



West Coast University Title IX Policy Governing Students and Associates

FINAL ADOPTION DATE: August 14, 2020

CAMPUS SECURITY-CLERY ACT: *WCU is committed to helping the campus community provide for their own safety and security. Information on campus security and personal safety, including alerts, crime prevention tips and crimes statistics may be found at <https://westcoastuniversity.edu/general/safety-security.html>*

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INTRODUCTION AND SCOPE

West Coast University and (“WCU” or “the Institution”) is committed to maintaining a respectful and professional academic and working environment for students and associates, including faculty. This includes having an environment free from unlawful sexual misconduct. This Title IX Policy applies to all settings and activities of the institution, whether on individual campus properties owned or controlled by WCU or off campus while a person is participating in an education program or activity of the Institution. This policy governs all persons who have a relationship with WCU that enables the Institution to exercise some control over the individual’s conduct in places and activities that relate to the Institution’s work. While any person may report an incident of sexual misconduct, incidents of sexual misconduct that occur off campus, outside the United States or that involve persons not affiliated with WCU are outside the scope of this policy, however, the incidents may be considered under the Student Conduct Code or the Associate Handbook.

Sexual misconduct, as described in this policy, is a form of sexual harassment, which is a form of discrimination and is prohibited by Title IX of the Education Amendments of 1972. Sexual assault, domestic violence, dating violence and stalking also are prohibited conduct under Title IX, and are additionally defined by the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, as amended by the Violence Against Women Reauthorization Act of 2013. These acts, as defined in this policy, are expressly prohibited at WCU.

The purpose of this policy is to affirm the Institution’s commitment to prohibit discrimination on the basis of sex through the following efforts: 1) explicitly prohibiting discriminatory harassment based on sex; 2) identifying and defining prohibited conduct; 3) outlining the procedures complainants should follow, including how and to whom to report; 4) providing a fair and impartial resolution process; and 5) identifying on and off-campus resources and supportive measures available regardless of whether a formal complaint is filed.

NON-DISCRIMINATION POLICY & NOTICE OF NON-DISCRIMINATION

All members of the educational community must be able to work and learn in an atmosphere of mutual respect and trust. Proudly pluralistic and firmly committed to providing equally opportunity for outstanding persons, the Institution strives to build a community in which each person respects the rights of other people to be proud of who and what they are; to live, work, and learn in peace and with dignity; and to have an equal prospect for realizing their full potential as individuals and members of society. This includes having an environment that is free from all forms of harassment and discrimination for everyone, including students, associates, volunteers, applicants, and members of the public. The Institution will take appropriate action to prevent such misconduct and any person who engages in such behavior and for whom the Institution exercises control.

The Institution is committed to maintaining an environment free from harassment and discrimination for everyone. The Institution prohibits discrimination and harassment on the basis of race, religion (all aspects of religious beliefs, observance, or practice, including religious dress or grooming practices), color, disability, sex (including pregnancy, childbirth, breastfeeding or related medical condition), gender identity (including gender identity and gender expression), sexual orientation, national origin (including language use and possession of a driver’s license issued to persons unable to prove their presence in the United States is authorized under federal law), ancestry, citizenship status, uniform service member status, marital status, age, protected medical condition (including cancer, or a record or history of cancer, and genetic characteristics), disability, political activities or affiliations, status as a victim of domestic violence, assault, or stalking, or any other protected status in accordance with all applicable federal, state, and local laws.

West Coast University recognizes that it is important to coordinate this policy with other existing policies related to harassment and discrimination, knowing that harassment related to an individual's sex, sexual orientation, or gender expression can occur in conjunction with misconduct and harassment related to a person's race, ethnicity, national origin, religion, age, pregnancy or parenting status, disability, or other protected status. Therefore, when a report is made of harassment or discrimination based on sex as well as harassment or discrimination based on some other protected status, the Institution will use all applicable policies respectively to address the reports and will coordinate the investigation and resolution efforts.

In the event that this policy is under review because of new federal or state law, the Title IX Coordinator has the right to implement changes to ensure that the most recent procedures are utilized in order to remain in compliance with Title IX and the Clery Act. Therefore, if that should occur, the Title IX Coordinator will provide, in writing, all changes that deviate from this written policy to the parties so that they are aware of the timeframes for resolution and the process that will be used to investigate and resolve the complaint.

Inquiries regarding the application of this policy and the respective grievance procedures used to resolve complaints may be referred to the recipient's Title IX Coordinator, to the U.S. Department of Education's Office for Civil Rights, or both.

TITLE IX COORDINATOR, DEPUTY, AND CAMPUS TITLE IX ADMINISTRATORS

West Coast University has designated a primary Title IX Coordinator who is responsible for the oversight of this policy and any related procedures and with coordinating the Institution's efforts to comply with Title IX. The Title IX Coordinator receives all reports under this policy, oversees the effective implementation of supportive measures, and the resolution of all Title IX reports, while identifying and addressing any patterns or systemic problems that arise during the review of such reports. The Coordinator's responsibilities include oversight of a prompt, fair, equitable investigation and resolution process for formal complaints of sexual misconduct and the process for informal resolution. The Title IX Coordinator also evaluates trends on campuses by using information reported and makes recommendations for institution specific student training and education programs.

West Coast University has a Deputy Title IX Coordinator, who functions as a secondary conduit of information flow between the various campuses and the primary Title IX Coordinator. The Deputy Coordinator may also be involved in the implementation of supportive measures as directed by the Title IX Coordinator and the maintenance and storage of records specific to the Institution within their span of control and within the established records retention schedule. Two Title IX Administrators will assist the Title IX Coordinator and the Deputy Title IX Coordinator in the Institution's efforts to comply with Title IX. The Title IX Administrators will manage the intake of sexual misconduct complaints and will have day to day responsibilities for the supportive measures offered to the parties.

The Deputy Title IX Coordinator or a Title IX Administrator may serve as the designee for the Title IX Coordinator in any case where there is a conflict of interest or where either party has identified a conflict of interest in his/her case with the Title IX Coordinator. For purposes of this policy, any reference to the "Title IX Coordinator" should be read as the "Title IX Coordinator or designee."

Title IX Coordinator

Sherry Koshi Assistant Director, Student Services 949-783-4992 skoshi@westcoastuniversity.edu	Administration Office 151 Innovation Drive Irvine, CA 92617
Title IX Administrators	
Mandy DeJong Compliance Liaison 949-783-4952 mdejong@westcoastuniversity.edu	Administration Office 151 Innovation Drive Irvine, CA 92617
Nina Khiev Compliance Liaison 949-783-4826 nkhiev@westcoastuniversity.edu	Administration Office 151 Innovation Drive Irvine, CA 92617
To contact the United States 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	

PROHIBITED CONDUCT

WCU expressly prohibits sexual harassment, including sexual assault, dating violence, domestic violence and stalking as defined below. The definitions in this policy may differ from those used in the civil or criminal laws of California, Texas and Florida (where WCU has physical campus locations). In some cases, the definitions include behaviors that, while not torts or crimes under state law, still violate the institution's standards of conduct for faculty, staff, and students. In addition, certain conduct may be punishable under state or federal criminal statutes, civil law, but not institutional policy. These processes are separate and distinct from one another, however, can run concurrently if the complainant chooses to report an incident to the local police in addition to the Title IX Coordinator.

This policy specifically prohibits sexual harassment as defined by Title IX of the Education Amendments of 1972. Behaviors that do not meet the definition of sexual harassment in this policy may still be prohibited behaviors at WCU and will be considered under the Student Conduct Code or the Associate Handbook.

Complainant means an individual who is alleged to be the victim of conduct that could constitute sexual harassment. Respondent means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment. References to "party" throughout the policy refers to the complainant and respondent collectively.

For purposes of this policy, all of the following definitions constitute conduct to be "on the basis of sex." WCU will treat attempts to commit any of the prohibited conduct as if those attempts had been completed.

Definitions of Prohibited Conduct

- **Quid Pro Quo Harassment** is an employee of the Institution conditioning the provision of an aid, benefit, or service of the Institution on an individual's participation in unwelcome sexual conduct.
- **Hostile Environment Harassment** is unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the Institution's education program or activity.
- **Non-consensual Sexual Contact** is kissing or touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity
- **Non-consensual Sexual Intercourse** is 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. This offense includes the rape of both males and females.
- **Incest** is sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** is sexual intercourse with a person who is under the statutory age of consent.
- **Domestic Violence** is a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, under the family or domestic violence laws of the jurisdiction receiving grant funding and, in the case of victim services, includes the use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled, or solicited to gain or maintain power and control over a victim, including verbal, psychological, economic, or technological abuse that may or may not constitute criminal behavior, by a person who is a current or former spouse or intimate partner of the victim, or person similarly situated to a spouse of the victim; who is cohabitating or has cohabitated with the victim as a spouse or intimate partner, shares a child in common with the victim; or commits acts against a youth or adult victim who is protected from whose acts under family or domestic violence laws of the jurisdiction.
- **Dating Violence** is 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 engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his or her safety or the safety of others; or suffer substantial emotional distress. For the purposes of this definition, a "course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.

Definition of Consent

In the State of California, in order for individuals to engage in sexual activity of any type with each other, there must be affirmative consent prior to and during sexual activity (and while this standard is specific to California, it will be the standard applied to all states in which WCU has campuses to allow for one standard for all complaints across campuses to include campuses in Florida and Texas). Affirmative consent is defined as affirmative, conscious, and voluntary agreement to engage in sexual activity. To obtain consent, a clear, "yes" is necessary. Consent cannot be inferred from the absence of a "no." Non-verbal consent is not as clear as talking about what an individual wants or does not want sexually. Consent can be revoked at any time and the existence of a dating or marital relationship between the parties in no way infers consent.

What constitutes lack of consent?

Consent cannot be inferred through silence or lack of resistance. Consent to one activity does not constitute consent to other sexual acts. Past sexual activity does not constitute consent for future acts. If at any time consent is uncertain, the initiating party should stop and obtain verbal consent. Consent can be withdrawn at any time. The use of any force, display of force, coercion, or intimidation negates consent. Consent is also not present if someone is incapacitated by alcohol, illegal drugs, or over the counter medication.

Individuals who are incapacitated may not legally give consent to sexual activity. Incapacitation includes, but is not limited to, being highly intoxicated, passed out, or asleep. A person who is incapacitated for purposes of this policy is one who is not legally able to give consent because they are mentally or physically helpless. "Mentally helpless" is when a person suffers from a mental illness or a condition (like being passed out, asleep, or highly impaired) that renders them incapable of understanding the nature of their conduct or rendering their own self-care. "Physically helpless" means a person has restriction of movement, either temporarily or permanently.

When incapacitation occurs due to alcohol or drug use, indicators of incapacitation may include the following:

- Slurred speech
- Bloodshot or unfocused eyes
- Unsteady gait; needing assistance to walk/stand
- Vomiting
- Outrageous or unusual behavior
- Concern expressed by others about the individual
- Expressed memory loss or disorientation

CONFIDENTIALITY

If the complainant reports to the Institution and requests confidentiality or asks that the complaint not be pursued, the Institution will take all reasonable steps to respond to the complaint consistent with the request for confidentiality or request not to pursue an investigation including providing supportive measures as available. If a complainant insists that his/her name or other identifiable information not be disclosed to the respondent, the Institution's ability to respond may be limited. If the complainant continues to ask that his or her name not be revealed, the Institution will take all reasonable steps to respond to the complaint consistent with the party's request as long as doing so does not prevent the Institution from responding effectively to the harassment and preventing harassment of other parties. At the same time, the Institution will evaluate the confidentiality request in the context of its responsibility to provide a safe and nondiscriminatory environment for all persons. It is a violation of the Institution policy to retaliate against an individual bringing a complaint or providing information for an investigation.

Education records are maintained in accordance to Family Educational Rights and Privacy Act of 1974 (FERPA). All documentation related to a student's complaint, investigation, and resolution is protected by FERPA and not available to the public. Non-identifying information may be shared with Safety and Security in

order to comply with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. A complainant's name will never be published nor does the Institution house identifiable information regarding victims in the daily crime log or online. Persons may request that directory information on file be removed from public sources by request. To request removal of directory information, students should contact the Registrar or the Deputy Title IX Coordinator.

REPORTING

Any person may report an incident of sexual misconduct as defined by this policy. WCU encourages anyone who experiences or becomes aware of sexual misconduct to immediately contact one of the options listed below including reporting to the Institution, to law enforcement, or to an off-campus resource.

Reports to the Institution

Any person who believes she/he has been the subject of sexual misconduct as defined above or is aware of a member of the community who has been subject to sexual misconduct, is strongly encouraged to contact the Title IX Coordinator, the Deputy Title IX Coordinator or a Campus Title IX Administrator to make a report. A report may be made by the person who experienced the sexual misconduct or by a third-party, including, but not limited to, a friend, family member, advisor, or WCU associate. Reports to the Title IX Coordinator may be made in person, by mail, by telephone, or by email, using the contact information listed above, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. Such a report may be made at any time (including during non-business hours).

The Institution has actual knowledge when sexual misconduct is reported to the Title IX Coordinator or other officials with authority at the Institution. Upon receipt of actual knowledge, the Title IX will contact the complainant to discuss the availability of supportive measures, consider the complainant's wishes with respect to supportive measures, and explain to the complainant the process for filing a formal complaint.

WCU does not limit the timeframe for reporting. If the respondent is no longer affiliated with WCU at the time the report is made, then the Institution will still conduct an inquiry for purposes of complying with Title IX and will provide supportive measures as appropriate.

All faculty members, volunteers on campus who work with students or minors, and every person identified as Campus Security Authorities (CSAs) under the Clery Act have responsibility to report to the Title IX Coordinator any reports of sexual misconduct made to them or observed by them, including the name of the complainant and respondent if known. WCU requires everyone in the campus community to report the suspected abuse of children (those under the age of 18.)

Reports to Public Safety and Law Enforcement

After an incident of sexual misconduct that poses a threat to the safety or physical well-being of a person or could be constitute a crime under the law, the victim should consider contacting law enforcement and seeking medical attention as soon as possible. A forensic medical exam may be helpful if a victim decides to pursue criminal charges. In California, Florida and Texas, evidence may be collected even if you choose not to make a report to law enforcement. Individuals who experience sexual violence are encouraged to preserve evidence and to note the location and identity of witnesses.

**For Emergencies Contact
911**

WCU encourages and supports victims of crime in involving law enforcement and WCU will support any person in reaching law enforcement and assisting them with filing a report. Although WCU strongly encourage all members of its community to report crimes to law enforcement, it is the victim's choice whether to make a report and have the right to decline involvement with the police.

WCU employs a contract security company that enforces WCU policies and procedures and maintains a solid relationship with local law enforcement departments who are called upon to enforce federal, state, and local laws and codes. A Safety and Security office is located at each campus location (See Appendix C for directions to each location). A security agent may also be reached through the Global Security Operations Center (GSOC).

WCU Safety and Security
Global Security Operations Center
855-955-9911

To contact the local police off campus but in the jurisdiction of the local campus, see the chart below. Additionally, WCU Safety and Security will assist any person with accessing local law enforcement.

<u>WCU Campus</u>	<u>Local Police Agency</u>	<u>Address</u>	<u>Phone Number</u>
Orange County	Anaheim Police Department	320 S. Beach Blvd., Anaheim, CA 92804	(714) 765-1900
Ontario	Ontario Police Department	2500 S. Archibald Ave, Ontario, CA 91761	(909) 395-2001
Los Angeles	Los Angeles Police Department	7600 S. Broadway, Los Angeles, CA 90003	(213) 485-6409
Center for Graduate Studies	Los Angeles Police Department	1358 N. Wilcox Ave., Hollywood CA 90028	(213) 484-4000
Dallas	Dallas Police Department	9801 Harry Hines Blvd Dallas, TX 75220	(214) 670-6178
Miami	City of Doral Police Department	6100 NW 99th Ave, Doral, FL 33178	(305) 593-6699

As time passes, evidence may dissipate or become lost or unavailable, thereby making investigation, possible prosecution, disciplinary proceedings, or obtaining orders of protection more difficult. If a victim chooses not to make a complaint regarding an incident, he or she nevertheless should consider speaking with Safety and Security or local law enforcement to preserve evidence in the event that the victim changes her/his mind at a

later date.

Online/Anonymous Reporting

Persons who wish to report via the web or wish to make an anonymous report may use the online reporting link. Reports using the online reporting link may be made by the victim or a third-party and it may be used to report any allegations of prohibited sexual misconduct at the Institution. Anonymous reports are accepted but the supplier of the anonymous report should be mindful that failure to disclose identifying information about the respondent, the complainant, or the facts and circumstances regarding the misconduct severely limits the Institution's ability to respond to, address, and remedy the effects of sexual misconduct. Anonymous reports that provide enough information to constitute a criminal offense will be reported to the Safety and Security Department, less any identifying information regarding the complainant, for purposes of inclusion in the Annual Security Report and to assess for purposes of sending out a Timely Warning Notice.

ONLINE REPORTING

<https://westcoastuniversity.edu/general/safety-security.html>

Other Reporting Options

WCU does not offer on campus resources in health, mental health, counseling, victim advocacy, legal assistance, or visa and immigration assistance. WCU encourages victims to utilize off-campus resources in their area of residence. See Appendix B of this policy for a list of resources near each campus. For assistance, students and associates may contact the Campus Title IX Administrator or Safety and Security for an individual campus. Either of those offices can connect complainants with the resources they may need.

SUPPORTIVE MEASURES AND INTERIM DISCIPLINARY ACTION

Supportive measures are non-disciplinary, non-punitive individualized services designed to restore or preserve equal access to the Institution's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the Institution's educational environment, or deter sexual harassment. Supportive measures will be offered as appropriate and as reasonably available without fee or charge to the parties before or after the filing of a formal complaint or where no formal complaint has been filed. These measures may include, but are not limited to, mutual no contact orders, changes in class or work assignments, academic housing, transportation and work accommodations, changes in work or class locations, leaves of absence, increased security and monitoring of certain areas, campus escorts, social restrictions, counseling and/or emotional support.

Any supportive measures provided to the parties will be maintained as confidential except as needed to provide the supportive measure.

The Institution may take interim disciplinary action against a student, including suspension, if after an individualized safety and risk analysis, the Title IX Coordinator determines that an immediate threat to the physical health or safety to a student or other individual exists arising from the allegations of sexual harassment. Following the determination, the Title IX Coordinator will provide the respondent with notice and an opportunity to challenge the decision immediately following the removal.

The Institution may place an employee, on administrative leave prior to or during the grievance process.

RIGHTS AND OPTIONS OF THE PARTIES

The Title IX Coordinator will ensure that the complainant receives an explanation of rights and options written in plain language with concise information. The written notification of rights and options will include the following:

- The importance of obtaining and preserving forensic and other evidence;
- The right to report or not report the alleged incident to the Institution, law enforcement or both, including information about the survivor's right to privacy and which reporting methods are confidential;
- The right to request and receive assistance from campus authorities in notifying law enforcement;
- The right to request and receive assistance in obtaining and enforcing a campus-issued order of protection or no contact order;
- The right to speak to and receive assistance from on and off campus resources and other organizations that provide support and services to victims and survivors;
- The right to assistance from the Institution in accessing local health and mental health services, counseling, advocacy services, legal assistance, financial aid services and immigration/visa assistance;
- The right to supportive measures with or without the filing of a formal complaint, no matter where the incident is reported to have occurred and that the Institution will consider the complainant's wishes with respect to available supportive measures including without limitation changes to academic, living, dining, working, and transportation situations;
- The right to request a formal or informal resolution process if cause is found to proceed under this policy and a summary of the appropriate complaint resolution procedures; and
- Contact information for all of the people and organizations listed herein.

In the event that a formal complaint is filed, the complainant and the respondent will receive a written notification of rights and options regarding the adjudication process, to include the following:

- The right for complainants and respondents to be treated equitably by the Institution which includes providing remedies to a complainant where a determination of responsibility for sexual harassment has been made against the respondent, and by following a grievance process that complies with this policy;
- The right to a fair, impartial, proceeding that begins promptly and is completed within reasonably prompt timeframes;
- The right to a resolution process that is consistent with the Institution's policies, transparent to the complainant and respondent, and in which the burden of proof and of gathering evidence rests with the Institution and not the parties;
- The right to an advisor of the party's choosing during the grievance process. If a party does not have an advisor at the time of the hearing, the Institution will provide without fee or charge, an advisor of the Institution's choice for purposes of conducting cross examination;
- The right to reasonable accommodations during any hearing, such as not being in the same room as the other party;
- The right to an objective evaluation of all relevant evidence—including both inculpatory and exculpatory evidence—and that credibility determinations will not be based on a person's status as a complainant, respondent, or witness;

- The right to a determination regarding responsibility made at the conclusion of the resolution process and that the Institution makes no prior presumption of responsibility; and
- The right not to be retaliated against for filing a formal complaint and/or for participating in an informal or formal resolution process.

INVESTIGATION AND RESOLUTION

Training

Investigators, Decision-Makers, Appellate Officers, and Title IX Coordinators, Deputies, and Administrators are trained annually on issues related to domestic violence, dating violence, sexual assault, and stalking and taught how to conduct an investigation and grievance process that protects the safety of the victim and promotes accountability as required by the Clery Act. Additionally, they have received training as required by Title IX on the definition of sexual harassment in this policy, the scope of WCU's education program and activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

Those persons serving as investigators have also received training on issues of relevance to create an investigative report that fairly summarizes relevant evidence. Those persons serving as decision-makers will also receive training on any technology to be used at a live hearing and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant.

Filing a Formal Complaint

A person who wishes to pursue a formal or informal resolution process at the Institution must file a formal complaint. A "formal complaint" is made when the Institution has received a complaint signed by the complainant or signed by the Title IX Coordinator on his/her behalf. Additionally, the Institution may sign a complaint on behalf of the complainant that does not wish to participate, if the reported behavior has the potential to interfere with the educational mission of the Institution. At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the Institution.

To file a complaint of sexual misconduct, contact the Title IX Coordinator, the Deputy Title IX Coordinator, or the Campus Title IX Administrators for a campus via mail, email, telephone, or in person.

At the time of the filing of the formal complaint, the complainant may request the complaint be considered under the formal or informal resolution process.

Dismissals of the Formal Complaint

Upon receipt of a formal complaint, the Title IX Coordinator will conduct an assessment to determine if the complaint constitutes a potential violation of this policy. If it does not, the complaint will be dismissed (or could be referred to another department or grievance process if the complaint constituted a violation of another WCU policy.) This includes complaints that would not constitute sexual harassment as defined by this policy even if proved, did not occur within the Institution's education program or activity or did not occur against a person in the United States.

Additionally, a formal complaint may be dismissed at any time during the investigation or hearing if a complainant notifies the Title IX Coordinator in writing that he or she would like to withdraw the formal complaint, the respondent is no longer enrolled or employed by the Institution or specific circumstances prevent the Institution from gathering evidence sufficient to reach a determination as to the formal complaint or allegations therein.

The decision on dismissal will be made by the Title IX Coordinator but may be appealed by either party utilizing the appeal's process outlined in this policy. Upon a dismissal required or permitted pursuant to this section, the Title IX Coordinator will promptly send written notice of the dismissal and reason(s) therefor simultaneously to the parties.

Consolidations

The Title IX Coordinator has the discretion to consolidate multiple complaints or reports into a single investigation if evidence relevant to one incident might be relevant to the others. Where a grievance process involves more than one complainant or more than one respondent, references in this section to the singular "party," "complainant," or "respondent" include the plural, as applicable.

If a case involves violations of other WCU policies, the Title IX Coordinator, in consultation with other school officials, will determine which grievance process to use or if different grievance processes would be more appropriate.

Amnesty/Immunity

In order to encourage reports of conduct that is prohibited under this policy, the Institution may offer leniency with respect to other violations which may come to light as a result of such reports, including alcohol and drug use. The Title IX Coordinator will make the determination on behalf of the Institution on a case by case basis.

Formal Resolution Process

If the complaint could constitute a violation of this policy and the complainant has requested a formal resolution process, the complainant and respondent will receive written notice from the Title IX Coordinator of the allegations of sexual harassment, including sufficient details known at the time with sufficient time to prepare before any initial interview. The parties will receive written simultaneous notification of additional allegations as appropriate.

A fair and impartial investigation will be conducted by at least one trained investigator appointed by the Title IX Coordinator. WCU reserves the right to employ external investigators if it determines that the investigation would be best conducted in this way. The parties will be provided with the name(s) of the investigator(s) and allowed 5 days to request the removal and replacement of an investigator based on bias or conflict of interest. Any request for a change in an investigator must be accompanied by supporting information and the decision to assign a new investigator will be made by the Title IX Coordinator.

Throughout the grievance process, the Title IX Coordinator will provide to a party whose participation is invited or expected, written notice of the date, time, location, participants, and purpose of meetings, investigative interviews, and hearings, with sufficient time for the party to prepare to participate as well as advise the party of the opportunity to present evidence and witness information, if applicable.

A complainants and respondents have the right to an advisor of choice to be present at any meeting or disciplinary proceeding in which either party is required to be present. WCU will not restrict who this advisor is but can and will restrict the role the advisor plays within the meeting or proceeding.

The investigation will typically include interviewing all involved parties (respondent, complainant, witnesses) and the collecting of any documentation or evidence relevant to the allegation. The Institution will not restrict either party from discussing allegations under investigation or from presenting relevant evidence or identifying relevant witnesses.

Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant and will not be requested by the investigator or allowed at the hearing, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. Additionally, the investigation and the hearing will not require, allow, rely upon, or otherwise use questions or evidence that constitute, or seek disclosure of, information protected under a legally recognized privilege, unless the person holding such privilege has waived the privilege.

At the conclusion of the investigation, the investigator and the Title IX Coordinator or Deputy Title IX Coordinator shall meet to determine if the preliminary investigation is complete. If the preliminary investigation is complete, the Title IX Coordinator will send to each party and the party's advisor, if any, a preliminary investigative report containing any evidence obtained as part of the investigation that is directly related to the allegations raised in the formal complaint.

The parties will be given 10 days to correct any information that is factually inaccurate or to present any new information to the investigator at this time. If new information is presented that prompts the need for further investigation, the investigator will complete the investigation based on the new information shared. At the conclusion of the supplemental investigation or if no further investigation needs to occur, the investigator will provide the final investigative report to the Title IX Coordinator who will distribute it to the respective parties and the party's advisor, if any, at least 10 days prior to the hearing. The Investigator will include in the final investigative report a summary of relevant evidence.

Live Hearing

Upon completion of the final investigative report, the case will be assigned to a hearing. The Title IX Coordinator will appoint a trained decision-maker to adjudicate the matter who is not the Title IX Coordinator or the investigator for the complaint. The parties will be provided with the name of the decision-maker and will be allowed 5 days to request the removal and replacement of the decision-maker based on bias or conflict of interest. Any request for a change in a decision-maker must be accompanied by supporting information and the decision to assign a new decision-maker will be made by the Title IX Coordinator.

Hearings will be conducted via an online platform with video capability, rather than in person.

At the live hearing each party's advisor will be permitted to ask the other party and any witnesses all relevant questions and follow-up questions, including questions that challenging credibility. If a party does not have an advisor, the Institution will appoint one on behalf of the party free of charge. In this capacity, the advisor will be appointed for the sole purpose of conducting cross examination of the other party and witnesses. If any advisor violates the rules or engages in behavior or advocacy that harasses, abuses, or intimidates either party, a witness, or the decision-maker, that advisor may be prohibited from further participation.

At the hearing, the decision-maker is responsible for maintaining an orderly, fair, impartial, and respectful hearing. The decision-maker has broad authority to respond to disruptive or harassing behaviors, including adjourning the hearing or excluding any offending person. The Decision-Maker will determine the method for questioning at the hearing. Only relevant cross examination and other questions may be asked of a party or witness. Before a complainant, respondent, or witness answers a cross-examination question, the decision-maker must first determine whether the question is relevant and will explain any decision to exclude a

question as not relevant. The decision-maker may also ask questions of the parties and witnesses.

In the absence of good cause, as determined by the decision-maker, information, witnesses, and other evidence discoverable through the exercise of due diligence that is not provided to the investigator during the investigation will not be considered at the hearing.

All hearings are closed to the public. A recording will be made by the Institution but all other recordings are prohibited.

A complainant, respondent, or witness may decline to participate in the hearing. If a party does not appear at the hearing, the decision-maker will not draw an inference about the responsibility determination based solely on a party's or witness's absence from the hearing or refusal to submit to questions.

At the conclusion of the hearing, the decision-maker will make a determination of responsibility. If the decision-maker has determined that it is more likely than not that sexual misconduct occurred in violation of this policy, the decision-maker will decide on the appropriate sanctions and remedies. After making a finding, the decision-maker will issue the determination, to include the reason for the finding and the associated sanctions and remedies, if any, in writing and simultaneously to the complainant and respondent.

The Title IX Coordinator and Deputy Coordinators will routinely confer on all cases to ensure consistent application of this policy.

The standard of proof used to determine whether or not a violation of this policy has occurred is the *preponderance of evidence*, which means it is more likely than not the misconduct occurred.

Typically, the investigation, resolution, and appeal will not exceed 60 days although WCU reserves the right to exceed this timeframe in order to conduct a thorough investigation. If the grievance process does or is anticipated to exceed 60 days, WCU will notify the complainant and respondent in writing and will advise them of the reason for the delay and the anticipated timeframe for the completion of the investigation.

The outcome/finding, the rationalization for the finding, and the sanctions imposed, if any, shall be conveyed to the complainant and respondent simultaneously and in writing as noted above via the WCU email system and will be delivered via certified US Mail at the same time.

Sanctions

The Decision-maker is responsible for determining sanctions and remedies. The following sanctions and remedies may be imposed, individually or in any combination, when a Respondent is found responsible for violating this policy:

- Education/Training Requirement
- Loss of Privileges
- Forfeiture of Financial Assistance
- Permanent Supportive Measures
- Restitution
- Termination from Employment
- Probation
- Suspension
- Expulsion

Student Services will impose the sanctions as identified by the Decision-Maker. The Title IX Coordinator will

be responsible for implementing any remedies for the complainant.

Appeals

Both the complainant and the respondent have a right to appeal the finding or non-finding of responsibility or the dismissal of the case. Appeals must be on one of the following grounds:

- Procedural irregularity that affected the outcome of the matter;
- New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and
- The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

Both parties will have five business days from notification to appeal in writing to the next level of authority, whose decision is final. The decision-maker on appeal will not have been involved in the process up to the point of appeal.

Appellate Officer

TitleIXAppeal@westcoastuniversity.edu

Both individuals will be informed in writing and simultaneously of any change to the results that occur prior to the time that such results become final and when such results become final.

Informal Resolution Process

At the time of the filing of a formal complaint or at any time prior to a determination of responsibility, either party may request to proceed under a voluntary informal resolution process that does not involve a full investigation. The Title IX Coordinator will determine, based on the totality of the circumstances, whether an informal resolution process is appropriate given the facts and participants. For example, an informal resolution process is never appropriate for resolving reports alleging sexual harassment of a student by an employee.

Upon request and written agreement by the parties and the Title IX Coordinator that the informal resolution process is appropriate, the Title IX Coordinator will provide to the parties a written notice disclosing the allegations, and the requirements of the informal resolution process, including when the parties are precluded from resuming a formal resolution process, any consequences resulting from participating in the informal resolution, and the records that will be maintained and shared. Informal resolutions are not subject to appeal by any party.

Informal resolutions may include, but are not limited to;

- Placing a respondent on notice that, if such behavior has occurred or is occurring, such conduct should cease immediately;
- A written warning;
- Education and/or training for a respondent;
- Permanent supportive measures for the complainant;
- Mediation or other informal communication between the complainant and respondent;
- Messaging to the campus community;

The parties may withdraw from the informal resolution process at any time prior to agreeing to a resolution and resume the formal resolution process with respect to the complaint.

NON-RETALIATION

Retaliation is defined as the taking of an adverse action against a person *because of* his or her opposition to unlawful discrimination or participation in a complaint, investigation, or lawsuit about discrimination. Retaliation includes acts like taking actions to affect a person's academic or school-related activities such as threats, unjustified negative evaluations, unjustified negative references, or increased surveillance, and any other action such as an assault or unfounded civil or criminal charges that are likely to deter reasonable people from pursuing their rights.

Adverse actions do not include petty slights and annoyances, such as stray negative comments in an otherwise positive or neutral evaluation, "snubbing" a student, not talking to a student, or negative comments that are justified by a student's poor performance or history.

It is unlawful and a violation of this policy to retaliate against any person who has brought a good-faith complaint of discrimination or harassment or who has assisted in the investigation of a complaint of discrimination or harassment. Retaliation, whether actual or threatened, destroys the sense of community and trust that is critical to a learning and work environment. WCU considers acts or threats of retaliation in response to such disclosures or participation to constitute a serious violation of WCU's policy, which may result in disciplinary action, up to and including dismissal, against the retaliator.

It is important to note that impermissible retaliation can occur even in those circumstances where it is determined that the complaint brought was without merit.

Any person who believes he or she is being retaliated against because of making a complaint or assisting in an investigation in violation of this policy, should promptly report the concerns to the Title IX or Deputy Title IX Coordinator assigned to the case. Allegations of retaliation will be handled through the Student Conduct Code or the Associate Handbook.

RECORD MANAGEMENT

The University will keep for 7 years, the following:

- All information obtained as part of each sexual harassment investigation, including any determination regarding responsibility and any audio or audiovisual recording or transcript; any disciplinary sanctions and/or remedies; any appeal, including the result of the appeal; and any informal resolution and the result therefrom.
- All information regarding any action taken, including supportive measures, and a rationale as to why a formal complaint was not filed. If a complainant was not provided supportive measures, a rationale must be provided as to why supportive measures were not provided.
- All training materials used to train Title IX Coordinators, investigators, decision makers, appellate administrators, and those who facilitate the informal resolution process.

Generally, information from a student's discipline file is not released without the written consent of the student. However, certain information may be provided to individuals within or outside the Institution who have a legitimate legal or educational interest in obtaining it. Typically, the information that is released to those outside of the Institution is limited to information associated with findings of "in violation" which resulted in a suspension or expulsion (discipline file). Please refer to the federal Family Educational Rights and Privacy Act of 1974 (FERPA).

Personnel files are the property of the Institution and will not be shared without a subpoena.

DISABILITY ACCOMMODATIONS AND INTERPRETIVE SERVICES

Students with a disability who desire an accommodation regarding this policy must request an accommodation by contacting the Title IX Coordinator. It is the individual's responsibility, and not that of the Institution, to request an accommodation. The Title IX Coordinator will make a determination regarding the request and notify the appropriate parties.

Employees with a disability who desire an accommodation regarding this policy must request an accommodation with Human Resources. Similarly, those in need of interpretive services are encouraged to contact the Title IX Coordinator or Human Resources.

APPENDIX A: WHAT TO DO IF YOU ARE A VICTIM OF SEXUAL ASSAULT

Emergency Response

Are You in Danger Now? If you need help right now, call “911.”

You can also call:

National Domestic Violence Hotline
1-800-799-7233 TDD: 1-800-787-3224

- Get to a safe place. (For example -- someone’s home, the nearest hospital or police department)
- Call 911 to be taken to an emergency room for medical care and/or for immediate police protection and assistance. When you call 911, explain what has happened and request to be sent to an emergency department that has a SANE nurse (Sexual Assault Nurse Examiner.)
- Alternatively, go directly to the nearest Emergency Room. If you go to the nearest emergency department that does not have SANE services, you can be transferred to the nearest facility.

Preservation of Evidence:

After an incident of sexual assault, the complainant should consider seeking medical attention as soon as possible at a local emergency room and 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.

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 the Institution’s grievance process or police.

Options for Reporting to Law Enforcement:

Although the college 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:

1. 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.)
2. 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 will be deemed a child in need and the appropriate authorities will make a decision of whether to pursue charges.

No Contact Orders

If the accused individual is a member of the WCU community, a no contact letter will be given to all parties involved by the Institution until the conclusion of the investigation. This will prohibit communication between the parties, including contact verbally, in writing, through technology, or third parties. If you have been the victim of domestic or dating violence, stalking or sexual abuse, you may also want to consider obtaining an order of protection from the State of California, Florida or Texas.

Orders of Protection

The Institution does not issue orders of protection. But victims may be able to secure an order of protection through the courts in the jurisdiction where they live.

The Institution cannot apply for a legal order of protection, or restraining order for a complainant or on their behalf--the victim is required to apply directly for these services in conjunction with the police of the county in which they are located. The Institution will assist students and associates in obtaining court orders of protection to the extent they can.

The Institution will comply with state laws in recognizing orders of protection regardless of whether a complainant elects to pursue a criminal complaint. Persons should provide a copy of the order of protection to Safety and Security and the Title IX Coordinator. A complainant may then meet with Safety and Security to develop a Safety Action Plan, which is a plan aimed 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.

CALIFORNIA

For helpful information see the website, www.courts.ca.gov. In California, an Emergency Protection Order may be available through a law enforcement officer at any time of day.

FLORIDA

For helpful information in Florida see the website www.flcourts.org. In Florida, the injunction process for protection order could be filed at one of the intake locations in the complainant's county. The Intake Unit staff will help to complete all the necessary paperwork, which is taken to a judge to review.

TEXAS

For helpful information in Texas, see the website www.dallascounty.org. In Texas, the protective order may be available through the district or county attorney, a private attorney, or through a legal aid service program. The application must be filed in the county in which the complainant lives.

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:

- Being afraid of your partner.
- Constantly watching what you say to avoid a “blow up.”
- Feelings of low self-worth and helplessness about your relationship.
- Feeling isolated from family or friends because of your relationship.
- Hiding bruises or other injuries from family or friends.
- Being prevented from working, studying, going home, and/or using technology (including your cell phone.)
- Being monitored by your partner at home, work or school.
- 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.

- Consider making a report with Safety and Security and/or the Title IX Coordinator and ask for a “no contact” directive from the Institution to prevent future contact.
- Consider getting a protective order.
- 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.
- Trust your instincts—if something doesn’t feel right in a relationship, speak up or end it.

How to be an Active Bystander

Bystanders play a critical role in the prevention of sexual and relationship violence. WCU aims to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. If you or someone else is in immediate danger, dial 911. This could be when a person is yelling at or being physically abusive towards another and it is not safe for you to interrupt.

- Watch out for your friends and fellow students. If you see someone who looks like they could be in trouble or need help, ask if they are ok.
- Confront people who seclude, hit on, try to make out with, or have sex with people who are incapacitated.
- Speak up when someone discusses plans to take sexual advantage of another person.
- Believe someone who discloses sexual assault, abusive behavior, or experience with stalking.
- Refer people to on or off campus resources listed in this document for support in health, counseling, or with legal assistance.

APPENDIX B: WEST COAST UNIVERSITY OFF CAMPUS RESOURCES

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.

Student Financial Aid is available on campus. For further information, please contact:

Campus	Address
Orange County	Student Financial Aid Office Address: 1477 S. Manchester Ave, Anaheim, CA 92802 Email: tSalcedo@westcoastuniversity.edu Phone: 714-782-1706
Ontario	Student Financial Aid Office Address: 2855 E. Guasti Rd, Ontario, CA 91761 Email: rFigueroa@westcoastuniversity.edu Phone: 909-467-6020
Los Angeles – Center for Graduate Studies	Student Financial Aid Office Address: 590 N. Vermont Ave, Los Angeles, CA 90004 Email: nmoran@westcoastuniversity.edu Phone: 323-284-7919
Los Angeles	Student Financial Aid Office Address: 12215 Victory Blvd, North Hollywood, CA 91606 Email: tCabuco@westcoastuniversity.edu Phone: 818-299-5506
Dallas	Student Financial Aid Office Address: 8435 N. Stemmons Fwy, Dallas, TX 75247 Email: dvelarde@westcoastuniversity.edu Phone: 214-453-4258
Miami	Student Financial Aid Office Address: 9250 NW 36 th St, Doral, FL 33178 Email: rPuello@westcoastuniversity.edu Phone: 786-501-7049

Off campus resources for victims are included below, organized by region:

Orange County

LOCAL Police Department	Anaheim Police Department 320 S. Beach Blvd., Anaheim, CA 92804 (714) 765-1900
STATE Police Department	California Highway Patrol 13200 Goldenwest St, Westminster, CA 92683 (714) 892-4426

Closest Emergency Room	Anaheim Regional Medical Center 1111 W. La Palma Ave, Anaheim, CA 92801 (714) 774-1450
Hospital w/ SANE Services (sexual assault evidence collection services)	Anaheim Regional Medical Center 1111 W. La Palma Ave, Anaheim, CA 92801 (714) 774-1450
Prosecuting Attorney's Office (Court)	North Justice Center – Orange County Superior Court 1275 N. Berkeley Ave, Fullerton, CA 92832 (657) 622-5600
Where to obtain a Restraining Order	Lamoreaux Justice Center 341 The City Drive South – Room 705, Orange, CA 92868 (657) 622-5720, (657) 622-5756 or the Domestic Violence Hotline: (714) 992-1931
Victim Advocacy	Sexual Assault Victim Services 700 W. Civic Center Dr., Santa Ana, CA 92701 (714) 834-4317
Legal Assistance	Legal Aid Society of Orange County 2101 N. Tustin Ave, Santa Ana, CA 92705 (714) 571-5200
Visa & Immigration Assistance	U.S. Citizenship and Immigration Services 8381 La Palma Ave. #A, Buena Park, CA 90620 (800) 375-5283 Coalition for Humane Immigrant Rights of Orange County 32118 Paseo Adelanto #9A, San Juan Capistrano, CA 92675 Tel 714-430-8771 http://www.chirla.org/
Rape Crisis	Community Service Programs North Orange County Courthouse 1275 N. Berkeley Ave, Fullerton, CA 92832 (714) 957-2737 – 24 Hour Hotline
Battered Women's Shelter	Human Options Business office - 5540 Trabuco Rd, Suite 100, Irvine, CA 92620 (877) 854-3594 – 24 Hour Hotline
Resources Specific to Male Victims	Community Service Programs North Orange County Courthouse 1275 N. Berkeley Ave, Fullerton, CA 92832 (714) 957-2737 – 24 Hour Hotline
Resources for the LGBTQ community	CenterLink LGBT Center OC 1605 N. Spurgeon St, Santa Ana, CA 92701 (714) 953-5428

Ontario

LOCAL Police Department	Ontario Police Department 2500 S. Archibald Ave, Ontario, CA 91761 (909) 395-2001
STATE Police Department	California Highway Patrol 9530 Pittsburgh Ave, Rancho Cucamonga, CA 91730 (909) 980-3994
Closest Emergency Room	Arrowhead Regional Center 400 N Pepper Ave, Colton, CA 92324 (909) 580-1000. Toll Free: (877) USE-ARMC
Hospital w/ SANE Services (sexual assault evidence collection services)	Pomona Valley Medical Center 1798 North Garey Ave, Pomona, CA 91767 (909) 865-9500
Prosecuting Attorney's Office (Court)	San Bernardino County District Attorney 303 West 3rd Street, 6th Floor, San Bernardino, CA 92415 (909) 382-3800
Where to obtain a Restraining Order	San Bernardino County District Attorney 303 West 3rd Street, 6th Floor, San Bernardino, CA 92415 (909) 382-3800
Victim Advocacy	San Bernardino Victim Services Center 316 North Mt. View Avenue, San Bernardino, CA 92415 (909) 387-6540 Rancho Cucamonga Courthouse 8303 Haven Ave., 4th Floor Rancho Cucamonga, CA 91730 (909) 989-0056
Legal Assistance	Inland Counties Legal Services 10565 Civic Center Dr. Suite 200, Rancho Cucamonga, CA 91730 (909) 980-0982
Counseling	Olive Branch Counseling Centers – Rancho Cucamonga Center 9033 Baseline Rd. Suite A, Rancho Cucamonga, CA 91730 (909) 989-9030 Ext 103
Mental Health	Phoenix Community Counseling 820 E. Gilbert St, San Bernardino, CA 92415 (909) 387-7200
Financial Aid	Community Action Partnership 696 S. Tippecanoe Ave, San Bernardino, CA 92408 (909) 723-1500
Visa & Immigration Assistance	Inland County Legal Services 455 North D Street, San Bernardino, CA 92401 (909) 884-8615 Coalition for Humane Immigrant Rights of San Bernardino 2130 N Arrowhead Ave, San Bernardino, CA 92405 Tel. 909-688-6319 http://www.chirla.org/

Rape Crisis	San Bernardino Sexual Assault Services 444 N. Arrowhead Ave., # 101 San Bernardino, CA 92401 (800) 656-4673 -24 Hour Hotline
Battered Women's Shelter	Option House 813 N D St #A San Bernardino, CA 92401 (909) 383-1602
Resources Specific to Male Victims	San Bernardino Sexual Assault Services 444 N. Arrowhead Ave., # 101 San Bernardino, CA 92401 (800) 656-4673 -24 Hour Hotline
Resources for the LGBTQ community	The LGBT Community Center of the Desert 1301 N. Palm Canyon Dr. 3 rd Floor, Palm Springs, CA 92262 (760) 416-7790

Los Angeles

LOCAL Police Department	Los Angeles Police Department 7600 S. Broadway, Los Angeles, CA 90003 (213) 485-6409
STATE Police Department	California Highway Patrol 411 N. Central Ave. #410, Glendale, CA 91203 (818) 240-8200
Closest Emergency Room	Good Samaritan Hospital 1225 Wilshire Blvd, Los Angeles, CA 90017 (213) 977-2121
Hospital w/ SANE Services (sexual assault evidence collection services)	LAC + USC Medical Center 1200 N. State St., Los Angeles, CA 90033 (323) 409-1000
Prosecuting Attorney's Office (Court)	Central Civil West Courthouse 600 South Commonwealth Ave, Los Angeles, CA 90005 (213) 351-8738
Where to obtain a protective order	Stanley Mosk Courthouse Restraining Order Center – Room 245 111 N. Hill St., Los Angeles, CA 90012 (213) 830-0830 Option #4
Counseling	Intercommunity Counseling Center 7702 Washington Ave., Whittier, CA 90602 (562) 698-1272
Health	Hollywood Sunset Free Clinic 3324 W Sunset Blvd, Los Angeles, CA 90026 (323) 660-2400 or (323) 660-1408 Her Medical Clinic 2502 S. Figueroa St., Los Angeles, CA 90007 (213) 747-4391 Knights of Malta Free Clinic 2222 Ocean View Ave #112, Los Angeles, CA 90057 (213) 384-4323
Victim Advocacy	1736 Family Crisis Center 2116 Arlington Ave. Suite 200, Los Angeles, CA 90018 (323) 737-3900 East Los Angeles Women's Center 1431 S. Atlantic Blvd, Los Angeles, CA 90022 (323) 526-5819 Hotline (800) 585-6231
Legal Assistance	Neighborhood Legal Services of Los Angeles County 1102 E Chevy Chase Drive, Glendale, CA 91205 (818) 291-1765 Legal Aid Foundation of Los Angeles Ron Olson Justice Center 1550 West 8 th Street, Los Angeles, CA 90017 (800) 399-4529
Financial Assistance	Department of Public Social Services 2415 W 6 th St, Los Angeles, CA 90057 (866) 613-3777

Visa & Immigration Assistance	<p>Public Counsel – Immigrant’s Rights Project 610 S. Ardmore Ave, Los Angeles, CA 90005 (213) 385-2977</p> <p>Coalition for Humane Immigrant Rights of Los Angeles, CA 2533 W. 3rd St., Suite 101, Los Angeles, CA 90057 (213) 353-1333 http://www.chirla.org/</p>
Mental Health	<p>Center for Individual & Family Counseling 5445 Laurel Canyon Blvd, North Hollywood, CA 91607 (818)761-2227</p> <p>Southern California Counseling Center 5615 Pico Blvd, Los Angeles, CA 90019 (323) 937-1344</p>
Rape Crisis	<p>Peace Over Violence 1015 Wilshire Blvd. Suite 200, Los Angeles, CA 90017 (213) Hotline (310) 392-8381</p>
Battered Women’s Shelter	<p>Violence Intervention Program/24-Hour Domestic Violence Response Team 1721 Griffin Avenue, Los Angeles, CA 90031 (323) 226-2095</p>
Resources Specific to Male Victims	<p>Los Angeles Male Survivors of Sexual Abuse Culver City, CA (323) 250-6116</p>
Resources for the LGBTQ community	<p>Los Angeles LGBT Center – McDonald/Wright Building 1625 N Schrader Blvd, Los Angeles CA 90028 (323) 993-7400</p>

Dallas

LOCAL Police Department	<p>Dallas Police Department – Northwest Operations Division 9801 Harry Hines Blvd Dallas, TX 75220 (214) 670-6178</p>
STATE Police Department	<p>Texas Highway Patrol 820 N Loop 288 Denton, TX 76209 (940) 484-666</p>
Closest Emergency Room	<p>Parkland Hospital Emergency Room 5200 Harry Hines Blvd., Dallas, TX 75235 (214) 645-5555</p>
Hospital w/ SANE Services (sexual assault evidence collection services)	<p>Parkland Hospital 5200 Harry Hines Blvd Dallas, TX 75235 (214) 590-8000</p>
Prosecuting Attorney’s Office (Court)	<p>Dallas City Secretary 1500 Marilla St. #5DS, Dallas, TX, 75201 (214) 670-3519</p>

Where to obtain a Restraining Order	Dallas County District Attorney's Office 133 N. Riverfront Blvd., 10th Floor Dallas, TX 75207 (214) 653-3528
Victim Advocacy	Frank Crowley Courthouse 133 N. Riverfront Blvd., 9th Floor Dallas, TX 75207 (214) 653-5330
Legal Assistance	Dallas District Clerks Office 600 Commerce Street, Suite# 103 Dallas, TX 75202 (214) 653-7307 Legal Aid of North West Texas 1515 Main St., Dallas, TX 75201 (214) 748-1234
Visa & Immigration Assistance	U.S. Citizenship and Immigration Services – Dallas Field Office 6500 Campus Circle Drive East, Irving, TX 75063 (800) 375-5283
Rape Crisis	Dallas Area Rape Crisis Center 11303 N. Central Expy Suite 601, Dallas, TX 75243 (214) 712-4900, 24-Hour Crisis Hotline (972) 641-7273
Battered Women's Shelter	Genesis Women's Shelter Outreach 4411 Lemmon Ave #201 Dallas, TX 75219 (214) 389-7700
Resources Specific to Male Victims	The Family Place P.O. Box 7999 Dallas, TX 75209 (214) 559-2170
Resources for the LGBTQ community	John Thomas LGBT Community Center 2701 Reagan St. Dallas, TX 75219 (214) 528-9254

Miami

LOCAL Police Department	City of Doral Police Department 6100 NW 99 th Ave, Doral, FL 33178 (305) 593-6699
STATE Police Department	Miami Dade P.D. Midwest District Station 9105 NW 25 th St, Doral, FL 33172 (305) 471-2800
Closest Emergency Room	Palmetto General Hospital 2001 W 68 th St., Hialeah, FL 33016 (305) 823-5000
Hospital w/ SANE Services (sexual assault evidence collection services)	Jackson Memorial Hospital 1611 NW 12th Ave, Miami, FL 33136 (305) 585-1111
Prosecuting Attorney's Office (Court)	City of Doral, Florida 8401 NW 53rd Terrace, Doral, FL 33166 (305) 593-6725

Where to obtain a Restraining Order	Hialeah District Court Domestic Violence Intake – Room 108 11E. 6 th St. Hialeah, FL 33010 (305) 349-5813
Victim Advocacy	Special Victims Bureau 1701 NW 87th Ave. Suite #100, Doral, FL 33172 Email: svbinfo@mdpd.com
Legal Assistance	THE DART PROGRAM – (305) 547-0100 THE MOVES PROGRAM – (305) 547-0100
Visa & Immigration Assistance	Immigration and Refugee Program 1924 NW 84th Ave. Building 10 – Beacon Center, Doral, FL 33126 (305) 774-6770
Rape Crisis	Roxcy Bolton Rape Treatment Center 1611 NW 12th Ave., Miami, FL 33136 (305) 585-7273
Battered Women’s Shelter	Miami Rescue Mission Center for Women & Children 2250 NW 1st Ave., Miami, FL 33127 (305) 571-2250
Resources Specific to Male Victims	Special Victims Bureau 1701 NW 87th Ave., Doral, FL 33127 Email: svbinfo@mdpd.com
Resources for the LGBTQ community	SAVE 1951 NW. 7 th Ave. Suite 600, Miami FL, 33136 (305) 751-7283 Email: save@save.lgbt

APPENDIX C: CONTACTING PUBLIC SAFETY BY CAMPUS

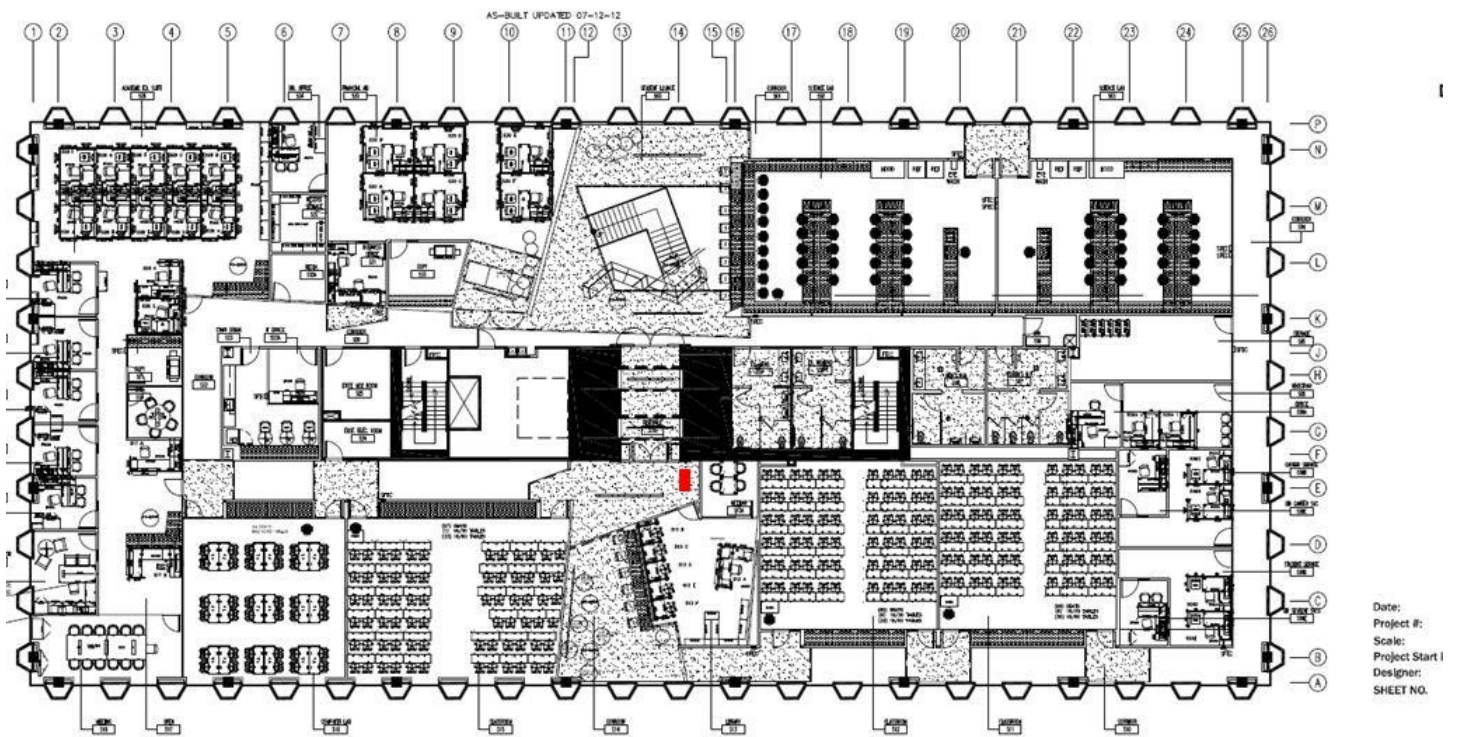
WCU-Center for Graduate Studies: Main lobby adjacent to reception

WCU-Los Angeles: Main lobby adjacent to reception

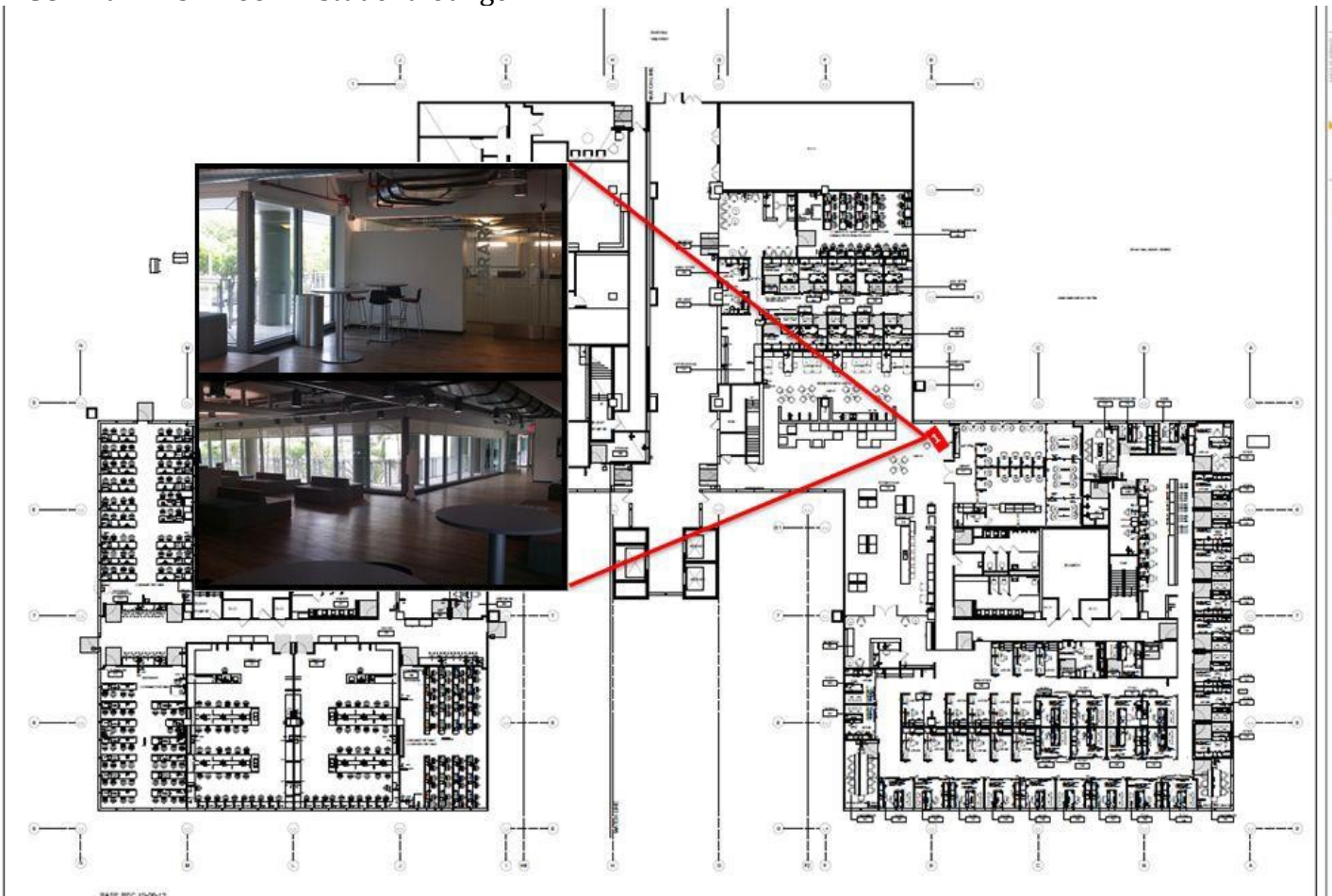
WCU-Orange County: Main lobby adjacent to reception

WCU-Ontario: Main lobby adjacent to reception

WCU-Dallas: 5th floor adjacent to elevators/library



WCU-Miami: 3rd floor in student lounge



APPENDIX D: CALIFORNIA, FLORIDA AND TEXAS CODE DEFINITIONS

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.

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.

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.

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.

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.

California covers dating violence under domestic violence statutes.

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.

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 website at:
http://www.leg.state.fl.us/statutes/index.cfm?App_mode=Display_Statute&URL=07000799/0794/Sections/0794.011.html

The Codification of Criminal Sexual Assault is located in TX. Code §21 and can be accessed on the Code of Texas website at: <https://statutes.capitol.texas.gov/Docs/ED/htm/ED.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

See TX. Code §21.11 for the age of consent under Texas Law:
<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:
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PEN§ionNum=261.5

Florida Code § 794.011. Consent

Consent is defined intelligent, knowing, and voluntary consent and does not include coerced submission. “Consent” shall not be deemed or construed to mean the failure by the alleged victim to offer physical resistance to the offender

Florida Code §794.011. Sexual Assault: Sexual Battery

“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.

Florida Code § 826.04. Incest: Adultery and Fornication by Persons Forbidden to Marry

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.

Florida Code § 775.084. Sexual Intercourse

The penetration of the female sex organ by the male sex organ, however slight; emission of semen is not required.

Florida Code § 800.04 and 794.05. Statutory Rape: 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.

Florida Code § 741.28. Domestic Violence: 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.

Florida Code § 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.

Florida Code § 784.048. Stalking

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

Texas Definition of Consent

Consent means assent in fact, whether express or apparent. Consent is not effective if:

- induced by force, threat, or fraud;
- given by a person the actor knows is not legally authorized

- given by a person who by reason of youth, mental disease or defect, or intoxication is known by the actor to be unable to make reasonable decisions; or
- given solely to detect the commission of an offense.

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
- (F) (b) A sexual assault under Subsection (a)(1) is without the consent of the other person if:
- b) the actor compels the other person to submit or participate by the use of physical force or violence;
 - c) 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;
 - d) the other person has not consented and the actor knows the other person is unconscious or physically unable to resist;
 - e) 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;
 - f) the other person has not consented and the actor knows the other person is unaware that the sexual assault is occurring;
 - g) 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;
 - h) 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;
 - i) the actor is a public servant who coerces the other person to submit or participate;
 - j) 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;
 - k) 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

l) the actor is an associate of a facility where the other person is a resident, unless the associate and resident are formally or informally married to each other under Chapter 2, Family Code.

Texas Code has no criminal statute against incest.

Texas Code § 25.02. Prohibited Sexual Misconduct

(a) A person commits an offense if the person engages in sexual intercourse or deviate sexual intercourse with another person the actor knows to be, without regard to legitimacy:

- 1) the actor's ancestor or descendant by blood or adoption;
- 2) the actor's current or former stepchild or stepparent;
- 3) the actor's parent's brother or sister of the whole or half-blood;
- 4) the actor's brother or sister of the whole or half blood or by adoption;
- 5) the children of the actor's brother or sister of the whole or half blood or by adoption; or
- 6) the son or daughter of the actor's aunt or uncle of the whole or half blood or by adoption.

(b) For purposes of this section:

(1) "Deviate sexual intercourse" means any contact between the genitals of one person and the mouth or anus of another person with intent to arouse or gratify the sexual desire of any person.

(2) "Sexual intercourse" means any penetration of the female sex organ by the male sex organ.

(c) An offense under this section is a felony of the third degree, unless the offense is committed under Subsection

(a) (1), in which event the offense is a felony of the second degree.

Texas Code § 21.11. Statutory Rape: 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: (n) (1) was not more than three years older than the victim and of the opposite sex;

(c) did not use duress, force, or a threat against the victim at the time of the offense; and

(d) at the time of the offense:

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

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

(g) 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.

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

(i) any touching by a person, including touching through clothing, of the anus, breast, or any

part of the genitals of a child; or

(j) 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.

Texas Code § 22.01. Domestic Violence: Assault and Battery Against a Family or Household Member

(a) A person commits an offense if the person:

(b) 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

(c) spouse; or

(d) 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.

Texas Code § 71.0021. Dating Violence

"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

(a) 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:

a. the length of the relationship;

b. the nature of the relationship; and

c. the frequency and type of interaction between the persons involved in the relationship.

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:

(a) 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;

1. 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

2. 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

- (D) would cause a reasonable person to:
1. fear bodily injury or death for himself or herself;
 2. 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;
 3. fear that an offense will be committed against the person's property; or
 4. feel harassed, annoyed, alarmed, abused, tormented, embarrassed, or offended.