



# **2020 Annual Security Report**

[For incidents occurring in the year 2019]

(Published 12.31.2020)

# 2020 Annual Crime Awareness and Campus Security Report

## *Pacific Oaks College*

This report is provided to meet the requirements of the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1988 (“Clery Act”) and has been prepared by The Pacific Oaks College (“Pacific Oaks College,” “POC” or the “School”) using statistical and other information supplied by the Pasadena Police Department and the San Jose Police Department.

Pacific Oaks College is a non-for-profit, accredited higher education institution offering bachelor's-completion, master's, and certificate programs in human development, counseling, education, early childhood education, and teacher credentialing. The School is located at 55 and 45 Eureka Street Pasadena, CA 91103 and at our Northern California Branch Campus located at 1245 S. Winchester Boulevard San Jose, CA 95131. We are an institution of 88 on-campus core faculty and employees and 248 temporary faculty, serving a student body of 1,163. All information regarding campus security, safety and sexual misconduct policies are publicly available on the POC website at <https://www.pacificoaks.edu/student-resources/campus-safety/>.

While Pacific Oaks Children’s School is affiliated with Pacific Oaks College. Because the Pacific Oaks Children’s School is not a postsecondary institution that participates in the Title IV federal student financial assistance program, the Children’s School is not subject to Clery reporting. Accordingly, this report, as outlined on the following pages, contains information pertaining to Pacific Oaks College security policies, campus safety personnel, emergency response procedure and campus crimes statistics.

## Safety and Security Programs and Policy Statements

### 1. Access to Campus Facilities

Pacific Oaks College is a private institution and its facilities are private property. The school offers classes at its main campus located at 45 and 55 Eureka Street Pasadena, CA 91103; Northern California Branch Campus located at 1245 S. Winchester Boulevard San Jose, CA 95131 as well as at a number of convenient instructional sites throughout California, and online.

Access to Pacific Oaks College's campus and facilities during normal business hours are permitted only with Pacific Oaks' consent which may be withdrawn at any time for any reason. Pacific Oaks gives implied permission to persons with genuine and legitimate purposes to enter and remain on its premises during normal business hours. That permission is, however, conditional upon the person behaving in a manner consistent with any policies or procedures Pacific Oaks may have in place. Where those policies or procedures are not observed, Pacific Oaks is within its rights to withdraw permission and request the person leaves its premises.

We attempt to maintain our facilities in a manner that minimizes hazardous conditions. Regular walk-throughs are conducted, and malfunctioning lights or other unsafe physical conditions are reported to facilities management for correction. In addition, Pacific Oaks College invites reports of physical hazards (e.g., a broken stair, broken furniture, spills, plumbing problems, electrical problems, etc.). Contact the Security Desk for support at 626-529-8432 or the Facilities Manager to report facility issues.

### 2. Campus Safety Authority

Crime prevention is a high priority of campus administration officials at Pacific Oaks College. To achieve this goal, Pacific Oaks College works in conjunction with surrounding law enforcement agencies.

Pacific Oaks College has designated its Facilities and Office Manager, as responsible for coordinating disaster preparedness, maintaining fire alert and building security systems, reporting crimes to local authorities and keeping campus safety records. The Facilities Manager is also responsible for obtaining data from local law enforcement for preparation of the annual crime statistics contained within this report. The annual Security Crime Surveys are prepared by the Facilities Manager.

Other Campus Safety Authorities are:

- Yug Fon Chiquito – AVP, Financial and Administrative Operations (Pasadena)  
Phone: (626) 529-8248
- Victoria Lugo – Dean of Students Phone: (626) 529-8176
- Marcia Bankirer – Campus Dean, Northern California Instructional Site (San Jose)  
Phone: (669)-999-4317

### 3. Reporting Criminal Activity

Pacific Oaks College encourages students, faculty and staff to promptly and accurately report all criminal activity and emergencies that have occurred at a Pacific Oaks College locations to the local authorities as well as to the Pacific Oaks Facilities Manager. Crimes in progress and crimes that have just occurred should be reported directly to the police by dialing 911. If a crime occurs on or around campus, report it immediately to the Pacific Oaks Security Desk at 626-529-8432. Security desk is located in the lobby area for both buildings (45 & 55 Eureka) of our Pasadena Campus. The Pacific Oaks Security Desk number is available for both Pasadena and San Jose Campuses.

The security personnel do not have the authority to arrest individuals, unless such personnel possess valid certification as a law enforcement officer, peace officer, or are authorized to act in such a capacity by way of official authority granted by a court or state regulatory agency. Pacific Oaks security personnel may cooperate with state and local law enforcement agencies investigating alleged criminal offenses.

All reported crimes are recorded in the campus security log and are available for public viewing upon request. Pacific Oaks College is required by the Department of Education to publish Campus Crime Statistics by October 1st of each year<sup>1</sup>. In addition, Pacific Oaks College is required by the Department of Education to complete and submit an Online Campus Safety and Security Survey within the first two weeks of October each year.<sup>2</sup>

The information within the Crime surveys are compiled from incidents recorded in the campus security log along with local law enforcement statistics, and made available to all students and staff as published on the POC website.<sup>3</sup> 2019 crime statistics were requested from the Pasadena and San Jose Police Departments on or about July 9, 2020 respectively, and the authorities provided the information on the same date. The survey statistics are available to the public at <http://ope.ed.gov/security/GetOneInstitutionData.aspx>.

### 4. Confidential Reporting Procedures

If you are the victim of a crime and do not want to pursue action within the institutional system or the criminal justice system, you may still want to consider making a confidential report to the school. With your permission, a designee of Pacific Oaks College can file a report on the details of the incident without revealing your identity. In such circumstances, crime victims are encouraged to consider making a confidential report to one of the designated campus security authorities. At a minimum, crime victims will receive valuable counseling and referral information.

Confidential reports are important because they provide valuable information that will enhance the safety of the community-at-large and they will, at least, provide a more accurate portrait of

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<sup>1</sup> In 2020, due to the COVID-19 pandemic, the Department of Education issued an extension for the Annual Security Report and a Security Crime Survey. In compliance with the extension, Pacific Oaks College will publish the Annual Security Report by December 31, 2020.

<sup>2</sup> In 2020, due to the COVID-19 pandemic, the Department of Education issued an extension for the Annual Security Report and a Security Crime Survey. In compliance with the extension, Pacific Oaks College will complete and submit the Security Crime Survey by January 14, 2021.

<sup>3</sup> NOTE: There are no crime statistics for on-campus housing because Pacific Oaks College does not have any on-campus housing.

actual campus crime. The purpose of a confidential report is to respect the desire of a crime victim to keep the incident confidential, while taking steps to ensure the future safety of the Pacific Oaks College community. With such information, the school can keep an accurate record of the number of incidents involving students, determine where there is a pattern of crime with regard to a particular location, method, or assailant, and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the school.

Anonymous crime reporting is NOT for emergencies. If you need to report an emergency, call 911.

#### 5. Non-Emergency Procedures

For non-emergent incidents at Pacific Oaks College, please call:

- Facilities Manager (Pasadena): 626-529-8247 (Staff & Faculty)
- Office Supervisor (San Jose): 669.999.4303 (Staff & Faculty)
- CARE Office: 626-529-8260 (All Students)

#### 6. Timely Warning Procedures

In addition to annual statistics reporting, Pacific Oaks must provide a timely warning of crimes reported to campus security and local police agencies, including the occurrence of Clery Act crimes, in a manner that is intended to prevent similar crimes from recurring and to protect the personal safety of students and employees. Timely warnings will include mass emails and posted flyers in visible locations containing pertinent information on the situation at hand. Additionally, the same information will be posted on the POC website.

Decision to disseminate a timely warning will be made by the Communications Liaison in conjunction with the Crisis Management Team (CMT) and Risk Management Team (RMT) on a case-by-case basis, in light of all the facts surrounding the crime and the continuing danger to the campus community. Crime alerts will contain a brief description of the incident; the date, time, and location of the incident; and precautions to take. The amount and type of information presented in the warning will vary depending on the circumstances of the crime. Significant criminal incidents that might elicit a timely warning include, but are not limited to, crimes of violence or patterns of property crimes.

For crimes considered a threat to other students or employees, victim's names will be withheld from timely warnings. Anyone with information warranting a timely warning should report the circumstances to the POC Security Desk.

#### 7. Crime Prevention

Pacific Oaks College is strongly committed to crime prevention, and prioritizes the personal physical safety of its students, faculty, and staff to ensure a successful learning environment.

Educational campuses, like all other communities, are not immune to crime. The cooperation and involvement of students, faculty, and staff in campus safety is essential to prevent and minimize

criminal activity and injury, as well as enhance the quality of life for members of the Pacific Oaks College community.

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

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

- If anything makes you feel unsafe or threatened, dial 9-1-1.
- When using a personal vehicle, keep the doors locked at all times. Before entering a vehicle, always look under the vehicle and in the back seat.
- Keep personal keys (car, apartment, home, etc.) in your possession at all times.
- At night, travel in well-lighted areas and in pairs if possible. Avoid short cuts and deserted areas.
- Notice and be aware of suspicious persons and conditions. A suspicious person is either one who is exhibiting suspicious behavior, or who is in an area or doing something that is not normal to the regular campus activities, such as: a person in the parking lot who is moving from car to car, peeking inside or trying to open the doors, a person who appears to be paranoid or making strange and sudden movements for no apparent reason), among others.
- Do not leave valuable items in your car, including personal items and/or school related materials, such as textbooks, laptop computers, smartphones, etc.
- Do not park in isolated areas.
- Do not prop doors open.
- Leave items of high monetary value at home.
- Do not leave personal property unattended.
- Do not carry more cash than necessary and certainly do not advertise the amount you are carrying.
- Keep your purse, backpack or briefcase close to your body.
- Avoid giving out personal information or making appointments with strangers over the phone.
- Mark personal items that you bring on campus. This includes marking textbooks, laptops, and calculators with your name or some other traceable identification.
- Do not bring any kind of firearms, dangerous weapons, explosives, or lethal materials onto Pacific Oaks College property. Unauthorized use, possession, or storage of these or other potentially dangerous items on Pacific Oaks College premises, or at Pacific Oaks College activities, regardless of whether you have been issued a federal or local license to possess any of these items, is strictly prohibited, and you may be subject to discipline and/or criminal prosecution.

#### 8. Alcohol and Other Drug Policies

Pacific Oaks prohibits the unlawful possession, sale use, or distribution of drugs, alcohol and illegal substances by students or employees on Pacific Oaks property, including all institutional

activities sponsored by POC. Violators may be subject to disciplinary action, up to and including the notification of appropriate authorities. The Alcohol and Drug-Free Environment Policy is distributed annually to all students and employees pursuant to the Drug-Free Schools and Communities Amendments Act of 1989 (Public Law 101-226). In accordance with California law, only individuals who are 21 years or older are allowed to consume, possess, or transport alcohol. Moreover, individuals are forbidden to sell, purchase, or serve alcoholic beverages to persons younger than 21.

An individual who is determined to be impaired, or who becomes impaired, while on Pacific Oaks property is in violation of institutional policy and is subject to disciplinary action. ("Impaired" refers to when an individual's normal physical or mental abilities have been detrimentally affected by the use of substances). Disciplinary action may include suspension, dismissal, termination, or other penalty deemed to be appropriate under the circumstances.

Pacific Oaks will regularly review the terms of this policy to:

- Determine its effectiveness.
- Implement changes, as needed, and
- Ensure that sanctions are consistently reinforced.

#### 9. Alcohol and Other Drug (AOD) Education Programs

In compliance with the Drug Free Schools and Communities Act (DFSCA) of 1986 as amended in 1989, Pacific Oaks College explicitly prohibits the unlawful possession, sale, use, or distribution of illicit drugs by students or employees on school premises or as part of any of its activities. In addition, the school prohibits the misuse of legal drugs including alcohol. Complete Drug and Alcohol Regulations and Policies, counseling, treatment, rehabilitation programs, substance abuse resources and referral lists are available in the CARE Office and on the website at: <https://www.pacificoaks.edu/student-resources/care/substance-abuse-resources/>

A statement of the institution's disciplinary measures regarding alcohol and illegal drug use are provided to students and employees. Alcohol and other drug policies are publicized in the Student Handbook, Staff and faculty Handbook and the Pacific Oaks Policy Manuals.

Substance Abuse resources are also disseminated to all students, staff and faculty using the following platforms: Student's Portal, Student's Newsletter and the Pacific Oaks Website Information and educational resources (handouts) are also provided to students and employees during new student and employee orientations.

#### 10. Sexual Misconduct Policy and Procedures.

Pacific Oaks College (POC) is committed to providing a safe learning and working environment for all members of the POC community. The guidelines below are intended to aid POC in preventing and responding to sexual violence as outlined in the Clery Act and the Campus Sexual Violence Elimination Act (SAVE Act). These guidelines apply to all members of the POC

community (students, faculty, and staff), as well as contractors and visitors (collectively, “POC Community Members”).

POC does not tolerate sexual misconduct in any form. Sexual misconduct includes, but is not limited to, sexual harassment and sexual violence, including forcible and non-forcible sex offenses, sexual assault, domestic violence, dating violence, or stalking, as defined below. POC will respond promptly and effectively to reports of sexual misconduct, and will take appropriate action to prevent, to correct, and when necessary, to discipline behavior in violation of its Policy on Sexual Misconduct. POC Community Members who, after a thorough review of the facts, are found, based on a preponderance of the evidence, to have violated this policy will be subject to discipline, up to and including dismissal or termination of employment. In extraordinary circumstances, the President may suspend a member of POC community from participation in activities where there is reasonable belief that serious and immediate harm to others will ensue. POC may institute discipline and other measures regardless of whether the POC Community Member is also facing criminal or civil charges in a court of law.

The Policy on Sexual Misconduct applies to all POC employees, students, and other POC Community Members, regardless of gender/gender identity and sexual orientation, for sexual misconduct occurring on POC’s campuses or in connection with its educational programs, activities, and services, or that puts POC Community Members at risk of serious harm or otherwise creates a hostile learning and/or working environment.

POC also bars retaliation against any employee, student, or applicant who files a good faith report of sexual misconduct or otherwise participates in an investigation relating to the same.

Sexual Misconduct Offenses include, but are not limited to:

- Sexual Harassment
- Sexual Assault
- Sexual Violence
- Domestic and/or Dating Violence
- Stalking

### **Sexual Harassment**

Sexual Harassment is defined as unwelcome sexual conduct of any nature, communication (either verbal or pictorial) of a sexual nature, or solicitation of sexual advances of any nature, when any of the above conduct or communications is not mutually agreeable to both parties and any of the following conditions apply:

1. The submission to such conduct, communication, or solicitation is made explicitly or implicitly a term or condition of an individual’s employment or academic process.
2. Submission to or rejection of such contact, communication, or solicitation by an individual is used or threatened as a basis for employment or academic decisions affecting such individual.
3. Such conduct, communication, or solicitation has the purpose or effect of being sufficiently severe, pervasive/persistent and objectively offensive that it could alter the conditions of education or employment, by interfering with an individual’s work, academic performance, living conditions, or status.

Because it is difficult to describe every instance relating to unlawful harassment, all members of the Pacific Oaks Community are expected to behave, at all times, in a respectful and professional manner.

### **If YOU Experience Sexual Misconduct**

While POC prohibits all acts of sexual misconduct, should you find yourself in a situation where sexual misconduct has occurred, we encourage you to do the following:

- **Find a Safe Place:** Get to a safe place as soon as you can. If you believe you or anyone else is in immediate danger, you should alert law enforcement as soon as possible. Once you are safe, contact someone you trust to be with you for support. This could be a friend, family member, or even a specially trained sexual assault advocate.
- **Get Medical Attention:** Medical attention should be sought as soon as possible. This is necessary to mitigate the risk of sexually transmitted diseases or pregnancy and to determine the existence or extent of, and to treat, any physical injury. Additionally, forensic evidence can be collected if criminal action is or may be desired in the future.
- **Preserve Evidence of the Incident:** It is important to preserve evidence as it may be necessary in providing proof of criminal activity or in obtaining a protection order. Evidence is best collected as soon as possible or at least within 96 hours of the assault. Assistance with evidence preservation can be provided by medical and/or law enforcement personnel.
- **Consider Reporting the Incident:** There are several reporting options including reporting to local law enforcement and/or reporting to the Title IX Coordinator. School authorities will assist in notifying law enforcement if requested. Reporting sexual assault, domestic violence, dating violence, and stalking to the police does not commit the victim to further legal action. While victims are not required to report to local law enforcement in order to receive assistance or pursue options within POC, the earlier an incident is reported, the easier it will be for the police to investigate, if the victim decides to proceed with criminal charges. If a reported incident did not occur on campus, POC can assist the survivor in notifying the local police department with jurisdiction over the crime.
- **Counseling and other Supports:** POC encourages victims of sexual misconduct to talk to someone about what has happened, which may include counseling. Whether services are sought on campus or in the community, remember that self-care is an important part in coping with the event.

### **Options for Bystander Intervention**

Bystanders play a critical role in the prevention of sexual and relationship violence. They are “individuals who observe violence or witness the conditions that perpetuate violence. They are not directly involved but have the choice to intervene, speak up, or do something about it.” We want to promote a culture of community accountability where bystanders are actively engaged in the prevention of violence without causing further harm. We may not always know what to do even if we want to help. Below is a list of some ways to be an active bystander. If you or someone

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

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

### Risk Reduction Tips

With no intent to victim blame and recognizing that only rapists are responsible for rape, the following are some strategies to reduce one's risk of sexual assault or harassment.

1. **Be aware** of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
2. Try to **avoid isolated areas**. It is more difficult to get help if no one is around.
3. **Walk with purpose**. Even if you don't know where you are going, act like you do.
4. **Trust your instincts**. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
5. **Try not to load yourself down** with packages or bags as this can make you appear more vulnerable.
6. **Make sure your cell phone is with you and charged** and that you have cab money.
7. **Don't allow yourself to be isolated** with someone you don't trust or someone you don't know.
8. **Avoid putting music headphones in both ears** so that you can be more aware of your surroundings, especially if you are walking alone.
9. **When you go to a social gathering, go with a group of friends**. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
10. **Trust your instincts**. If you feel unsafe in any situation, go with your gut. If you see something suspicious, contact law enforcement immediately (local authorities can be reached by calling 9-1-1 in most areas of the U.S.).
11. **Don't leave your drink unattended** while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, get a new one.
12. **Don't accept drinks from people you don't know or trust**. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
13. **Watch out for your friends, and vice versa**. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.

14. **If you suspect you or a friend has been drugged, contact law enforcement immediately** (local authorities can be reached by calling 9-1-1 in most areas of the U.S.). Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).
15. If you need to get out of an uncomfortable or scary situation, here are some things that you can try:
  - a. **Remember that being in this situation is not your fault.** You did not do anything wrong; it is the person who is making you uncomfortable that is to blame.
  - b. **Be true to yourself.** Don't feel obligated to do anything you don't want to do. "I don't want to" is always a good enough reason. Do what feels right to you and what you are comfortable with.
  - c. **Have a code word with your friends or family** so that if you don't feel comfortable, you can call them and communicate your discomfort without the person you are with knowing. Your friends or family can then come to get you or make up an excuse for you to leave.
  - d. **Lie.** If you do not want to hurt the person's feelings, it is better to lie and make up a reason to leave than to stay and be uncomfortable, scared, or worse. Some excuses you could use are: needing to take care of a friend or family member, not feeling well, having somewhere else that you need to be, etc.
16. **Try to think of an escape route.** How would you try to get out of the room? Where are the doors? Windows? Are there people around who might be able to help you? Is there an emergency phone nearby?
17. If you and/or the other person have been drinking, you can say that you would rather **wait until you both have your full judgment** before doing anything you may regret later.

### **Reporting Allegations or Incidents of Sexual Misconduct**

Sexual misconduct is a threat to the entire POC community. Members from the POC community are strongly encouraged to report all incidents that threaten a student's continued well-being, safety, or security. Complaints from any member of the POC community relating to discrimination, misconduct, harassment, domestic violence, dating or other related violence, stalking, or retaliation based on gender or sex concerning a faculty, staff, a student or students may be reported to law enforcement and/or POC, as outlined in more detail below.

### **Making a Report to Law Enforcement**

POC encourages community members who have experienced sexual misconduct to immediately report the incident to the local police department or another area law enforcement agency.

Reporting of sexual assault, domestic violence, dating violence, and stalking to the police does not commit the Reporting Party to further legal action. However, the earlier an incident is reported, the easier it will be for the police to investigate if the Reporting Party decides to proceed with criminal charges. Early reporting makes it more likely that the police will be able gather needed

evidence before it is lost or destroyed, and that the Reporting Party will receive timely notice of potentially helpful victim/witness services.

### **Making a Report to POC**

POC Community Members who have experienced sexual misconduct or are aware of incidents experienced by other POC Community Members should immediately report the incident to the local police department.

Reporting sexual assault, domestic violence, dating violence, and stalking to the police does not commit the reporting party to further legal action. However, the earlier an incident is reported, the easier it will be for the police to investigate, if the reporting party decides to proceed with criminal charges.

In addition, members of the POC community, including employees, supervisors, co-workers, vendors, consultants, visitors or other students, are encouraged to report incident(s) of sexual misconduct to the College's Title IX Coordinator. The Deputy Title IX Coordinator serves as an additional resource and assists in the application of the College's policy prohibiting Harassment and Sexual Misconduct.

The College's Title IX Coordinator are:

For Employees:  
Jane Sawyer  
Associate Vice President of Human Resources  
E-mail: [jsawyer@pacificoaks.edu](mailto:jsawyer@pacificoaks.edu)  
Phone: (626) 529-8437

For Students:  
Victoria Lugo  
Dean of Students  
E-mail: [vlugo1@pacificoaks.edu](mailto:vlugo1@pacificoaks.edu)  
Phone: (626) 529-8176

The College's Deputy Title IX Coordinator is:

Jane Sawyer  
Associate Vice President of Human Resources  
E-mail: [jsawyer@pacificoaks.edu](mailto:jsawyer@pacificoaks.edu)  
Phone: (626) 529- 8437  
45 Eureka Street, Office, Pasadena, California 91103

Complainants are not required to report to area law enforcement to receive assistance from or pursue any options within POC.

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

### **Confidentiality**

If a Complainant discloses an incident to a Responsible Employee but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, POC must weigh that request against POC's obligation to provide a safe, non-discriminatory environment for all students, including the Complainant. If POC honors the request for confidentiality, a Complainant must understand that the School's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited. Please understand, however, that there are times when POC may not be able to honor a Complainant's request in order to provide a safe, non-discriminatory environment for all members of the POC Community.

Certain campus officials have a duty to report sexual assault, domestic violence, dating violence, and stalking for federal statistical reporting purposes under the Clery Act. All personally identifiable information is kept confidential, but statistical information must be passed along to campus security authorities regarding the type of incident and its general location (on or off-campus, in the surrounding area, but no addresses are given) for publication in the Annual Security Report. This report helps to provide the community with a clear picture of the extent and nature of campus crime, thereby ensuring greater community safety.

### **Procedures When Sexual Misconduct is Reported to POC**

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

When a student or employee reports to the School that the student or employee has been a victim of sexual misconduct, including sexual assault, dating violence, stalking or domestic violence, whether the offense occurred on or off campus, POC will provide written notification to the student or employee of their rights and options to:

1. Notify appropriate law enforcement authorities, including on-campus and local police.
2. Receive assistance from school personnel in reporting a crime to law enforcement authorities, if the student requests such assistance.
3. Decline to notify such authorities and/or decline to report to POC
4. Request interim protective measures and accommodations, such as a change in their academic, living, dining, transportation or working situations, if those changes are

- requested and are reasonably available, regardless of whether or not the victim chooses to file a police report. (More information is provided below on interim protective measures)
5. Request assistance from campus authorities in obtaining and enforcing a restraining order or "no contact" directive and, if such measures are reasonably available, an order of protection or no contact order in state court.
  6. A clear description of the school's disciplinary process including the range of possible sanctions.
  7. Information and assistance about existing counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid and other services available for victims, both within the institution and in the community.
  8. Seek confidential advocacy and support from a professional counselor or pastoral counselor.

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

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

Once the Title IX Coordinator determines that a formal investigation is appropriate, POC will conduct a thorough and impartial investigation by an individual who has received annual training on issues related to dating violence, domestic violence, stalking and sexual assault and to investigate reports of sexual misconduct while protecting the safety of the victims and promotes accountability. (This may be the Title IX Coordinator, Deputy Title IX Coordinator, or other designee approved by the President.)

Typically, investigation into reports of sexual misconduct will include a period of fact-finding led by the Title IX Coordinator, during which time the Reporting Party, Responding Party, and other relevant persons will be given the opportunity to participate in the investigation by sharing information with the Title IX Coordinator. Persons participating in an investigation will have the opportunity to submit a written statement, provide supporting materials, and identify witnesses. Absent delay to allow police to gather evidence or agreement by the parties, POC will make every reasonable effort to investigate and reach a resolution on all reports of sexual misconduct within sixty (60) calendar days after the Title IX Coordinator's receipt of a report.

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

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

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

Once the Title IX Coordinator has concluded the investigation, POC will simultaneously issue the written findings to both the Reporting Party and the Responding Party.

### **Interim Supportive Measures**

During an investigation, interim protections, and accommodations for both the Reporting Party and the Responding Party may be put in place, regardless of whether the Reporting Party chooses to report the incident to local law enforcement. If requested by the Reporting Party or Responding Party and reasonably available, interim protections may include changes to academic, living, dining, transportation and/or work situations. In addition, POC will provide assistance, if requested, about obtaining and enforcing campus no contact orders, and will honor an order of protection or no contact order entered by a state civil or criminal court. The Title IX Coordinator shall review all requested interim protections and accommodations, shall determine what is available and appropriate and shall notify the party requesting the interim protection or accommodation of the determination. Such interventions may be kept in place until the conclusion of the Title IX investigation and the sanctioning and appeal processes and shall be kept confidential, to the extent possible.

POC may implement protective measures following the report of domestic violence, dating violence, sexual assault and/or stalking, which may include some or all of the following actions: no contact orders, changes to class schedules or modification to academic requirements.

### **Sanctions for Violations of POC's Policy on Sexual Misconduct**

Upon finding that sexual misconduct occurred, the Title IX Coordinator will commence the sanctioning process for review and determination of appropriate sanctions. A Sanctions Panel will be convened to review the investigative findings and recommended sanctions and will meet within 5 calendar days of receiving the Title IX Coordinator's findings.

In addition to sanctions, the Title IX Coordinator may also recommend that POC or particular POC Community Members adopt additional measures to remediate and/or prevent further conduct in violation of this policy.

POC's sanctions process is intended to provide an equitable process to both the Reporting Party and Responding Party, demonstrating promptness, fairness, and impartiality.

Sanctions against students may include, but are not limited to the following:

- Formal written warning;
- Academic Development Plan;
- No contact order pertaining to certain POC Community Members or physical locations;
- Removal from specific courses or institutional activities; and/or
- Dismissal.

In addition, further protections for the Reporting Party may be available.

Sanctions against other POC Community Members, including employees, may include, but are not limited to the following:

- Formal written warning;
- Professional Improvement Plan;
- No contact order pertaining to certain POC Community Members or physical locations;
- Removal from specific courses or institutional activities; and/or
- Dismissal.

For the full Policy on Sexual Misconduct as well as additional resources, please visit our Campus Safety & Security Webpage: <https://www.pacificoaks.edu/wp-content/uploads/2020/10/nti-Harassment-Anti-Discrimination-and-Title-IX-Policy-2020.08.FINAL-8.13.2020.pdf>

### **Disclosure of Disciplinary Proceeding Results**

When disciplinary proceedings result from an investigation into sexual misconduct, POC will simultaneously inform all parties, in writing, of:

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

### **Resources and Services**

The following resources and services are available to victims of sexual misconduct in the Pasadena, Greater Los Angeles area and San Jose, CA:

- **Peace Over Violence (Pasadena)**  
A sexual and domestic violence, stalking, child abuse and youth violence prevention center headquartered in Los Angeles and dedicated to building healthy relationships, families and communities free from sexual, domestic and interpersonal violence.  
Metro Headquarters: 1015 Wilshire Blvd. Suite 200 - Los Angeles, CA 90017  
West San Gabriel Valley Center: 892 N. Fair Oaks Avenue, Suite D – Pasadena, CA 91103  
24-Hour Hotline: 626-793-3385  
Website: [www.peaceoverviolence.org](http://www.peaceoverviolence.org)
- **Santa Monica Rape Treatment Center (Greater Los Angeles Area)**  
The Rape Treatment Center is nationally recognized for its comprehensive, free treatment for sexual assault victims, including 24-hour emergency medical care. Victim advocacy services available.  
1250 Sixteenth Street  
Santa Monica, California 90404  
24-hour Hotline: 424-259-7208  
Website: <https://www.uclahealth.org/rtc/>

- **YWCA Silicon Valley: Support Services Program Sexual Assault Services**  
The YWCA Support Services helps residents of Silicon Valley to minimize the traumatic aftermath of sexual assault and to promote safety, mobility, and freedom from abuse for all people. Services include: 24-hour crisis line for survivors, family members, and friends; Accompaniment of survivor to hospital and through the reporting and judicial process; Child abuse and assault prevention programs for children, teens, and the general community; Peer support groups for rape and childhood sexual abuse survivors; Free confidential crisis counseling.  
375 3rd St San Jose, CA 95112 Phone: (408) 287-3000  
24-hour Sexual Assault Crisis Line (800) 572-2782  
Website: <http://ywca-sv.org/our-services/support-services/sexualassaultservices>
  
- **AACI - Family Justice Center: San Jose**  
The Family Justice Centers provide a multi-disciplinary team who coordinate services to focus exclusively on victims of domestic violence by making services and resources available in one centralized location. Services provided include: Advocacy and counseling services for victims of domestic violence and their children; Legal services including immigration and domestic violence-related family court services; Personal contact with Police investigators who specialize in Domestic Violence and Stalking, the District Attorney's Office and Probation Officers; Referral to 24-hour emergency shelters or other emergency housing.  
749 Story Road Suite 50 San Jose, CA 95122  
Phone (408) 975-2739  
Website:  
<https://www.sccgov.org/sites/da/VictimServices/FamilyJusticeCenter/Pages/FJC-SJ.aspx>

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

- **Student Solutions:** POC is proud to partner with Student Solutions, a free, confidential, around-the-clock counseling service.  
Phone: 855-460-6668  
Website: [www.guidanceresources.com](http://www.guidanceresources.com)  
Web identifier: PACIFIC
  
- **Employee Assistance Program (EAP):** POC employees also receive counseling services through the EAP, which is available 24 hours a day, 7 days a week.  
Phone: 800-272-7255  
Website: [www.guidanceresources.com](http://www.guidanceresources.com)  
Your company web ID: COM589

#### 11. Primary Prevention, Awareness Programs and Ongoing Programs

POC educates the student community and increases awareness on sexual misconduct through the following campus-wide campaigns:

- S.A.V.E – Sexual Assault, Alcohol & Drugs, Violence Education. In April, during Sexual Assault & Alcohol Awareness Month.
- Campus Safety Awareness. In September, during Campus Safety Awareness Month.

Both campaigns are made available to all students, staff and faculty offering a wide range of programs, resources and activities, among others: interactive workshops, relevant topics presentations and social media campaigns with a broad range of relevant topics: Emergency Preparedness and Campus Safety, Trauma, Community Violence, Sexual Assault & Drug and Alcohol, Active Shooter and Earthquake and Fire Awareness etc. For the second consecutive year, CPR training for students was provided in 2019, which was greatly welcomed. Pacific Oaks community was also encouraged to honor “Denim Day” once again as a visible means of protest against the myths that surround sexual assault.

Since October 2018, “Everfi Law room” became the platform providing online training on Sexual Misconduct to all students and for all incoming employees, which will be changing to “Foundry Law room” in November 2019.

In November of 2018 Pacific Oaks partnered with Student Success Solutions to provide a free online sexual misconduct training program for ALL students. “NOT ANYMORE” has been POC’s Sexual Harassment Education and Prevention Training Program since then, offering critical information regarding: Consent, Bystander Intervention, Domestic Violence, Stalking and other valuable topics. In addition, during New Student Orientation (NSO) an educational video, addressing POC’s policy on Sexual Misconduct on campus and available resources, is shared with all new students. Most recently and as of August 14, 2020, Pacific Oaks replaced Students Success Solutions platform for Institutional Success Solutions, offering the same training resources to all students.

Lastly, as an additional resource, Pacific Oaks continues to offer access to KeynectUp for all students, staff and faculty since June 2016. KeynectUp is a tool that provides a modern method to share and save safety resources in a place easily accessible during an emergency within seconds. Since 2016 POC customized one KeynectUp card for each campus (Pasadena and San Jose) including campus and community resources such as: institution’s phone numbers, emails and links for campus safety, and the Title IX Office, among others.

#### 12. Disciplinary Proceeding Results

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

#### 13. Sex Offender Registry

The State of California requires sex offenders to register with the police in the jurisdiction in which they reside. The state makes this information available to law enforcement agencies. This information is available to the public at the local police department. Information regarding registered sex offenders may be obtained free of charge at <http://www.meganslaw.ca.gov/>

#### 14. Emergency Response and Evacuation Procedures

### *Campus Community Notification Process & Procedures.*

Timely and accurate communication with the campus population during a campus emergency is critical.

Pacific Oaks College has an Emergency Preparedness Plan inclusive of an Emergency Preparedness Manual for each of its locations (Pasadena Campus and San Jose Branch Campus), which are made available to every student and employee; an Emergency Response Team (ERT); Emergency equipment; and an Emergency Protocol to guide the Emergency Response Leadership through a significant emergency event. More detailed information about the emergency response protocol can be found in our Emergency Preparedness Manual using the following link:

<https://www.pacificoaks.edu/wp-content/uploads/2020/03/2020-POC-Emergency-Preparedness-Manual-Final-033120.pdf>

POC has established two teams of institutional leaders tasked to assess and confirm the criticality of an emergency, disseminate information (including determining which segment or segments of the POC community should receive the notification and the content of the notification, and initiating the notification system), and to provide and ensure adequate response. The POC Crisis Management Team (CMT) will have primary responsibility for the direction, control and management of any major (Level 4) emergency. The Risk Management Team (RMT) is responsible for handling emergencies during Level 1, 2, and 3 events. POC's Emergency Preparedness Plan includes a description and examples of the events from Level 1 through Level 4. A description of the emergency levels is available in the Emergency Preparedness Manual at the link provided above.

The CMT consists of the following individuals:

- President, Pacific Oaks College & Children's School
- VP, Academic Affairs
- Campus Dean, San Jose
- AVP, Financial and Administrative Operations
- Dean of Students
- Associate Vice President, Human Resources
- Executive Director, Children's School

The RMT consists of the following individuals at the campus level:

- VP, Academic Affairs
- Campus Dean, San Jose
- Associate Vice President, Financial and Administrative Operations
- Dean of Students
- Associate Vice President, Human Resources
- Executive Director, Children's School

In addition, POC has assigned a Communications liaison whom will coordinate with the CMT and external media outlets to ensure accurate and timely dissemination of information. As necessary, the CMT will coordinate with local authorities, public media outlets, federal agencies, and technical specialists, e.g., the National Weather Service, to provide information imperative to resolving campus emergencies.

In the event of an emergency situation, The Pacific Oaks College uses multiple independent communication channels, including those listed below, to make sure that information gets out quickly to students, faculty, staff, and other members of the Pacific Oaks community in the event of an emergency. POC will, without delay, and taking into account the safety of the community, initiate the notification system unless issuing such a notification will, in the professional judgement of responsible authorities, compromise efforts to assist a victim or to contain, respond to or otherwise mitigate the emergency.

#### **A. Rave Alert**

The Rave system enables POC officials to contact registered members of the Pacific Oaks College via text message, voicemail and/or e-mail to apprise them of emergency situations or other ongoing risks to public safety in our campus community. In order to receive broadcast messaging, you must sign up independently to receive text messages. Please contact Pacific Oaks Office of Information Technology (OIT) by email at [helpdesk@pacificoaks.edu](mailto:helpdesk@pacificoaks.edu)

#### **B. Emergency Site**

In the event of a major emergency, information about the status of the POC is posted online at [www.pacificoaks.edu](http://www.pacificoaks.edu). Backup web servers are available in the Midwest if Pacific Oaks servers are incapacitated.

#### **C. Emergency Information Line**

Pacific Oaks' emergency information telephone line, (626) 529-8432, also provides information in the event of an emergency.

#### **D. OIT Email Notifications**

The Office of Information Technology (OIT) maintains a list of POC email addresses for all students, faculty and staff that are used to distribute timely information about crimes as well as emergencies and other situations posing a risk to campus safety.

#### **E. OIT PA Broadcast Messages**

The Pacific Oaks Office of Information Technology (OIT) has the ability to leave mass voicemail messages for every campus phone number in the event of a threat to the campus community, including incidents which affect the immediate health and safety of the community such as bomb threats, fires, gas leaks, armed intruders, and chemical/hazardous material spill.

#### **F. Departmental Communications**

POC Administration maintains a stakeholder communication roster to expedite emergency communications.

The POC Crisis Management Team (CMT) will have primary responsibility for sending out communications of any major (Level 4) emergency. The Risk Management Team (RMT) is responsible for handling the communication during Level 1, 2, and 3 events. Please refer to stakeholder communication chart below:

### Pacific Oaks – Stakeholder Communication Chart

<i>Group or individuals to be contacted</i>	<i>Person who should make the contact</i>	<i>Backup</i>	<i>Method</i>
<b>Trustees</b>	POC President	Director of President's Office & Board Affairs	Conference call; individual calls
<b>TCSES President's Office</b>	POC President	Director of President's Office & Board Affairs	Conference call; individual calls
<b>Media</b>	POC President	TCSES Communications Liaison	Phone, email
<b>Emergency Response Team</b>	AVP of Financial and Administrative Operations	Facilities Manager	Phone
<b>Students</b>	Dean of Students	Assoc. Director of Student Services	Text, email, Rave
<b>Employees</b>	AVP of Human Resources	POC President	Text, email, Rave
<b>Campus Visitors</b>	POC Security	POC Security	Notice to faculty, staff, students advising them to contact visitors they may be expecting to update status

### Emergency Response and Evacuation Drills.

POC acknowledges the importance of testing the emergency response and evacuation procedures on at least an annual basis, including tests that may be announced or unannounced.

In 2019, the Pasadena Campus ERT conducted one unannounced and planned fire drill that tested our fire emergency procedures. The drill took place at 45 and 55 West Eureka Street buildings on July 18, 2010. The exercise was successful in testing after business hours' response procedures, with increased participation of students and adjunct faculty.

For calendar year 2020, Pacific Oaks College's plan was to continue to comply with the established fire drill calendar ensuring our fire emergency procedures are tested at least once each semester at both Campuses (Spring, Fall and Summer). However, due to the unprecedented impact of COVID-19 to the college's regular operations, this schedule has been put on hold temporarily since our campuses have been closed since March 16, 2020. Students and/or staff are not allowed to be on campus until Spring 2021, therefore there are no immediate plans of scheduling any unannounced fire drills for the remaining of the year. Additionally, the School will not be participating this year in the "California Shakeout" drill due to campuses closures.

In addition, POC's emergency response and evacuation procedures are publicized and disseminated to all students, staff and faculty (full time and faculty) every semester via email notification, and they are also made available on POC's emergency information website: <https://www.pacificoaks.edu/emergency-information/>.

**Relationship with Local Law Enforcement Agencies.**

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

PPD and SJPD have provided training programs for our community, collaborated with POC's campus threat and risk assessments and reviewed our Campus Emergency Preparedness Plan. POC does not currently have a Memorandum of Understanding with PPD and/or SJPD.

**Emergency Response Team (ERT) Members.**

The Emergency Response Team Members all volunteered to assist in the Pacific Oaks College emergency preparedness plan and can be notified in addition to call 911 in the event of an on-campus emergency. Below is a list of these individuals:

***Roaming Captains:***

*AVP of Financial and Administrative Operations and AVP of Human Resources*

**Area Captains:**

Dean of Students, Retention and Outreach Advisor for Student Services, AVP of Admissions, Facilities Manager and IT Supervisor

**Areas:** Specifically, remote areas and all classrooms

**45 Eureka, Suite A - Response Teams*****Area Captain: Dean of Students***

- **Team:** Academic Records Specialist and Associate Director (CARE)
  - **Areas:** Student Services, CARE, Student Finance, Registrar
- **Searchers:** Associate Registrar
  - **Areas:** Specifically, remote areas and all classrooms

**45 Eureka, Suite B - Response Teams*****Area Captain: Retention and Outreach Advisor, Student Services***

- **Team:** Academic & Cohort Advisor, Student Services
  - **Areas:** Computer Lab, Academic Advising Center, Marketing/ PR and Student Finance
- **Searchers:** Academic Advisors

**45 Eureka, Suite C - Response Teams*****Area Captain: AVP of Admissions***

- **Team:** Director of Admission, Cohort, Outreach and Off Campus Development and Enrollment Counselors

- **Areas:** Admissions, Communications & Media, Kitchen
- **Searchers:** Senior enrollment Counselor and Admissions Coordinator
  - **Areas:** Specifically, remote areas, all classrooms and restrooms

#### **45 Eureka, Suite D - Response Teams**

##### ***Area Captain: Facilities Manager***

- **Team:** Director of President's Office & Board Affairs and Jr. Financial Analyst
  - **Areas:** Human Resources, Finance, Advancement, President's Office, Room D-102
- **Searchers:** Human Resources Coordinator
  - **Areas:** Specifically, remote areas and all classrooms

#### **55 Eureka - Response Teams**

##### ***Area Captain: IT Supervisor***

- **Team:** Core Faculty, School of Human Development and Academic Coordinator
  - **Areas:** VP of Academic Affairs, HD, CFP, SOE, Online, IT, Computer Lab, Library, Kitchen, Open Faculty Office
- **Searchers:** Administrative Assistant III and Operations Services Assistant
  - **Areas:** Specifically, remote areas, all classrooms and restrooms

### 15. Institutional Policies on Smoking, Open Flames & Portable Electronic Appliances

Smoking on Pacific Oaks College is limited to designated smoking areas only, which are defined by being at least 20 feet from any building opening (according to local smoking laws) and contain a cigarette receptacle. No open flames, including candles, oil lamps, incense and fireworks are permitted on Pacific Oaks College property. Portable electric heaters are not permitted at Pacific Oaks College.

### 16. Fire Safety Education and Training

All approved fire safety material is located in the Emergency Preparedness Manual which is made available to all students and employees through the Office of Student Services and Human Resources respectively. Below is the information contained in the Emergency Preparedness Manual relating to building fires:

- Upon discovering a fire, close the door to the room where the fire is located and immediately sound the building alarm.
- From a safe location dial 911 and an ERT member.
- Give your name and the location of the fire. Do not hang up until the dispatcher tells you to do so.
- If the fire is small (no larger than a wastebasket) you may wish to fight it with a fire extinguisher. Buildings 45 and 55 have several fire extinguishers located in various locations and identified in Pacific Oaks' Emergency Preparedness Manual. Be sure you are using the proper extinguisher for the type of fire you are fighting. If you are not sure, read the instructions on the extinguisher. To use the extinguisher, Pull the safety pin from the handle; Aim at the base of the fire; Squeeze the trigger handle; and Sweep from side to side.
- If the fire is large, smoky, or spreading quickly, leave the building immediately. Inform others in the building who may not have responded to the alarm to leave immediately. The alarm may not sound continuously. Even if the alarm stops, continue to evacuate the building and warn others who may attempt to enter the building. Always evacuate a building if the alarm is sounding.
- If time permits, turn off computers, unplug electrical equipment, take your purse or wallet, and close windows and doors before leaving.
- Walk, do not run, to the nearest exit.
- If you have a mobility impairment, request assistance from those nearest you. If no one is there to render assistance, proceed to the nearest stairway landing, shout for help, and wait there until help arrives by first responders, Emergency Medical Service (EMS) or an ERT member.
- When a fire alarm sounds, do not use an elevator. Assist, or carry, all disabled persons using the stairs.
- If there is a closed door in your exit path, touch the door lightly with the back of your hand to ensure it is not warm. If it is not warm, open slowly. Be prepared to close the door quickly if smoke or flames are present.
- If there is smoke in your exit path, crawl on hands and knees, keeping your head as close to the ground as possible to avoid inhaling toxic fumes. Use wet paper towels or wet clothing to protect yourself from flames and smoke.
- If your clothing catches fire, STOP, DROP, AND ROLL.

- Relocate to your designated staging area and stay out of the way of emergency personnel. (See maps at the back of the manual to locate staging areas for each campus.)
- Report to an ERT member and do not return to the building until instructed to do so by emergency personnel

#### 17. Plans for Future Fire Safety Improvement

There is always room for improvement and Pacific Oaks College is dedicated to ensuring the safety of all its students and employees and striving for constant betterment of its fire safety policies. Although policies remain sound, practical application and training have proven to be a challenge. Pacific Oaks College has initiated the implementation of a plan to improve its disaster response coordination through continual practice drills and the remediation and amelioration of areas where the system falters.

Upon completion of the fire drills executed throughout the year, the college's Campus Risk and Safety Committee debriefs to assess areas of opportunity. Pasadena Fire Department's feedback and input is also taken into consideration for this assessment. A plan of actions is then put in place to close any gaps identified, furthermore improvements and enhancements are applied to our fire safety, emergency response and evacuation procedures.

Lastly, the Pasadena Campus Renovations project, which was completed at the end of December 2019; accounted for improvements in the area of fire safety for our facilities ensuring these are in compliance with City codes and Fire Department regulations. Due to the relocation of all departments housed in 55 Eureka building to a new building (433 Fair Oaks), the revision and update of PO's Emergency Preparedness Plan and Manual, evacuation routes, signage, etc. was the main focus during the first quarter of 2020.

#### 18. Fire Log

Fire logs are maintained by the Facilities Manager. No fires occurred at Pacific Oaks College in 2019.

## Crime Statistics – Pasadena Campus<sup>1</sup>

PACIFIC OAKS COLLEGE CAMPUS CRIME STATISTICS									
OFFENSE TYPE	CAMPUS PROPERTY			NONCAMPUS PROPERTY <sup>2</sup>			PUBLIC PROPERTY		
	2017	2018	2019	2017	2018	2019	2017	2018	2019
Murder / Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses, Forcible <sup>3</sup>	0	0	0	0	0	0	0	0	0
Sex Offenses, Non-Forcible <sup>4</sup>	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	1	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	1	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
HATE CRIMES BY PREJUDICE <sup>5</sup>									
Race	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0
ARRESTS & DISCIPLINARY REFERRALS									
Liquor Law Arrests	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0
Weapons Law Violations Arrests	0	0	0	0	0	0	0	0	0
Weapons Law Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0

<sup>1</sup> For 2019, POC used instructional sites throughout southern California. For those sites, we have tracked any reports of Clery Act crimes in the specific areas that students utilize (classroom space, student parking areas and the path between the classroom and parking areas) for the specific dates and time when courses are being held. We do not have any Clery Act crimes to report for 2019 at any of those locations.

<sup>2</sup> Some Pacific Oaks students participated in a study abroad trip in Japan from December 3, 2019 through December 9, 2019. For that trip, PO rented hotel rooms for students. The hotel rooms and related spaces are deemed "non-campus property" for purposes of the Clery Act. For that trip, PO requested data from local law enforcement for Clery Act crimes; hate crimes; and arrests for liquor law violations, drug law violations and weapons offenses that may have taken place during the relevant time periods of the student experiences. PO either did not receive a response from law enforcement or received a response that no Clery Act crimes; hate crimes; or arrests for liquor law violations, drug

law violations and weapons offenses occurred during the relevant time period.

<sup>3</sup> This category for forcible sex offenses includes rape and fondling

<sup>4</sup> This category for non-forcible sex offenses includes incest and statutory rape

<sup>5</sup> This covers the following offenses: Murder and non-negligent manslaughter, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation and destruction/damage/vandalism of property.

## Crime Statistics – San Jose Campus<sup>6</sup>

PACIFIC OAKS COLLEGE SAN JOSE BRANCH CAMPUS CRIME STATISTICS <sup>7</sup>									
OFFENSE TYPE	CAMPUS PROPERTY			NONCAMPUS PROPERTY <sup>8</sup>			PUBLIC PROPERTY		
	2017	2018	2019	2017	2018	2019	2017	2018	2019
Murder / Non-negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Sex Offenses, Forcible <sup>9</sup>	0	0	0	0	0	0	0	0	0
Sex Offenses, Non-Forcible <sup>10</sup>	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Domestic Violence	0	0	0	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
<b>HATE CRIMES AND PREJUDICE<sup>11</sup></b>									
Race	0	0	0	0	0	0	0	0	0
Gender	0	0	0	0	0	0	0	0	0
Gender Identity	0	0	0	0	0	0	0	0	0
Religion	0	0	0	0	0	0	0	0	0
Sexual Orientation	0	0	0	0	0	0	0	0	0
National Origin	0	0	0	0	0	0	0	0	0
Ethnicity	0	0	0	0	0	0	0	0	0
Disability	0	0	0	0	0	0	0	0	0
<b>ARRESTS &amp; DISCIPLINARY REFERRALS</b>									
Liquor Law Arrests	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0	0	0	0
Drug Law Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0
Weapons Law violations Arrests	0	0	0	0	0	0	0	0	0
Weapons Law Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0

<sup>6</sup> For 2019, POC used instructional sites throughout northern California. For those sites, we have tracked any reports of Clery Act crimes in the specific areas that students utilize (classroom space, student parking areas and the path between the classroom and parking areas) for the specific dates and time when courses are being held. We do not have any Clery Act crimes to report for 2019 at any of those locations.

<sup>7</sup> This category of forcible sex offenses includes rape and fondling

<sup>8</sup> This category of non-forcible sex offenses includes incest and statutory rape

<sup>9</sup> This covers the following offenses: Murder and non-negligent manslaughter, rape, fondling, incest, statutory rape, robbery, aggravated assault, burglary, motor vehicle theft, arson, larceny-theft, simple assault, intimidation and destruction/damage/vandalism of property.

## Definitions<sup>4</sup>

**Aggravated Assault** – An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm.

**Arson** – Any willful or malicious burning or attempt to burn, with or without intent to defraud, a dwelling house, public building, motor vehicle or aircraft, personal property of another, etc.

**Assault** – An unlawful attack by one person upon another.

**Bias Crime** – A criminal offense committed against a person, property or society that is motivated in whole or in part by the offender's bias against a race, religion, disability, sexual orientation, or ethnicity/national origin; also known as Hate Crime.

**Burglary** – The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking, safecracking; and all attempts to commit any of the aforementioned.

### Campus

1. Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and
2. Any building or property that is within or reasonably contiguous to the area identified in paragraph 1 of this definition; that is owned by the institution but controlled by another person, is frequently used by students; and supports institutional purposes (such as food or retail vendor).

### Campus Security Authority

1. A campus police department or a campus security department of an institution.
2. Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department under paragraph 1 of this definition, such as an individual who is responsible for monitoring entrance into institutional property.

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<sup>4</sup> The definition of crimes included in this report are consistent with or under California law.

3. Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses.
4. An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings. If such an official is a pastoral or professional counselor as defined below, the official is not considered a campus security authority when acting as a pastoral or professional counselor.

**Consent** – In California, “affirmative consent” means affirmative, conscious, and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent. Cal. Ed. Code § 67386(a)(1).

It shall not be a valid excuse to alleged lack of affirmative consent that the Respondent believed that the Complainant consented to the sexual activity under either of the following circumstances:

- A. The accused's belief in affirmative consent arose from the intoxication or recklessness of the accused.
- B. The accused did not take reasonable steps, in the circumstances known to the accused at the time, to ascertain whether the complainant affirmatively consented.

Cal. Ed. Code § 67386(a)(2).

It shall not be a valid excuse that the Respondent believed that the Complainant affirmatively consented to the sexual activity if the Respondent knew or reasonably should have known that the Complainant was unable to consent to the sexual activity under any of the following circumstances:

- A. The Complainant was asleep or unconscious.
- B. The Complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the complainant could not understand the fact, nature, or extent of the sexual activity.
- C. The Complainant was unable to communicate due to a mental or physical condition.

Cal. Ed. Code § 67386(a)(4).

At Pacific Oaks, **consent** is *informed*. Consent is an affirmative, unambiguous, and conscious decision by each participant to engage in mutually agreed-upon sexual activity.

Consent is *voluntary*. It must be given without coercion, force, threats, or intimidation. Consent means positive cooperation in the act or expression of intent to engage in the act pursuant to an exercise of free will.

Consent is *revocable*. Consent to some form of sexual activity does not imply consent to other forms of sexual activity. Consent to sexual activity on one occasion is not consent to engage in sexual activity on another occasion. A current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent. Even in the context of a relationship, there must be mutual consent to engage in sexual activity. Consent must be ongoing throughout a sexual encounter and can be revoked at any time. Once consent is withdrawn, the sexual activity must stop immediately.

Consent cannot be given when a person is incapacitated. A person cannot consent if s/he is unconscious or coming in and out of consciousness. A person cannot consent if s/he is under the threat of violence, bodily injury or other forms of coercion. A person cannot consent if his/her understanding of the act is affected by a physical or mental impairment.

**Criminal Homicide** – The killing of another person through gross negligence.

**Dating Violence** – violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim; and where the existence of the relationship shall be determined based on a consideration of the following factors – the length of the relationship, the type of relationship, and the frequency of interaction between persons in the relationship. Note that California law does not include a separate definition for “dating violence.”

**Disabled** – Of or relating to persons who have physical or mental impairments/challenges, whether temporary or permanent, due to conditions that are congenital or acquired by heredity, accident, injury, advanced age, or illness.

**Domestic Violence** – includes felony or misdemeanor crimes of violence committed by a current or former spouse of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse, by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction, or by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction. Under California law, “domestic violence” means the infliction or threat of physical harm against past or present adult or adolescent intimate partners, including physical, sexual and psychological abuse against the person that is a part of a pattern of assaultive, coercive, and controlling behavior directed at achieving compliance from or control over the person.

**Drug Abuse Violations** – The violation of laws prohibiting the production, distribution, and/or use of certain controlled substances and the equipment or devices utilized in their preparation and/or use. The unlawful cultivation, manufacture, distribution, sale, purchase, use, possession, transportation, or importation of any controlled drug or narcotic substance. Arrests for violations of state and local laws, specifically those relating to the unlawful possession, sale, use, growing, manufacturing, and making of narcotic drugs.

**Hate Crime** – A crime reported to local police agencies or to a campus security authority that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim. For the purposes of this section, the categories of bias include the victim's actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, and disability.

**Justifiable Homicide** – The killing of a felon by a peace officer in the line of duty or the killing of a felon, during the commission of a felony, by a private citizen.

**Larceny-theft** – The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

**Liquor Law Violations** – The violation of state or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

**Manslaughter by Negligence** – The killing of another person through gross negligence.

**Motor Vehicle Theft** – The theft or attempted theft of a motor vehicle.

**Murder and Non-Negligent Manslaughter** – The willful (non-negligent) killing of one human being by another.

### **Non-campus Building or Property**

1. Any building or property owned or controlled by a student organization that is officially recognized by the institution; or
2. Any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution's educational purposes; is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

### **Public Property**

All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus; or immediately adjacent to and accessible from the campus.

### **Racial Bias**

A pre-formed negative opinion or attitude toward a group of persons who possess common physical characteristics, e.g., color of skin, eyes, and/or hair; facial features; etc., genetically transmitted by descent and heredity which distinguish them as a distinct division of humankind, e.g., Asians, blacks, whites.

**Robbery** – The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or putting the victim in fear.

### **Sex Offenses – Forcible**

Any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent.

- **Forcible Rape** – The carnal knowledge of a person, forcibly and/or against that person's will; or not forcibly or against the person's will where the victim is incapable of giving consent because of his/her temporary or permanent mental or physical incapacity (or because of his/her youth).
- **Forcible Sodomy** – Oral or any sexual intercourse with another person forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- **Sexual Assault with an Object** – The use of an object or instrument to unlawfully penetrate, however slightly, the genital or anal opening of the body of another person, forcibly and/or against that person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.
- **Forcible Fondling** – The touching of the private body parts of another person for the purpose of sexual gratification, forcibly and/or against the person's will; or not forcibly against the person's will where the victim is incapable of giving consent because of his/her youth or because of his/her temporary or permanent mental or physical incapacity.

Sex Offenses Definitions from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program

### **Sex Offenses – Non-forcible – Unlawful, non-forcible sexual intercourse.**

- **Incest – Non-forcible** – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape** – Non-forcible sexual intercourse with a person who is under the statutory age of consent.

Sex Offenses Definitions from the National Incident-Based Reporting System Edition of the Uniform Crime Reporting Program

**Sexual Assault** – offenses classified as a forcible or non-forcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation, which includes forcible rape, forcible sodomy, sexual assault with an object, forcible fondling, incest and statutory rape. Under California law, the term “sexual assault” is not defined. Rather, it includes many separate sex offenses, including sexual battery.

**Sexual Misconduct** – includes, but is not limited to, sexual harassment and sexual violence, including forcible and non-forcible sex offenses, sexual assault, domestic violence, dating violence, or stalking, as defined below.

**Stalking** – occurs when an individual engages 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. Pursuant to California law, stalking occurs when any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family.

**Weapons Violations: Carrying, Possessing, Etc.** – The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.