a minor under 16 years of age.**

A child under 16 years of age cannot consent to sexual activity, regardless of the age of the defendant. A child who is at least 16 years of age and less than 18 years of age cannot consent to sexual activity if the defendant is 24 years of age or older.

**Texas Code §21.11. Indecency with a child.**

(a) A person commits an offense if, with a child younger than 17 years of age, whether the child is of the same or opposite sex, the person:

- (1) engages in sexual contact with the child or causes the child to engage in sexual contact; or
- (2) with intent to arouse or gratify the sexual desire of any person:

(A) exposes the person's anus or any part of the person's genitals, knowing the child is present; or

(B) causes the child to expose the child's anus or any part of the child's genitals.

(b) It is an affirmative defense to prosecution under this section that the actor:

- (1) was not more than three years older than the victim and of the opposite sex;
- (2) did not use duress, force, or a threat against the victim at the time of the offense; and
- (3) at the time of the offense:

(A) was not required under Chapter 62, Code of Criminal Procedure, to register for life as a sex offender; or

(B) was not a person who under Chapter 62 had a reportable conviction or adjudication for an offense under this section.

(b-1) It is an affirmative defense to prosecution under this section that the actor was the spouse of the child at the time of the offense.

(c) In this section, "sexual contact" means the following acts, if committed with the intent to arouse or gratify the sexual desire of any person:

- (1) any touching by a person, including touching through clothing, of the anus, breast, or any part of the genitals of a child; or
- (2) any touching of any part of the body of a child, including touching through clothing, with the anus, breast, or any part of the genitals of a person.

### **California Code §261. Rape.**

(a) Rape is an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under any of the following circumstances:

- (1) Where a person 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. Notwithstanding the existence of a conservatorship pursuant to the provisions of the Lanterman-Petris-Short Act (Part 1 (commencing with Section 5000) of Division 5 of the Welfare and Institutions Code), the prosecuting attorney shall prove, as an element of the crime, that a mental disorder or developmental or physical disability rendered the alleged victim incapable of giving consent.
- (2) Where 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.
- (3) Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused.
- (4) Where 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 served a professional purpose when it served no professional purpose.
- (5) Where 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 any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief.
- (6) Where 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.
- (7) Where 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.

(b) As used in this section, "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 his or her relationship to the defendant, are factors to consider in appraising the existence of duress.

(c) As used in this section, "menace" means any threat, declaration, or act which shows an intention to inflict an injury upon another.

### **Florida Code §794.011. Sexual Battery.**

(h) "Sexual battery" means oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object; however, sexual battery does not include an act done for a bona fide medical purpose.

### **Texas Code §22.011. Sexual Assault.**

a) A person commits an offense if the person:

(1) intentionally or knowingly:

(A) causes the penetration of the anus or sexual organ of another person by any means, without that person's consent;

(B) causes the penetration of the mouth of another person by the sexual organ of the actor, without that person's consent; or

(C) causes the sexual organ of another person, without that person's consent, to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor; or

(2) intentionally or knowingly:

(A) causes the penetration of the anus or sexual organ of a child by any means;

(B) causes the penetration of the mouth of a child by the sexual organ of the actor;

(C) causes the sexual organ of a child to contact or penetrate the mouth, anus, or sexual organ of another person, including the actor;

(D) causes the anus of a child to contact the mouth, anus, or sexual organ of another person, including the actor; or

(E) causes the mouth of a child to contact the anus or sexual organ of another person, including the actor.

(b) A sexual assault under Subsection (a)(1) is without the consent of the other person if:

(1) the actor compels the other person to submit or participate by the use of physical force or violence;

(2) the actor compels the other person to submit or participate by threatening to use force or violence against the other person, and the other person believes that the actor has the present ability to execute the threat;

(3) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist;

(4) the actor knows that as a result of mental disease or defect the other person is at the time of the sexual assault incapable either of appraising the nature of the act or of resisting it;

(5) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;

- (6) the actor has intentionally impaired the other person's power to appraise or control the other person's conduct by administering any substance without the other person's knowledge;
- (7) the actor compels the other person to submit or participate by threatening to use force or violence against any person, and the other person believes that the actor has the ability to execute the threat;
- (8) the actor is a public servant who coerces the other person to submit or participate;
- (9) the actor is a mental health services provider or a health care services provider who causes the other person, who is a patient or former patient of the actor, to submit or participate by exploiting the other person's emotional dependency on the actor;
- (10) the actor is a clergyman who causes the other person to submit or participate by exploiting the other person's emotional dependency on the clergyman in the clergyman's professional character as spiritual adviser; or
- (11) the actor is an employee of a facility where the other person is a resident, unless the employee and resident are formally or informally married to each other under Chapter 2, Family Code.

**Domestic Violence:** The term “domestic violence” means 1) Felony or misdemeanor crimes of violence committed—

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

2) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

**California Code § 13700. Assault and battery against a family or household member.**

Any person who commits an assault and battery against a family or household member

**Florida Code § 741.28. Assault and battery against a family or household member.**

(1) “Domestic violence” means any assault, aggravated assault, battery, aggravated battery, sexual assault, sexual battery, stalking, aggravated stalking, kidnapping, false imprisonment, or any criminal offense resulting in physical injury or death of one family or household member by another family or household member.

(3) “Family or household member” means spouses, former spouses, persons related by blood or marriage, persons who are presently residing together as if a family or who have resided together in the past as if a family, and persons who are parents of a child in common regardless of whether they have been married. With the exception of persons who have a child in common, the family or household members must be currently residing or have in the past resided together in the same single dwelling unit.

## **Texas Code §22.01. Assault and battery against a family or household member**

- (a) A person commits an offense if the person:
- (1) intentionally, knowingly, or recklessly causes bodily injury to another, including the person's spouse;
  - (2) intentionally or knowingly threatens another with imminent bodily injury, including the person's spouse; or
  - (3) intentionally or knowingly causes physical contact with another when the person knows or should reasonably believe that the other will regard the contact as offensive or provocative.

## **California Code § 243.4. Sexual battery**

(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.

## **Florida Code § 794.011. Sexual battery**

(h) "Sexual battery" means oral, anal, or vaginal penetration by, or union with, the sexual organ of another or the anal or vaginal penetration of another by any other object; however, sexual battery does not include an act done for a bona fide medical purpose.

## **Texas Code. Sexual battery**

There is no provision or definition for Sexual Battery in the criminal statutes of the State of Texas. However, there is Sexual Assault and Aggravated Sexual Assault.

**Family or household member:** Means (i) the person's spouse, whether or not he or she resides in the same home with the person, (ii) the person's former spouse, whether or not he or she resides in the same home with the person, (iii) the person's parents, stepparents, children, stepchildren, brothers, sisters, half-brothers, half-sisters, grandparents and grandchildren, regardless of whether such persons reside in the same home with the person, (iv) the person's mother-in-law, father-in-law, sons-in-law, daughters-in-law, brothers-in-law and sisters-in-law who reside in the same home with the person, (v) any individual who has a child in common with the person, whether or not the person and that individual have been married or have resided together at any time, or (vi) any individual who cohabits or who, within the previous 12 months, cohabited with the person, and any children of either of them then residing in the same home with the person.

**Dating Violence:** The term "dating violence" means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

1) The existence of such a relationship shall be based on the reporting party's statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

2) For the purposes of this definition-

(i) Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.

(ii) Dating violence does not include acts covered under the definition of domestic violence and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### **California Code. Dating Violence.**

California covers dating violence under domestic violence statutes.

### **Florida § 784.046. Dating Violence.**

“Dating violence” means violence between individuals who have or have had a continuing and significant relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on the consideration of the following factors:

1. A dating relationship must have existed within the past 6 months;
2. The nature of the relationship must have been characterized by the expectation of affection or sexual involvement between the parties; and
3. The frequency and type of interaction between the persons involved in the relationship must have included that the persons have been involved over time and on a continuous basis during the course of the relationship.

### **Texas § 71.0021. Dating Violence.**

- (a) "Dating violence" means an act, other than a defensive measure to protect oneself, by an actor that:
- (1) is committed against a victim:
    - (A) with whom the actor has or has had a dating relationship; or
    - (B) because of the victim's marriage to or dating relationship with an individual with whom the actor is or has been in a dating relationship or marriage; and
  - (2) is intended to result in physical harm, bodily injury, assault, or sexual assault or that is a threat that reasonably places the victim in fear of imminent physical harm, bodily injury, assault, or sexual assault.
- (b) For purposes of this title, "dating relationship" means a relationship between individuals who have or have had a continuing relationship of a romantic or intimate nature. The existence of such a relationship shall be determined based on consideration of:
- (1) the length of the relationship;
  - (2) the nature of the relationship; and
  - (3) the frequency and type of interaction between the persons involved in the relationship.

**Stalking:** The term “stalking” means 1) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to—

- (i) fear for the person’s safety or the safety of others; or
- (ii) Suffer substantial emotional distress.

2) For the purposes of this definition—

- (i) Course of conduct means two or more acts, including, but not limited to, acts which the stalker directly, indirectly, or through third parties, by any action, method, device, or means follows, monitors, observes, surveils, threatens, or communicates to or about, a person, or interferes with a person’s property.



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

(iii) Reasonable persons means a reasonable person under similar circumstances and with similar identities to the victim.

3) For the purposes of complying with the requirements of this section and section 668.41, any incident meeting this definition is considered a crime for the purposes of Clery Act reporting.

### **California Code § 646.9. Stalking**

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

### **Florida Code § 784.048. Stalking**

A person who willfully, maliciously, and repeatedly follows, harasses, or cyberstalks another person commits the offense of stalking.

### **Texas Code § 42.072. Stalking**

A person commits an offense if the person, on more than one occasion and pursuant to the same scheme or course of conduct that is directed specifically at another person, knowingly engages in conduct that:

- (1) constitutes an offense under Section 42.07, or that the actor knows or reasonably should know the other person will regard as threatening:
  - (A) bodily injury or death for the other person;
  - (B) bodily injury or death for a member of the other person's family or household or for an individual with whom the other person has a dating relationship; or
  - (C) that an offense will be committed against the other person's property;
- (2) causes the other person, a member of the other person's family or household, or an individual with whom the other person has a dating relationship to be placed in fear of bodily injury or death or in fear that an offense will be committed against the other person's property, or to feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended; and
- (3) would cause a reasonable person to:
  - (A) fear bodily injury or death for himself or herself;
  - (B) fear bodily injury or death for a member of the person's family or household or for an individual with whom the person has a dating relationship;
  - (C) fear that an offense will be committed against the person's property; or
  - (D) feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.

**Preponderance of the evidence:** Means that the complaint at hand will be resolved by a determination of which party's version of events is more likely to be true. Preponderance of the evidence is understood to require more than 50 percent certainty to determine guilt (51% or greater).

**Retaliation:** Reprisal, interference, restraint, penalty, discrimination, intimidation or harassment, determined in accordance with applicable legal standards.

*These definitions may differ from those used by the States of California, Florida, and Texas to define sexual assault for the criminal justice system. In some cases, the university's definitions include behaviors that, while not codified as criminal under the California, Florida, and Texas statutes, still violate the standards of conduct to which all WCU faculty, staff and students are held. Conduct may also be both punishable under the criminal statutes and university policy. These processes are separate and distinct from one another, however, but can run concurrently. The codification of Criminal Sexual Assault is located in Ca. Code § 261 through 269 and can be accessed on the Code of California web site at <http://www.leginfo.ca.gov/cgi-bin/calawquery?codesection=pen>. The codification of Criminal Sexual Assault is located in Fl. Code §794 and can be accessed on the Code of Florida web site at [http://www.leg.state.fl.us/STATUTES/index.cfm?App\\_mode=Display\\_Statute&URL=0700-0799/0794/0794ContentsIndex.html&StatuteYear=2014&Title=-%3E2014-%3EChapter%20794](http://www.leg.state.fl.us/STATUTES/index.cfm?App_mode=Display_Statute&URL=0700-0799/0794/0794ContentsIndex.html&StatuteYear=2014&Title=-%3E2014-%3EChapter%20794). The codification of Criminal Sexual Assault is located in Tx. Code § 21 and can be accessed on the Code of Texas web site at <http://www.statutes.legis.state.tx.us/SOTWDocs/PE/htm/PE.21.htm>.*

*See Ca. Code § 261.5 for the age of consent under California law: <http://www.leginfo.ca.gov/cgi-bin/displaycode?section=pen&group=00001-01000&file=261-269>. See Fl. Code § 800.04 and 794.05 for the age of consent under Florida law: [http://www.leg.state.fl.us/statutes/index.cfm?App\\_mode=Display\\_Statute&URL=0800-0899/0800/Sections/0800.04.html](http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=0800-0899/0800/Sections/0800.04.html). See Tx. Code §21.11 for the age of consent under Florida Law: <http://www.statutes.legis.state.tx.us/SOTWDocs/PE/htm/PE.21.htm>.*

## **B. Anti-Retaliation Policy**

### **Employees-**

All University employees should work without fear or without threat of retaliation if they, in good faith (i.e. holding a genuine belief in the truth of one's allegations), and based on a reasonable belief that improper conduct has occurred, make complaints of improper conduct to the Title IX Coordinator or in accordance with the complaint procedure or assist or participate in the complaint process. The University takes all allegations of retaliation seriously. Any allegation of retaliation should be reported immediately to the Title IX Coordinator, Valerie Mendelsohn (949) 743-5765, where the appropriate measures will be taken. For further information on this policy visit [insert policy link here].

### **Students-**

Students have the right to be free from retaliation. Threats or other forms of intimidation or retribution (including but not limited to; verbal, physical, or cyber) against a student who files a complaint or grievance, requests an administrative remedy, participates in an investigation, appears as a witness at an administrative hearing, or opposes an unlawful act, discriminatory practice or policy, are prohibited and subject to University disciplinary procedures. Students with complaints of retaliation students should contact the Title IX Coordinator, Valerie Mendelsohn (949) 743-5765, who will utilize the procedures available under the Code of Conduct.

## **What to do if you have been the victim of sexual assault, dating violence, domestic violence or stalking**

After an incident of sexual assault, the complainant should consider seeking medical attention as soon as possible at a local emergency room to have a rape kit completed to preserve evidence in case the complainant decides to file a police report. No law enforcement charges are required in order to have a rape kit collected, however the complainant must use his/her legal name.

### **If you have been sexually assaulted:**

It is important that a complainant of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen/area where they were assaulted if the offense occurred within the past 72-96 hours so that evidence as may be necessary to the proof that criminal activity is occurring or has occurred may be preserved. In circumstances of sexual assault, if complainants do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address concerns of pregnancy and/or sexually-transmitted disease. Complainants of sexual assault, domestic violence, stalking, and dating violence are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if any exists that would be useful to university hearing boards/investigators or police.

Although the university strongly encourages all members of its community to report violations of this policy to law enforcement, it is the complainant's choice whether or not to make such a report and complainants have the right to decline involvement with the police. If the complainant would like to contact public safety and/or local authorities either of the following maybe completed:

*File a complaint but not have charges brought against the accused (charges may be brought at a later time if desired and the prosecuting attorney's office agrees, however, evidence may be lost. Victims of sexual assault are encouraged to get a rape kit done and cooperate fully with an investigation so the possibility of filing criminal charges may be an option when they are ready to pursue, if ever.)*

*File a complaint and ask that the investigation and charges be pursued immediately. While the prosecuting attorney is still the decision-maker in whether the perpetrator is charged criminally, the victim can cooperate and provide as much timely cooperation and information as may be possible.*

**IMPORTANT:** Victims under the age of 18 that file a report with public safety will be deemed a child in need and the appropriate authorities will make a decision of whether to pursue charges.

If a student or employee has been the victim of domestic violence, dating violence, sexual assault, or stalking, **the complaint should report the incident promptly to the Title IX Coordinator, Valerie Mendelsohn, or the Campus Deputy Title IX Coordinator.** For each campus, they are:

#### **WCU LA:**

Gerry Van Booven  
Director of Student Affairs  
1<sup>st</sup> Floor Room 120  
12215 Victory Blvd  
North Hollywood, CA 91606  
(818) 299-5526

[gvanbooven@westcoastuniversity.edu](mailto:gvanbooven@westcoastuniversity.edu)

**WCU CGS:**

Gerry Van Booven  
Director of Student Affairs  
Student Resource Center, 3<sup>rd</sup> Floor, Room 386  
590 North Vermont Ave.  
Los Angeles, CA 90004  
(323) 454-5043  
[gvanbooven@westcoastuniversity.edu](mailto:gvanbooven@westcoastuniversity.edu)

**WCU OC:**

Sherry Koshi  
Director of Student Affairs  
Manchester Building, Floor 3, Room 315  
1477 S. Manchester Ave.  
Anaheim, CA 92802  
(714) 782-1701  
[skoshi@westcoastuniversity.edu](mailto:skoshi@westcoastuniversity.edu)

**WCU ONT:**

Tracy McMurry  
Director of Student Affairs  
Student Services, 2<sup>nd</sup> Floor, Room 200  
2855 E/ Guasti Rd.  
[insert rest of address here]  
(909) 467-6056  
[tmcmurry@westcoastuniversity.edu](mailto:tmcmurry@westcoastuniversity.edu)

**WCU Dallas:**

Amy Stewart  
Director of Student Affairs  
Student Resource Center, 5<sup>th</sup> floor, Room 534  
8435 N. Stemmons Freeway  
Dallas, TX 75247  
(214) 254-4586  
[astewart@westcoastuniversity.edu](mailto:astewart@westcoastuniversity.edu)

**WCU Miami:**

Claudette Spaulding, PhD, ARNP, CNE  
Interim Executive Director, Campus Dean of Nursing, Interim Director of Student Affairs  
Main Building 2<sup>nd</sup> floor, Office 226  
[insert remainder of address here]  
(786) 501-7038  
[cspaulding@westcoastuniversity.edu](mailto:cspaulding@westcoastuniversity.edu)

The University will provide this form of resources to persons who have been complainants of sexual assault, domestic violence, dating violence, or stalking, and the University will apply appropriate disciplinary procedures to those who violate this policy.

### **Assistance for Victims: Rights & Options**

Regardless of whether a complainant elects to pursue a criminal complaint, the University will assist complainants of sexual assault, domestic violence, dating violence, and stalking and will provide each complainant with a written explanation of his/her rights. The University complies with state law in recognizing orders of protection by: any person who obtains an order of protection from the state should provide a copy to Public Safety and the Office of the Title IX Coordinator. A complainant may then meet with Public Safety to develop a Safety Action Plan, which is a plan for public 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: escorts, special parking arrangements, changing classroom location, etc. In California, an Emergency Protection Order may be available through a law enforcement officer at any time of day. In Florida, you cannot get an emergency protection injunction (also known as a restraining order), but you can petition for a domestic violence, dating violence, or a repeat violence restraining order, as well as a petition for protection against sexual violence. Any of these can be filed at court. In Texas, a Magistrate's Order for Emergency Protection may also be issued at the time of a defendant's appearance before a magistrate after an arrest for any offence that involved family violence, sexual assault, human trafficking, or stalking. The University cannot apply for a legal order of protection, no contact order, or restraining order for a complainant or on their behalf. The victim is required to apply directly for these services in conjunction with the laws of their state. The University can issue an institutional "No Contact" directive if deemed appropriate and at the request of the victim or if deemed needed.

To the extent of the complainant's cooperation and consent, university offices, including Student Affairs and Public Safety, work cooperatively to ensure that the complainant's health, physical safety, work and academic status are protected, pending the outcome of a formal University investigation of the complaint.

Additionally, personal identifiable information about the complainant will be treated as confidential and only shared with persons with a specific need to know who are investigating/adjudicating the complaint or delivering resources or support services to the complainant. Further, the institution will maintain as confidential, any accommodations or protective measures provided to the victim to the extent that maintaining such confidentiality would not impair the ability of the institution to provide the accommodations or protective measures. The University does not publish the name of crime victims nor house identifiable information regarding victims in the public safety department's Daily Crime Log or online.

Complainants may request that directory information on file be removed from public sources by request by contacting the Title IX Coordinator by calling **(949) 743-5765**.

**NOTE: WCU does not offer on campus resources in health, mental health, counseling, victim advocacy, legal assistance, or visa and immigration assistance. Students should access the off-campus resources in their area of residence or use the chart below to utilize resources near campus. If you need help, contact your Campus Title IX Administrator or Safety and Security on your campus. Either of those offices can assist you with connecting with the resource you need. If you need immediate assistance, call 9-1-1.**

## **Dallas**

### **Off-Campus**

<b>LOCAL Police Department</b>	9801 Harry Hines Blvd Dallas, TX (214) 670-6178
<b>STATE Police Department</b>	820 N Loop 288 Denton, TX (940) 484-666
<b>Closest Emergency Room</b>	5909 Harry Hines Blvd Dallas, TX 75390 (214) 645-5555
<b>Hospital w/ SANE Services (sexual assault evidence collection services)</b>	Parkland Hospital 5201 Harry Hines Blvd Dallas, TX 75235 (214) 590-8000
<b>Prosecuting Attorney's Office (Court)</b>	Dallas City Secretary, 1500 Marilla St #7DN Dallas, TX (214) 670-3519
<b>Where to obtain a Restraining Order</b>	Protective Orders Dallas County District Attorney's Office 133 N. Industrial Blvd. 10th Floor Dallas, Texas 75207 (214) 653-3528
<b>Victim Advocacy</b>	Frank Crowley Courthouse 133 N. Riverfront Blvd. 9th Floor Dallas, Texas 75207 (214) 653-5330
<b>Legal Assistance</b>	<a href="http://www.dallascounty.org/departments/districtclerk/legalassistance.html">www.dallascounty.org/departments/districtclerk/legalassistance.html</a> 600 Commerce Street. Suite 103 Dallas, Texas 75202 (214) 653-7149
<b>Visa &amp; Immigration Assistance</b>	6500 Campus Circle Drive East Irving, TX 75063 (800) 375-5283
<b>Rape Crisis</b>	4210 Junius St Dallas, TX 75246 (972) 641-7273
<b>Battered Women's Shelter</b>	4411 Lemmon Ave #201 Dallas, TX (214) 389-7700
<b>Resources Specific to Male</b>	The Family Place

<b>Victims</b>	P.O. Box 7999 Dallas, TX 75209 (214) 559-2170
<b>Resources for the LGBTQ community</b>	John Thomas LGBT Community Center 2701 Reagan St. Dallas TX 75219 (214) 528-0144
<b>Other</b>	

### **Orange County**

#### **Off-Campus**

<b>LOCAL Police Department</b>	<b>Anaheim Police Department</b> 320 S. Beach Blvd., Anaheim, CA. 92804 (714) 765-1900 Crime reports taken 24 hours a day. Online services include crime mapping, filing police reports, traffic accident reports and more.
<b>STATE Police Department</b>	<b>California Highway Patrol</b> 13200 Goldenwest St., Westminster, CA. 92683 (714)892-4426 24 hours a day/ 7 days a week State Police with jurisdiction over state highways. The CHP also guards federal buildings in California.
<b>Closest Emergency Room</b>	<b>Anaheim Regional Medical Center</b> 1111 W. La Palma Ave., Anaheim, CA 92801 (714) 774-1450 Emergency care 24 hours a day, 7 days a week. This hospital is suitable for the highest level of emergency.
<b>Hospital w/ SANE Services (sexual assault evidence collection services)</b>	<b>Anaheim Regional Medical Center</b> 1111 W. La Palma Ave., Anaheim, CA 92801 (714) 774-1450 Next to the Emergency Room, Anaheim Regional has The Safe Place, a sexual assault examination unit. After being medically evaluated to eliminate the risk of greater injury any patient who believes they have been sexually assaulted can meet with law enforcement officials at The Safe Place to submit forensic evidence of such a case.
<b>Prosecuting Attorney's Office (Court)</b>	<b>North Orange County Courthouse</b> 1275 N. Berkeley Ave., Fullerton, CA. 92832 (657) 622-5600 M-F 8am-4pm Services include Civil, Small Claims, Criminal and Traffic Courts.

<b>Where to obtain a Restraining Order</b>	<b>North Orange County Courthouse</b> 1275 N. Berkeley Ave., Fullerton, CA. 92832 (657) 622-5600 M-F 8am-4pm Services include Civil, Small Claims, Criminal and Traffic Courts.
<b>Victim Advocacy</b>	<b>Community Service Programs</b> North Orange County Courthouse 1275 N. Berkeley Ave., Fullerton, CA. 92832 (714) 834-4317 M-F 8am-4pm
<b>Legal Assistance</b>	<b>Legal Aid Society of Orange County</b> 250 E. Center St. Anaheim, CA. 92805 (714)571-5200 M-F 9am-5pm Provides free and low-cost civil legal services to low-income families, individuals and senior citizens in Orange County.
<b>Visa &amp; Immigration Assistance</b>	<b>U.S. Citizenship and Immigration Services</b> 8381 La Palma Ave. #A, Buena Park, CA. 90620 800-375-5283 M-F 8am-4pm Provides accurate and useful information to our customers, granting immigration and citizenship benefits, promoting an awareness and understanding of citizenship, and ensuring the integrity of our immigration system.
<b>Rape Crisis</b>	<b>Community Service Programs</b> North Orange County Courthouse 1275 N. Berkeley Ave., Fullerton, CA. 92832 (714) 957-2737 – 24 Hour Hotline Provides: 24-HOUR Hotline/Hospital Response, Crisis Intervention Counseling, Support Groups, Empowerment Workshop Series, Emergency Assistance, Accompaniment , Advocacy and Criminal Justice System Orientation
<b>Battered Women’s Shelter</b>	<b>Human Options</b> Business office - 5540 Trabuco Rd., Ste. 100 Irvine, CA 92620 (877) 854-3594 – 24 Hour Hotline Human Options provides safe haven and programs to help abused women, their children and families rebuild their lives – and works with the community to break the cycle of domestic violence.
<b>Resources Specific to Male Victims</b>	<b>Community Service Programs</b>



	<p>North Orange County Courthouse  1275 N. Berkeley Ave., Fullerton, CA. 92832  (714) 957-2737 – 24 Hour Hotline  Provides: 24-HOUR Hotline/Hospital Response, Crisis Intervention Counseling, Support Groups, Empowerment Workshop Series, Emergency Assistance, Accompaniment, Advocacy and Criminal Justice System Orientation</p>
<b>Resources for the LGBTQ community</b>	<p><b>CenterLink LGBT Center OC</b>  1605 N. Spurgeon St., Santa Ana, CA 92701  (714) 953-5428  M-F 10am-9pm  CenterLink envisions communities where lesbian, gay, and bisexual and transgender people have access to flourishing LGBT community centers that advance their safety, equality and well-being.</p>
<b>Other</b>	

### **Ontario**

#### **Off-Campus**

<b>LOCAL Police Department</b>	<p><b>Ontario Police Department</b>      303 East B Street  Ontario, CA 91764    Phone 909-395-2001</p>
<b>STATE Police Department</b>	<p><b>California Highway Patrol</b>  9530 Pittsburgh Ave, Rancho Cucamonga, CA 91730  (909) 980-3994  California State Police with jurisdiction over California highways as well as federal buildings within the state.</p>
<b>Closest Emergency Room</b>	<p><b>Arrowhead Regional Center</b>, 400 N Pepper Ave, Colton, CA 92324 (909) 580-1000. Toll Free – (877) USE-ARMC..  Interpretive care 7days a week, 24 hours a day at no cost to the patient. Emergency and Clinic settings.</p>
<b>Hospital w/ SANE Services (sexual assault evidence collection services)</b>	<p><b>Pomona Valley Medical Center</b>  1798 North Garey  Pomona, CA 91767  (909) 865-9500</p>
<b>Prosecuting Attorney's Office (Court)</b>	<p><b>District Attorney</b>  303 West 3rd Street, 6th Floor, San Bernardino, CA 92415  (909) 382-7674  Provides legal assistance for criminal investigations conducted by law enforcement agencies throughout the county.</p>
<b>Where to obtain a Restraining Order</b>	<p><b>District Attorney</b>  303 West 3rd Street, 6th Floor, San Bernardino, CA 92415  (909) 382-7674  Provides legal assistance for criminal investigations conducted by law enforcement agencies throughout the</p>

	county.
<b>Victim Advocacy</b>	<p>Victim Advocacy-- <b>San Bernardino Victim Services Center</b>  316 North Mt. View Avenue, San Bernardino, California  92415 909-387-6540 or <b>Rancho Cucamonga Courthouse</b>  8303 Haven Ave., 4th Floor Rancho Cucamonga, CA  91730(909) 989-0056  Office is committed to providing crime victims with access to comprehensive, quality services regardless of the nature of their victimization, age, race, religion, gender, ethnicity, sexual orientation, capability, or geographic location.</p>
<b>Legal Assistance</b>	
	<p><b>Bilingual Family Counseling</b>, 317 West F. St. Ontario, CA 91762. (909) 987-7111.  Offers outpatient drug/alcohol and child abuse treatment. Programs for adults, adolescents &amp; children (including Play therapy) Prevention programs, crisis intervention, OTP jag programs, family and group counseling, referrals for suicide intervention and post care. Accepts medi-cal.</p>
<b>Mental Health</b>	<p><b>Phoenix Community Counseling</b>, 820 E. Gilbert St, San Bernardino, CA 92415. Crisis and Referral SRVS. Walk in or Call. OFC hours 8am to 5pm. Appt. time vary. Spanish spoken. Hearing impaired interpreter. Accepts Mid-Cal. Sliding fee scale. Free referrals to community resources. Serves San Bernardino County.</p>
<b>Financial Aid</b>	<p><b>Assistance with Financial Aid—Community Action Partnership</b> -696 S. Tippecanoe Ave, San Bernardino c CA 92415, (909) 723-1500. Mon – TH 1:30am to 5:30pm Fri - 8am to 5pm. Assist with rental assistance, Gas bill, food, transportation, transitional housing. Assisting individuals and families to become self-reliant and stable.</p>
<b>Visa &amp; Immigration Assistance</b>	<p>Visa and Immigration Assistance- Inland Legal Services. 715 N. Arrowhead Ave Suite #113 San Bernardino, CA 92401 909-884-8615 <a href="http://www.inlandlegal.org">http://www.inlandlegal.org</a></p>
<b>Rape Crisis</b>	<p><b>San Bernardino Sexual Assault Services</b>  444 N. Arrowhead Ave., # 101 San Bernardino, CA. 92401 (800)656-4673 -24 Hour Hotline  Provides support to victims of sexual assault and domestic violence through immediate crisis intervention, follow-up services, one on one counseling, accompaniment and advocacy services.</p>

<b>Battered Women's Shelter</b>	<b>Option House</b> 813 N D St #3 San Bernardino, CA 92401 (909)381-3471 Shelter is open 24 hours a day/ 7 days a week Emergency Domestic Violence Shelter: Provides meals, clothes, basic necessities, counseling, case management and resources for up to 60 days.
<b>Resources Specific to Male Victims</b>	<b>San Bernardino Sexual Assault Services</b> 444 N. Arrowhead Ave., # 101 San Bernardino, CA. 92401 (800)656-4673 -24 Hour Hotline Provides support to victims of sexual assault and domestic violence through immediate crisis intervention, follow-up services, one on one counseling, accompaniment and advocacy services.
<b>Resources for the LGBTQ community</b>	The LGBT Community Center Of The Desert 611 S. Palm Canyon Dr., Suite 201, Palm Springs, CA 92264 (760) 416-7790
<b>Other</b>	

### **Los Angeles and Center for Graduate Studies**

#### **Off-Campus**

<b>LOCAL Police Department</b>	Los Angeles Police Department 7600 S Broadway, Los Angeles, CA 90003 (213) 485-4164
<b>STATE Police Department</b>	<b>California Highway Patrol</b> 411 N. Central Avenue Glendale , CA 91203 818-240-8200
<b>Closest Emergency Room</b>	<b>Good Samaritan Hospital</b> 1225 Wilshire Blvd Los Angeles, CA 90017 (213) 977-2121
<b>Hospital w/ SANE Services (sexual assault evidence collection services)</b>	<b>LAC + USC Medical Center</b> 1200 North State Street Los Angeles, CA 90033 (323) 409-1000
<b>Prosecuting Attorney's Office (Court)</b>	<b>Central Civil West Courthouse</b> Central Civil West Courthouse 600 South Commonwealth Ave. Los Angeles, CA 90005 213-351-8738
<b>Where to obtain a protective order</b>	<b>Central Civil West Courthouse</b> Central Civil West Courthouse 600 South Commonwealth Ave.

	Los Angeles, CA 90005 213-351-8738
<b>Counseling</b>	<u>Intercommunity Counseling Center</u> 7702 Washington Ave. Whittier, CA 90602 Phone 562-698-1272
<b>Health</b>	<u>Hollywood Sunset Free Clinic</u> 3324 W Sunset Blvd. Los Angeles, CA 90026 Phone 323-660-2400 or 323-660-1408  <u>Her Medical Clinic</u> 2502 S Figueroa St, Los Angeles, CA 90007 Phone 213-747-4391  <u>Knights of Malta Free Clinic</u> 2222 Ocean View Ave. # 112 Los Angeles, CA 90057 Phone 213-384-4323
<b>Victim Advocacy</b>	<u>Family Crisis Center</u> 2116 Arlington Ave. Suite 200, Los Angeles, CA 90018 Phone 323-737-3900 Hotline 310-379-3620, 310-370-5902, 213-745-6434, 562-388-7652  <u>East Los Angeles Women's Center</u> 1255 South Atlantic Blvd Los Angeles, CA 90022 Phone 323-526-5819 Hotline 800-585-6231
<b>Legal Assistance</b>	<u>Neighborhood Legal Services of Los Angeles County</u> 1102 East Chevy Chase Drive, Glendale, CA 91205 Phone 818-291-1765 <a href="http://www.nlsla.org/">http://www.nlsla.org/</a>  <u>Legal Aid Foundation of Los Angeles</u> 1102 East Chevy Chase Drive, Glendale, CA 91205 Phone 818-291-1765 <a href="http://www.lafla.org/index.php">http://www.lafla.org/index.php</a>
<b>Financial Assistance</b>	Assistance with Financial Aid <u>Department of Public Social Services</u> 2415 W. 6 <sup>th</sup> St. Los Angeles, CA 90057 Phone 213-738-4505 <a href="http://dpps.lacounty.gov/default.cfm">http://dpps.lacounty.gov/default.cfm</a>
<b>Visa &amp; Immigration Assistance</b>	Visa and Immigration Assistance <u>Public Counsel – Immigrant's Rights Project</u>

	610 S. Ardmore Ave. CA 90031 Phone 213-385-2977 <a href="http://www.publiccounsel.org/">http://www.publiccounsel.org/</a>
<b>Mental Health</b>	<u>Center for Individual &amp; Family Counseling</u> 5445 Laurel Canyon Blvd. North Hollywood, CA 91607 Phone 818-761-2227  <u>Southern California Counseling Center</u> 5615 Pico Blvd. Los Angeles, CA 90019 Phone 323-937-1344
<b>Rape Crisis</b>	<u>Peace Over Violence</u> 1015 Wilshire Blvd Suite 200 Los Angeles, CA 90017 (626) 584-6191 (310) 392-8381 HOTLINE
<b>Battered Women's Shelter</b>	<u>Violence Intervention Program/24-Hour Domestic Violence Response Team</u> 1721 Griffin Avenue Los Angeles, CA 90031 Phone 323-226-2095 <a href="https://www.violenceinterventionprogram.org/vip/">https://www.violenceinterventionprogram.org/vip/</a>
<b>Resources Specific to Male Victims</b>	
<b>Resources for the LGBTQ community</b>	
<b>Other</b>	<u>Coalition for Humane Immigrant Rights of Los Angeles, CA</u> 2533 W. 3 <sup>rd</sup> St. Suite 101. CA 90057 Phone 213-353-1333 <a href="http://www.chirla.org/">http://www.chirla.org/</a>

## **Miami**

### **Off-Campus**

<b>LOCAL Police Department</b>	City of Doral Police Department 6100 NW 99 <sup>th</sup> Ave Doral, FL 33165 (305) 593-6699
<b>STATE Police Department</b>	Miami Dade P.D. Midwest District Station 9105 NW 25 <sup>th</sup> St Doral, FL 33172 (305) 471-2800
<b>Closest Emergency Room</b>	Palmetto General Hospital 2001 W 68 <sup>th</sup> St. Hialeah, FL 33016 (305) 823-5000
<b>Hospital w/ SANE Services (sexual assault evidence collection services)</b>	Jackson Memorial Hospital 1611 NW 12 <sup>th</sup> Ave Miami, FL 33136

	(305) 585-1111
<b>Prosecuting Attorney's Office (Court)</b>	City of Doral, Florida 8401 NW 53rd Terrace, Doral, FL 33166 (305-593-6725)
<b>Where to obtain a protective order</b>	Hialeah District Court 11E. 6 <sup>th</sup> St. Hialeah, FL 33010 9am – 4pm Domestic Violence Office 305-275-1155
<b>Victim Advocacy</b>	Special Victims Bureau 1701 NW 87th Avenue Doral, FL 33172-1500 Major: Eleasa B. Thompson Email: svbinfo@mdpd.com
<b>Legal Assistance</b>	<p>THE DART PROGRAM - 305-547-0100 The Domestic Assistance Response Team or DART provides a helping hand for Assistant State Attorneys with victims of Domestic Violence, Sexual Battery, and Elderly Abuse by doing a complete assessment of the victim's needs and continuing contact with the victims on a regular basis.</p> <p>THE MOVES PROGRAM - 305-547-0100 The M.O.V.E.S. Program has on-call paralegals who assist victims of domestic violence. The paralegals respond to domestic violence arrest cases immediately after the crime to help the victims regain control of their lives by assessing their needs, taking sworn statement of the incident, providing a safety plan and appropriate referral information available in the community.</p> <p>The paralegals are on-call Monday through Friday from 5:00 pm to 5:00 am, and available 24 hours on Weekends and Holidays. This early intervention also helps build better cases for prosecution and provides our prosecutors with the necessary tools to make decisions about each case, improving the probability of successful prosecution.</p>
<b>Visa &amp; Immigration Assistance</b>	Immigration and Refugee Program 1924 NW 84th Ave. Miami, FL 33126 (305) 774-6770 Creole, French, and Spanish spoken. Will NOT represent aliens in detention. Will take asylum cases. May charge a nominal fee.
<b>Rape Crisis</b>	Roxcy Bolton Rape Treatment Center 1611 NW 12th Ave, Miami, FL 33136 (305) 585-5185
<b>Battered Women's Shelter</b>	Miami Rescue Mission Center For Women & Children 2250 NW 1st Ave Miami, FL 33127 (305) 571-2250

<b>Resources Specific to Male Victims</b>	Special Victims Bureau 1701 NW 87th Avenue Doral, FL 33172-1500 Major: Eleasa B. Thompson Email: <a href="mailto:svbinfo@mdpd.com">svbinfo@mdpd.com</a> Resources available for men and women
<b>Resources for the LGBTQ community</b>	SAVE Office Phone Number: 305.751.SAVE (7283) 4500 Biscayne Blvd Suite 340, Miami FL 33137 <a href="mailto:savedade@savedade.org">savedade@savedade.org</a>
<b>Other</b>	

### **Online State and National Resources:**

Other resources available to persons who report being the victim of sexual assault, domestic violence, dating violence, or stalking, include:

<http://www.cpedv.org/> - The California Partnership to End Domestic Violence

<http://www.fcadv.org/> - The Florida Coalition Against Domestic Violence

<http://www.tcfv.org/> - The Texas Counsel on Family Violence

<http://www.rainn.org> – Rape, Abuse and Incest National Network

<http://www.ovw.usdoj.gov/sexassault.htm> - Department of Justice

<http://www2.ed.gov/about/offices/list/ocr/index.html> Department of Education, Office of Civil Rights

### **Disciplinary Procedures Following a Complaint**

Whether or not criminal charges are filed, the University or a person may file a complaint under the Sexual Misconduct Policy Governing Students and Employees alleging that a student or employee violated the University's policy. Reports of all domestic violence, dating violence, sexual assault and stalking made to Public safety, Clery Campus Security Authorities or Title IX Responsible Employees, will **automatically be referred to the Title IX Coordinator for investigation regardless of if the complainant chooses to pursue criminal charges.**

The Title IX Coordinator responsibilities include overseeing all Title IX complaints, and identifying and addressing any patterns or systemic problems that arise during the review of such complaints. Once the University knows or reasonably should know of sexual harassment, to include sexual violence, they have a duty to investigate or otherwise determine what occurred. Once a complaint is received, it will be assessed to determine if it could be a violation of policy; if so, it is forwarded on for investigation; fact-finding is conducted; a finding is reached; and a decision with regard to a finding of responsibility or non-responsibility is communicated to the parties as well as the associated sanction. The University will complete the intake and resolution of complaints within 60 days. There is opportunity for appeal.

## **Confidentiality**

The University will make every effort possible to ensure that the identity of a complainant is protected who report having been victims of sexual misconduct, sexual assault, domestic violence, dating violence, or stalking.

However, when a complainant does not consent to the disclosure of his or her name or other identifiable information to the alleged perpetrator, the University's ability to respond to the complaint may be limited.

For more information on Confidentiality with the Sexual Misconduct process please see West Coast University's Sexual Misconduct Policies and Procedures at <http://westcoastuniversity.edu/uploads/pdf/Sexual-Misconduct-Policy.pdf>.

## **Risk Reduction, Warning Signs of Abusive Behavior and Future Attacks**

No complainant is ever to blame for being assaulted or abused. Unfortunately, a person who is the victim of sexual or dating violence is more likely to be re-victimized. Below are some tips to help reduce your risk, to recognize warnings signs of abusive behavior and how to avoid potential attacks.

### *Warning Signs of Abusive Behavior*

Domestic and dating abuse often escalates from threats and verbal abuse to violence. And, while physical injury may be the most obvious danger, the emotional and psychological consequences of domestic and dating violence are also severe. Warning signs of dating and domestic violence include:

- 1) Being afraid of your partner.
- 2) Constantly watching what you say to avoid a "blow up."
- 3) Feelings of low self-worth and helplessness about your relationship.
- 4) Feeling isolated from family or friends because of your relationship.
- 5) Hiding bruises or other injuries from family or friends.
- 6) Being prevented from working, studying, going home, and/or using technology (including your cell phone.)
- 7) Being monitored by your partner at home, work or school.
- 8) Being forced to do things you don't want to do.

### *Help Reduce Your Risk and Avoid Potential Attacks*

If you are being abused or suspect that someone you know is being abused, speak up or intervene.

- A. Get help by contacting the Counseling Center or Health Center for support services.
- B. Learn how to look for "red flags" in relationships so you can learn to avoid some of those characteristics in future partners.
- C. Consider making a report with Public safety and/or the Title IX Coordinator and ask for a "no contact" directive from the university to prevent future contact.
- D. Consider getting a protective order.
- E. Learn more about what behaviors constitute dating and domestic violence, understand it is not your fault, and talk with friends and family members about ways you can be supported.
- F. Trust your instincts—if something doesn't feel right in a relationship, speak up or end it.



### *Sexual Assault Prevention (From RAINN)*

- Be aware of rape drugs.
- Try not to leave your drink unattended.
- Only drink from un-opened containers or from drinks you have watched being made and poured.
- Avoid group drinks like punch bowls.
- Cover your drink. It is easy to slip in a small pill even while you are holding your drink. Hold a cup with your hand over the top, or choose drinks that are contained in a bottle and keep your thumb over the nozzle.
- If you feel extremely tired or drunk for no apparent reason, you may have been drugged. Find your friends and ask them to leave with you as soon as possible.
- If you suspect you have been drugged, go to a hospital and ask to be tested.
- Keep track of how many drinks you have had.
- Try to come and leave with a group of people you trust.
- Avoid giving out your personal information (phone number, where you live, etc.). If someone asks for your number, take his/her number instead of giving out yours.

### *Traveling around campus (walking)*

- Make sure your cell phone is easily accessible and fully charged.
- Be familiar with where emergency phones are installed on the campus.
- Be aware of open buildings where you can use a phone.
- Keep some change accessible just in case you need to use a pay phone.
- Take major, public paths rather than less populated shortcuts.
- Avoid dimly lit places and talk to campus services if lights need to be installed in an area.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.
- Carry a noisemaker (like a whistle) on your keychain.
- Carry a small flashlight on your keychain.
- If walking feels unsafe, contact public safety.

### **Complainant's and Respondent's Joint Rights**

Both the complainant and respondent have the right to be treated fairly and equitably by the University throughout the investigation and resolution. They also have the right to the following:

1. The complainant and the respondent each have the opportunity to meet with a properly trained investigator and provide supporting evidence and/or attend a hearing before a properly trained hearing panel;
2. The complainant and the respondent each have the opportunity to be advised by a personal advisor of their choice, at their expense, at any stage of the process and to be accompanied by that advisor at any meeting or hearing. An advisor may only consult and advise his or her advisee, but not speak for the advisee at any meeting or hearing;
3. A decision is based on the preponderance of evidence standard, i.e. "more likely than not to have occurred" standard. In other words, the conduct process asks: "is it more likely than not that the respondent violated the Sexual Misconduct Policy Governing Students and Employees?"
4. The complainant and the respondent will be notified simultaneously in writing of the outcome of any disciplinary proceeding, as well as any changes to those result or disciplinary actions prior to the time that such results become final; and

5. The complainant and the respondent each have the right to appeal the outcome of the hearing and will be notified simultaneously in writing of the final outcome after the appeal is resolved.

For further information on Sexual Misconduct contact:

Valerie Mendelsohn,  
Vice President of Compliance and Risk Reduction and Title IX Coordinator  
151 Innovation Drive Irvine, CA 92617  
Office: 949-743-5765  
Email: [vmendelsohn@americancareercollege.edu](mailto:vmendelsohn@americancareercollege.edu)

To contact the Department of Education's Office for Civil Rights:

U.S. Department of Education Office for Civil Rights  
Lyndon Baines Johnson Department of Education Building  
400 Maryland Avenue, SW  
Washington, DC 20202-1100  
Telephone: 800-421-3481 | FAX: 202-453-6012 | TDD: 800-877-8339 | Email: [OCR@ed.gov](mailto:OCR@ed.gov)