



# Annual Security Report & Annual Fire Safety Report to the Pomona Campus for Calendar Year 2020

## Clery Compliance Team

This report is provided pursuant to 20 united states code section 1092 (f), the “Jeanne Clery and annual fire report discloser of campus security policy and campus crime statistics act”

## Table of Contents

Legislative History of the Clery Act .....	6
Annual Security Report (ASR).....	7
University’s Clery Geography .....	7
On-Campus Map .....	7
On-Campus Housing.....	7
Non-Campus Buildings or Property .....	8
Separate Campuses.....	9
Reporting Crimes and Other Emergencies.....	9
Reporting of Criminal Offenses at the Main Campus .....	9
Reporting of Hate Crimes .....	10
Reporting of Criminal Offenses/ Emergencies at Additional Campus Locations	10
Non-Campus WesternU Facilities & Enforcement Authority and Jurisdiction.....	11
Authority and Jurisdiction of Local Law Enforcement Agencies and Security Personnel	12
Main Campus - Pomona .....	12
Annual Disclosure of Crime Statistics .....	13
Campus Security Authorities .....	13
Daily Crime Log .....	14
Voluntary Confidential Reporting .....	14
Security & Access Policy.....	14
Main Campus Security and Access to Campus Facilities.....	14
Monitoring & Reporting of Student Criminal Activity at Non-Campus Locations.....	15
Emergency Notification, Timely Warnings, and Evacuation .....	15
Emergency Notification .....	15

University's Emergency Notification System..... 16

Timely Warnings..... 16

Evacuation Procedures ..... 17

    Earthquake Response..... 17

    Campus Evacuation.....18

Sexual Assault, Domestic Violence, Dating, and Stalking..... 18

    Educational and Awareness Program..... 18

    University's Statement Prohibiting SExual Assault , Domestic Violence..... 19

    Dating and Stalking

Defintions..... 19

Procedures to Follow..... 21

Reporting Incidents of Sexual Assault, Domestic Violence Dating Violence & Stalking . 21

Options for Involvement of Law Enforcement & University Authorities ..... 22

Restraining Order ..... 22

Confidentiality..... 23

Confidential Reporting Options ..... 24

Exceptions to the Confidentiality..... 24

Available Interim Support..... 25

Written Notification of Rights, Options and Resources ..... 25

On-Campus Resources..... 26

Off-Campus Resources ..... 26

Disciplinary Review Procedures..... 28

    Investigations of Complaints..... 28

    Notification of Findings..... 28

    FERPA.....29

    Title IX Investigation and Adminstrative Review Process..... 29

Missing Students Notification Procedures ..... 30

Procedures for Reporting and Notification Regarding Missing Students.....	31
Registered Sex Offenders.....	32
Megan's Law.....	32
California Penal Code (CPC) Section 290.1.....	32
Weapons Policy .....	33
Security Awareness Programs .....	33
Crime Prevention Programs.....	33
Drug & Alcohol Policy .....	34
Assistance for Alcohol Abuse and/or Drug Use Problems.....	35
Alcohol (Prohibited Conduct by Students).....	35
Fire Safety Report .....	36
Fire Log.....	36
Fire Safety Statistics.....	36
Student Housing Facilities.....	37
Fire Safety Training.....	37
Fire Safety Rules and Regulations .....	37
Fire Safety & Hazards .....	37
Smoking & Vaping .....	38
Fire Reporting Procedures .....	39
Crime Statistics.....	40

## Legislative History of the Clery Act

The Student Right to Know and Campus Security Act (Public Law 101-542) was signed into law by President Bush in 1990 and went into effect on Sept. 1, 1991. Title II of this act is known as the Crime Awareness and Campus Security Act of 1990. This act amends the Higher Education Act of 1965 (HEA) by adding campus crime statistics and reporting provisions for postsecondary institutions. It requires the disclosure of crime statistics for the most recent three years, as well as disclosure of the institution's current security policies. Institutions are also required to issue timely warnings when necessary. All public and private Title IV eligible institutions must comply with the requirements of this act, which is enforced by the U. S. Department of Education (DOE).

This law was amended when Congress enacted the Campus Sexual Assault Victim's Bill of Rights as part of the Higher Education Amendments of 1992 {Public Law 102-325, Section 486(C)}, giving victims of sexual assault on campus certain basic rights. In addition, institutions are required to develop and distribute a policy statement concerning their campus sexual assault programs targeting the prevention of sex offenses. This statement must also address the procedures to be followed if a sex offense occurs.

The most recent version of this law was passed as part of the Higher Education Amendments Act of 1998 {Section 486(e) of Public Law 105-244}. The official title under this act is the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act {20 U.S.C.1092(f)}. On Nov. 1, 1999, DOE issued the final regulations, which went into effect on July 1, 2000. The amendments require DOE to collect, analyze, and report to Congress on the incidences of crime on college campuses. The amendments also expand the requirement of the Student Right to Know and Campus Security Act of 1990 that all institutions of higher education participating in the federal student aid programs must disclose to students, faculty, staff, and, upon request, prospective students, and information regarding the incidence of crimes on campus as part of their campus security report.

The 1998 amendments made several changes to the disclosure requirements. Among these changes were the addition of two crimes (Arson and Negligent Manslaughter) and three locations (non-campus buildings or property not geographically contiguous to the campus, and public property immediately adjacent to a facility that is owned or operated by the institution for education purposes) that schools must include in the reported statistics. Institutions that have a campus security department are required to maintain a daily crime log that is available to the public.

The Clery Act was further amended by the Violence Against Women Reauthorization Act of 2013 (VAWA) to require institutions to compile and report statistics for additional crimes and incidents of dating and domestic violence and stalking reported to campus security authorities or local law enforcement agencies, as well as to adopt policies to address these matters.

## Annual Security Report (ASR)

Western University of Health Sciences (WesternU) Pomona's Annual Security Report includes statistics for the previous three years concerning reported crimes that occurred on-campus; in certain off-campus buildings or property owned or controlled by WesternU Pomona; and on public property within, or immediately adjacent to and accessible from, the campus. The report also includes institutional policies concerning campus security, such as policies concerning sexual assault, and other matters.

This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus, Campus Security, Title IX Office, and University Student Affairs. Each University entity provides updated bi-annual statistical information on their crime stats and their educational efforts and programs to comply with the Clery Act.

Campus crime, arrest and referral statistics include those reported to respective local law enforcement agencies, the Campus Security Department, and other designated Campus Security Authorities (CSA's) as defined below.

You can obtain a copy of this report by contacting the Campus Security Department 909-706-3000, or by accessing [Annual Security Report](#)

## University's Clery Geography

On-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 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." (34 CFR 668.46(a)).

On-Campus Student Housing Facilities: "A dormitory or other residential facility for students that is located on an institution's campus, as defined above." (34 CFR 668.41(a)).

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" (34 C.F.R. 668.46(a)). These statistics were provided by the law enforcement agency having jurisdiction where the property is located and Campus Security Authorities, where applicable.

## On-Campus Map

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.

## Main Campus Map



## On Campus Housing

615 E Third Street, Pomona, CA 91766

## Non-Campus Buildings or Property

Non-campus Buildings or Property: “Any building or property owned or controlled by a student organization that is officially recognized by the institution; or 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” (34 CFR 668.46(a)).

Western University of Health Sciences  
“The Village”  
1460 E. Holt, Suites 14, 20, 50, 176  
Pomona CA, 91767

We Care Dental Center  
71949 Highway 111, Suite 100B  
Rancho Mirage, CA 92270

Palomares Academy of Health Sciences  
2211 N. Orange Grove Avenue  
Pomona, CA 91767

WesternU Health, Los Angeles  
2080 Century Park East, Suite 800  
Los Angeles, CA 90067

Spay/Neuter Center East Valley  
14409 Vanowen St.  
Van Nuys, CA 91405

Jeff Seymour Family Center  
10900 Mulhall St.  
El Monte, CA 91731

## Separate Campuses

Separate Campuses: A separate campus is a site that: (1) is owned or controlled by the University; (2) is not reasonably geographically contiguous with the main campus; (3) has an organized program of study; and (4) has at least one person on site acting in an administrative capacity.

WesternU, located at 200 Mullins Drive Lebanon Oregon will be submitting their own report.

## Reporting Crimes and Other Emergencies

### Reporting of Criminal Offenses at the Main Campus (Pomona)

Potential or actual criminal activity or any emergency on the main Pomona campus, including medical emergencies, should be reported directly to Campus Security at 909-706-3000 or to the Pomona Police Department by dialing 9-1-1. Any 9-1-1 call from a University phone will go directly to the Pomona Police Department and Campus Security is automatically notified. A 9-1-1 call from a cell phone will automatically be directed to the Pomona Police Department. Upon receipt of the emergency call, Campus Security Officers will be dispatched immediately to the site of the complaint and will simultaneously summon additional emergency resources as needed.

The University encourages students and employees to report all criminal offenses and other emergencies to the Campus Security Department at 909-706-3000, as soon as possible. At all times, **if you see something, say something**. Call Campus Security right away, if you see someone or something suspicious, use the [LiveSafe](#) app, or you may report in person at the Campus Security Office. As always if it is an emergency call 9-1-1.

For the purpose of making timely warning reports and annual statistical disclosure, criminal offenses should be reported to local law enforcement agencies or Campus Security at 909-706-3000, and/or to any of the other designated CSA's as defined below, including staff of the following departments:

- University Student Affairs 909-469-5605;
- Title IX Manager 909-469-5372; or
- Human Resources 909-469-5372;
- Staff in any of these departments also may be reached by calling 909-623-6116.

### University Campus Security

- Location: USC Building: 401 E Second St., Room 102, Pomona, CA 91766
- Phone: 909-469-8699

### Local Police (WesternU Main Campus)

- Pomona Police Department



- Location: 490 W. Mission Blvd, Pomona, CA 91766
- Phone: 909-622-1241

If callers report the incident directly to the Police or Fire Departments, it is imperative that a call be made to the Campus Security Department so we can direct emergency crews to the proper location and so the incident can be documented properly.

### Reporting of Hate Crimes

As defined by Sections 422.55 and 422.6 of the California Penal Code, Hate Crime means any act by force or threat of force, physical intimidation, physical harassment or physical violence directed against any person, group of persons or property of such person or group of persons in whole or in part because of one or more of the following characteristics of the victim(s): disability, gender, nationality, race or ethnicity, religion, sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics. WesternU expressly prohibits any act or conduct that constitutes a hate crime or any act of hate violence. All suspected incidence of hate crimes or other acts of hate violence should be reported to Campus Security, the Chief Operating Officer, other designated CSA's, or Pomona Police Department. The Clery Act defines a hate crime as "a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim," and requires reporting of hate crimes in the following categories: race, religion, sexual orientation, gender, gender identity, ethnicity, national origin, and disability.

### Reporting of Criminal Offenses and Other Emergencies at Additional Campus Locations

Potential or actual criminal activity or any emergency, including medical emergencies, on any non-campus locations (*other than the main Pomona campus*), should be reported directly to the local law enforcement agency for that campus by dialing 9-1-1 or as listed below.

The University has established relationships with local law enforcement agencies for each of its additional campus locations. These agencies help provide proactive safety patrols of the University community and surrounding area.

The Memorandum of Understanding (MOU) between the University and the local law enforcement agencies ensure the accurate and prompt reporting of all Part I crimes and Clery reportable crimes as soon as possible or practical. This ensures each agency can satisfy each other's obligations to respond, investigate and report in a timely manner.

For the purposes of making timely warning reports and annual statistical disclosures, criminal offenses should also be reported the Campus Security Department on the Pomona campus at (909) 706-3000, and/or to any of the other designated CSA's.

For Crimes In-Progress or Other Emergencies:

- 1) Reports of in-progress crimes may be made directly to the Police Department by dialing 911.
- 2) Call Campus Security at 909-706-3000 (or at extension 3000).

For Fire or Medical Emergencies:

- 1) Reports of fire or medical emergencies may be made directly to the Fire Department by dialing 911.
- 2) Call Campus Security at 909-706-3000 (or at extension 3000).

**Non-Campus WesternU Facilities & Enforcement Authority and Jurisdiction**

Facility Name	Access to Facilities	Local Law Enforcement	Enforcement Authority
We Care Dental Rancho Mirage Dental Center	Monday-Thursday 9am to 5pm Friday 8am to 3pm Closed Saturday and Sunday	Rancho Mirage Emergency - 911 Business (760) 836-1600	No on site security No MOU in place
WesternU Health, Los Angeles Eye Care Institute	Monday-Friday 8am to 5pm Closed Saturday and Sunday	LAPD Emergency – 911 Business (310) 444-0701	On site security Allied No MOU in place
Spay/Neuter Center East Valley Van Nuys, CA	Tuesday-Saturday 9am-4pm Closed Sunday and Monday	LAPD Police Emergency - 911 Business (818) 374-9500	No on site security No MOU in place
The Village Pomona, CA	Suite 150- Monday-Friday 8am to 5pm Suite 14- Tue-Wed. 8am to 5 pm	Pomona Police Emergency-911 Non-Emergency- (909) 622-1241	On site security Security ADA MOU in place
Palomares Academy of Health Sciences	Monday- 8am to 5pm	Pomona Police Emergency- 911 Non-Emergency- (909) 622-1241	On site security Pomona Unified School District
Jeff Seymour Family Center	Monday- Tuesday 8am to 4pm	El Monte Police Emergency- 911 Non-Emergency- (626) 580-2100	No on-site security No MOU in place

## Authority & Jurisdiction of Local Law Enforcement Agencies & Security Personnel

WesternU has entered into a “Memorandum of Understanding,” (MOU), with the Pomona Police Department to establish guidelines and clarify administrative responsibilities dealing with Part I and Clery reportable crimes and operational working relationships for the University campus. The MOU between the University and the respective law enforcement agencies ensure the accurate and prompt reporting of all Part I crimes and Clery reportable crimes as soon as possible or practical. This ensures each agency can satisfy each other’s obligations to respond, investigate and report in a timely manner.

### Main Campus – Pomona

The Campus Security Department is a non-sworn safety department that provides a safe and secure learning and working environment for the Pomona community. The Campus Security Department enforces University policies, procedures, and the University’s vehicle code. Campus Security Officers perform routine patrol of on-campus and non-campus buildings and property for the main campus.

Campus Security Officers have private citizen’s powers to arrest. California Penal Code Section 837 specifies the conditions under which officers, as a private person, may make an arrest. A private person may arrest another:

1. For a public offense committed or attempted in his/her presence.
2. When the person arrested has committed a felony, although not in his/her presence.
3. When a felony has been, in fact, committed and there is reasonable cause for believing the person arrested to have committed it.

When engaged in the performance of assigned duties, Campus Security Officers may engage in the following activities:

- Observe and report:
  - Leaks and spills, including those of a hazardous nature;
  - Slips and fall incidents;
  - Fire emergencies;
  - Crimes in-progress;
  - Suspected crimes or forced entries;
  - Bomb threats; and
  - Intruders or suspicious persons.
- Campus Security Officers must refrain from the following:
  - Touching or attempting to clean up leaks or spills;

- Handling hazardous materials;
- Moving or touching a suspicious object or package;
- Chasing down and/or restraining persons who violate the access control policy; and
- Using physical force to remove a person from the premises.

When reporting in-progress crimes, fire and other emergencies, the Campus Security Officers will contact the appropriate emergency response agency by dialing 911. This is to ensure that all appropriate parties have the same information and can work together to ensure proper resolution of the incident.

Imperial Guard Services maintains an Illness and Injury Prevention Program, with a Program Administrator who has the authority and responsibility for implementing the provisions of the program.

## Annual Disclosure of Crime Statistics

The Campus Security Department prepares this report, in conjunction with administrators from the main and off-campus sites, to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located at [Annual Security Report](#).

This report is prepared in cooperation with the local law enforcement agencies surrounding our main campus and Non-Campus sites, Campus Security, University Student Affairs, and Title IX. Each University entity provides updated bi-annual statistical information on their crime statistics as well as their educational efforts and programs to comply with the Clery Act.

Campus crime, arrest and referral statistics include those reported to local law enforcement agencies, the Campus Security Department and other designated CSA's as defined below.

All statistical information received from local law enforcement agencies is compiled by the Campus Security Department as reported by the reporting agencies. A letter or e-mail is sent yearly to all the local law enforcement agencies of all WesternU Pomona campuses requesting crime statistics for designated University-controlled property classified as Clery geography to maintain Clery compliance.

### Campus Security Authorities

A Campus Security Authority is a campus security official or other official with significant responsibility for campus and student activities. A CSA has responsibilities under Clery to report information for timely warnings and for collection of crime statistics.

- Administrators at Non-Campus WesternU locations
- Campus Security Staff

- Deans
- Faculty or staff advisors to student organizations
- Members of the Presidents' Cabinet
- University Student Affairs
- Title IX Coordinator

### The Daily Crime Log

A copy of the daily crime log is maintained at the Campus Security front desk and in the Imperial Security Incident Tracking System and can be viewed by request at the Campus Security Office at the Pomona campus. Each guard, as they sign on for a shift, reviews the logbook during pass down procedures in addition to receiving a verbal briefing regarding the previous shift from the outgoing guard. Logbook pages are digitally archived for future reference and can be viewed at the Campus Security Office on the Pomona campus. Other additional campus locations do not have a daily crime log since those campuses do not have security personnel on site and the local law enforcement agencies who patrol on or near the campuses do not have a written agreement or contract with the University for these services.

### Voluntary Confidential Reporting

Optum Health (Optum) staff informs their clients of the options and procedures for reporting crimes to the Campus Security Department, to local law enforcement agencies, and/or on a voluntary or confidential basis for the purposes of inclusion in the annual disclosure of statistics, when they deem it appropriate and in the best interest of the client. A procedure is in place to anonymously capture crime statistics disclosed confidentially during such a session.

## Security & Access Policy

### Main Campus Security of Access to Campus Facilities

During business hours, the University (excluding certain offices and facilities) will be open to students, employees, contractors, and guests. Access to all University facilities are secured either by electronic key cards or by hard key lock after designated business hours, subject to continued use by University groups.

Keys and Electronic key cards are issued by Plant Operations and Facilities (Facilities). In the case of periods of extended closing, the University will admit only those with prior written approval to all buildings. Community members are instructed to close and secure their respective work area before they leave the location. The Campus Security Department will secure any doors that are found open while patrolling the campus.

Over extended breaks, the doors of all buildings will be secured around the clock. Emergencies may necessitate changes or alterations to any posted schedules. Areas that are revealed as problematic are documented by the Campus Security Department. The concerns are then forwarded to the appropriate administrator or office for review. These incident/maintenance reports document security, safety, and maintenance issues such as landscaping, locks, alarms, lighting, and communications.

### Monitoring & Reporting of Student Criminal Activity at Non-Campus Locations

The University does not recognize and is not aware of any non-campus locations, including non-campus housing facilities, owned, or controlled, by student organizations officially recognized by the University. There is no agreement or policy by or between the University and local law enforcement agencies to monitor activities of any officially recognized student organizations at non-campus locations.

## Emergency Notification, Timely Warnings, and Evacuation

### Emergency Notification

In the event of an immediate threat existing on the University's campus, the University's Provost, the Chief Operating Officer, and the Director of Campus Security, comprise the Emergency Assessment Committee. The committee will meet in person or by phone and will confirm if a serious incident occurred or is occurring that may present an immediate and/or continuing threat to anyone on the campus. They will also decide who should be notified.

An "immediate" threat as used here includes an imminent or impending threat, such as a large fire is burning on or near the campus. The committee will consider the safety of the community in developing the content and issuing an emergency notification. Some examples of significant emergencies or dangerous situations are:

- earthquake
- train derailment
- gas leak
- explosion
- nearby chemical or hazardous materials
- armed intruder
- terrorist incident
- bomb threat
- civil unrest or rioting

In the absence of any member of the committee, and to prevent any delay, the Director of Campus Security can initiate the Emergency Notifications System unless notification will compromise efforts to assist a victim or contain, respond to, or otherwise mitigate the emergency.

Emergency Notifications are disseminated by one or more of the following methods: mass emailing, the University's notification system (Blackboard Connect), University's website, social media platforms, "in person direct notification" or [LiveSafe](#) to the affected campuses.

## **University's Emergency Notification System**

The University uses "Blackboard Connect" Campus Notification System as a means of notifying students, faculty, and staff of pertinent information for all campuses. The user will receive an email and can pick multiple ways of additional notification: text, phone, and cell phone. The system can be activated from any location that has internet access. The Blackboard Connect System notifies by email, or other optional methods, all individuals listed in the Banner system or can target designated groups on any of the University's campuses.

The Blackboard Connect system is an automatic sign up for all Faculty, Students, and Staff in the Banner system based on current information provided by the user. The user must remain in the email notification queue but can opt-out of additional message formats such as text or cell phone notifications. The University uses the University email system for all current students and employees with no opt-out ability.

## **Timely Warnings**

The Clery Act requires the University to alert the campus community to certain crimes that occurred on the campus in a manner that is timely and will aid in the prevention of similar crimes. Although the Clery Act does not define "timely," the intent of a warning regarding a criminal incident(s) is to enable people to protect themselves. This means that a warning should be issued as soon as pertinent information is available. Based on the urgency of the situation, the Director of Campus Security may consult with the Chief Operating Officer to determine whether communication with local law enforcement is also needed. The Director of Public Relations may also be included in the discussion and would prepare appropriate notifications to be released to the university community.

Timely Warnings are disseminated by one or more of the following methods: mass emailing, the University's notification system (Blackboard Connect), University's website, [LiveSafe](#) or "in person direct notification," and posting of notification as an option when appropriate to the affected campuses.

## Evacuation Procedures

The Campus Security Department, in conjunction with the Department of Environmental Health and Safety (EHS), conducts regular emergency evacuation drills every October. The department of EHS holds regular training drills for all Building Safety Coordinators and support staff in evacuation procedures in selected buildings on main campus, and Non-Campus locations.

- Fire alarms or verbal notice will be used to sound the evacuation.
- Remain calm, walk quickly but do not run.
- Exit via stairway, DO NOT USE ELEVATORS. (All multi-level buildings are equipped with one or more evacuation chairs for disabled persons who cannot negotiate stairs on their own.)
- Follow instructions of the Building Safety Coordinators and Campus Security Department, Imperial Guards, or other emergency personnel.
- Seek out and give assistance as needed to any disabled persons in the area.
- If time permits, turn off the power to all electrical equipment and close doors.
- Go to the designated Evacuation Assembly Area for your building. These are located outside away from the building. Keep roadways and walkways clear for emergency vehicles.
- WAIT FOR INSTRUCTIONS from emergency personnel. DO NOT RE-ENTER THE BUILDING until instructed to do so by the Campus Security Department, Imperial Guards, or other emergency response personnel.

The University's [Fire Prevention Plan - Emergency Action Plan](#) and evacuation procedures can be reviewed to see actions that should be taken in a variety of emergency situations.

The University's Director of Campus Security maintains and keeps documented reports on all drills and evacuations. At least once during the academic year the Campus Security Department runs a test of the Blackboard Connect Campus emergency notification system. Tests and results are documented and stored within the Blackboard Connect System and reported to the Emergency Management Committee.

## Earthquake Response:

1. Each classroom on campus has a poster showing a schematic of the building floor you are on and the general area, and a recommended evacuation route.
2. Take time to know your primary evacuation route and scope out an alternative route, if for some unforeseen reasons, the primary is unusable.
3. Know where your evacuation gathering site is and proceed there quickly.
4. You may not be returning to the building, so take car keys, purse, cell phone, medication, glasses, flashlight, wallet, etc.
5. Leave the building safely and efficiently.
  - DO NOT USE ELEVATORS
  - Walk, do not run



- Feel doors for heat. If hot, seek another route
- Evacuate quietly so you can hear emergency instructions
- Use handrails in stairwells; stay to the right
- Assist people with disabilities
- Watch for falling glass and debris
- Do not return to the building until instructed to do so by authorities

### Campus Evacuation:

1. Drive carefully through campus parking lots.
2. Drive to the nearest exit, even if it may not be your usual exit.
3. Follow the directions of Campus Security or other emergency response personnel.
4. At campus exits, do not attempt to cross traffic on the main roadways. In most cases, you will need to turn right on main roadways to avoid bottlenecks behind you.
5. Carpool if feasible.
6. Do not return to campus unless directed by authorities.

If the campus becomes the target of an attacker, if you cannot get away from the threat, it is important to immediately secure yourself and those with you in an area that better isolates you from the attacker. If discovered and directly threatened, use anything available to you as a weapon to fight off the attacker.

This response is called “Run, Hide, Fight” and is emphasized as a standard in responding to the Active Shooter and other forms of direct attacks upon the campus community members and facilities.

The University works with each of its Non-Campus locations local law enforcement and fire service agencies to maintain accurate information and resources to assist these first responders as they arrive to stop and apprehend the attacker.

The following video link is provided to illustrate ways in which you can help yourself and others in an emergency situation. To view click the link below:

[https://www.youtube.com/results?search\\_query=houston+run+hide+fight](https://www.youtube.com/results?search_query=houston+run+hide+fight)

## Sexual Assault, Domestic Violence, Dating, and Stalking

### Educational & Awareness Program

University Student Affairs has programs designed to prepare, assist, and train the students and staff to confront and prevent serious campus problems.

- **Employee training** - Sexual Assault, Domestic Violence, Dating, and Stalking training for all new employees, and all current employees is completed by Human Resources upon hire date and every two years.
- **Student Training** - all newly matriculated first year students to complete an online training module. This program is offered by [EVERFI](#) and is called Sexual Assault and Prevention for Graduate Students. All continuing students are required to take “refresher” online training courses on an annual basis. Failure to complete the training results in a notification to their appropriate college Dean and a hold on their student account.

## University’s Statement Prohibiting Sexual Assault, Domestic Violence, Dating, & Stalking

WesternU does not tolerate any form of discrimination, and expressly prohibits any conduct constituting dating violence, domestic violence, sexual assault and stalking as those terms are defined by the Clery Act. The University will promptly investigate all allegations of sexual assault and take appropriate action when necessary.

Any student who individually or in concert with others participates in any of the following is subject to University discipline as well as criminal prosecution.

### Definitions

**Dating violence** is defined as violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes but is not limited to:

- Sexual or physical abuse or the threat of such abuse
- Dating violence does not include acts covered under the definition of domestic violence

**Domestic Violence** is defined as a felony or misdemeanor crime of violence committed:

- By a current or former spouse or intimate partner 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 or intimate partner
- By a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred

- By any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

**Stalking** is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others; or suffer substantial emotional distress; or repeated, unwanted, intrusive, and frightening communications from the perpetrator by phone, mail, and/or email.

- Repeatedly leaving or sending victim unwanted items, presents, or flowers.
- Following or lying in wait for the victim at places such as home, school, work, or recreation place.
- Making direct or indirect threats to harm the victim, the victim's children, relatives, friends, or pets.
- Damaging or threatening to damage the victim's property.
- Harassing victim through the internet.
- Posting information or spreading rumors about the victim on the internet, in a public place, or by word of mouth.

**Sexual Assault** is defined as an offense that meets the definition of Rape, Fondling, Incest or Statutory Rape as used in the [FBI's Uniform Crime Reporting Program](#) (UCR) and included in Appendix A of 34 CFR Part 668.

**Consent** is an affirmative, unambiguous, and conscious decision by each participant to engage in mutually agreed-upon sexual activity. The absence of "No" is not a "Yes."

Consent 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 consenting 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 she or he is unconscious or coming in and out of consciousness. A person cannot consent if she or he is

under the threat of violence, bodily injury, or other forms of coercion. A person cannot consent if his or her understanding of the act is affected by a physical or mental impairment.

Whether the respondent has taken advantage of a position of influence over a complainant may be a factor in determining consent. For purposes of this policy, the age of consent (18 years of age and older) is consistent with California Penal Code Section 261.5.

### Procedures to Follow

If an incident of sexual assault, domestic violence, dating violence, or stalking occurs, it is important to preserve evidence as it may assist in proving that the alleged criminal offense occurred, or may be helpful in obtaining a protection order. A student who is a victim of a sexual assault is encouraged to seek immediate health attention and has the option of seeking treatment at Pomona Valley Hospital Medical Center located at 1798 N Garey Ave, Pomona, CA 91767, 909-865-9500. When possible, a victim should not bathe, douche, use the toilet, or change clothing prior to a medical exam – which is important both to address any health issues that may arise and for evidence collection.

Evidence of violence, such as bruising or other visible injuries, following an incident of domestic or dating violence should be documented by taking a photograph. On campus, this will be handled by the Pomona Police Department. If the event occurred off campus, the local police agency will handle the documentation. Evidence of stalking, including any communication such as written notes, voice mail or other electronic communications, should be saved and not altered in any way. Provide this to the law enforcement officer or Campus Security officer who responds to your call.

### Reporting Incidents of Sexual Assault, Domestic Violence, Dating Violence, & Stalking

The University encourages all individuals to seek assistance from a medical provider and/or law enforcement immediately after an incident of sexual assault, domestic violence, dating violence, or stalking. This is the best option to ensure preservation of evidence and to begin a timely investigative and remedial response. The University will assist any University community member to get to a safe place and will provide transportation to the hospital, coordination with law enforcement, and information about the University's resources and complaint processes.

Students and visitors are strongly encouraged to report such incidents to the Title IX Coordinator, Office of Student Affairs and/or Human Resources.

All University employees have a mandatory duty to report all such incidents to the Title IX Coordinator or one of the following:

- Title IX Coordinator 909-469-5372
- University Student Affairs 909-469-5605
- University Provost 909-469-8835

Assistance is also available from the University 24 hours a day year-round by calling Campus Security at (909) 706-3000.

These offices will assist a victim of sexual assault, domestic violence, dating violence, and stalking in notifying law enforcement, if they elect to do so. Victims are not required to report to law enforcement to receive assistance from or pursue any options with the University.

### Options for Involvement of Law Enforcement & University Authorities

Victims of incidents of sexual assault, domestic violence, dating violence, and stalking are not required to report to law enforcement in order to receive assistance from or pursue any options with the University. Likewise, such victims are not required to notify University authorities in order to report such matters to law enforcement and/or receive outside resources. The following options are available to such victims:

- Notify local law enforcement agencies;
- Notify designated University authorities and allow them to assist with notifying law enforcement;
- Notify designated University authorities and decline to involve local law enforcement;
- Decline to notify local law enforcement AND University authorities.

The University will comply with a victim's request for assistance in notifying local law enforcement and/or proper University authorities.

### Restraining Order

Restraining Orders are court orders directing a violent person to stop harassing a victim or the victim's children. They may be obtained without cost and will be enforced by the local Police Department.

You may apply for a Domestic Violence Restraining Order if a person has abused you or threatened to abuse you AND you have one of the following relationships with that person:

- Married, divorced, separated, registered domestic partnership, have a child together, dating or used to date, live together, or used to live together or;
- You are related within the second degree of affinity or consanguinity. This means mother or mother-in-law, father or father-in-law, child or stepchild or legally adopted child, grandparent or grandparent-in-law, grandchild or grandchild-in-law, sister or sister-in-law, brother or brother-in-law, stepparent, daughter-in-law, or son-in-law. The in-law must be through a current marriage.

**IMPORTANT:** You can also ask that other family or household members be protected by the Restraining Order. The person seeking protection is called the protected person. The person you want protection from is called the restrained person.

An order may be obtained to:

- Direct the attacker to leave the household
- Prevent the attacker from entering the residence, school, business, or place of employment of the victim
- Award the victim or other parent custody of, visitation with, a minor child or children
- Restrain the attacker from molesting or interfering with minor children in the custody of the victim
- Direct the party not granted custody to pay support of minor children, if that party has a legal obligation to do so
- Direct the defendant to make specified debit payments coming due while the order is in effect and/or,
- Direct that either or both parties participate in counseling

A Domestic Violence Restraining Order is always free. In many courts, free legal assistance is available, or you can represent yourself.

For the main WesternU campus, in order to obtain a temporary or regular restraining order, you must appear at the Pomona Superior Court, 400 Civic Center Plaza, Pomona, CA 91766, 909-620-3023 and file a petition requesting the restraining order. For all other non-campus locations, you must appear at the court that has jurisdiction based on your current place of residence, or the location police reports were taken, if any, involving the party to be restrained.

The University will honor requests for assistance in complying with these orders.

### Confidentiality

A complainant may make a request for confidentiality. This type of request means that the complainant does not want his/her identity known to the respondent or witnesses, or that the complainant wishes to withdraw a report. In these situations, the University will make all reasonable attempts to comply with this request; however, the University's ability to investigate and respond may be limited. Persons considered confidential support are professional counselors, and pastoral counselors.

The University is required by Title IX to weigh the complainant's request for confidentiality with the University's commitment to provide a reasonably safe and non-discriminatory environment. If the University cannot maintain a complainant's request for confidentiality, she or he will be notified by the Title IX Coordinator. In situations where a member of the University community becomes aware of a pattern of behavior by a single respondent, the University will take appropriate action in an attempt to protect the University community.

The University will protect the confidentiality of victims and other necessary parties, and will complete publicly available recordkeeping, including Clery Act reporting and disclosures, without inclusion of personally identifying information about the victim.

Personal identifying information is defined as individually identifying information for or about an individual, including information likely to disclose the location of a victim of domestic violence, dating violence, sexual assault, or stalking, regardless of whether the information is encoded, encrypted, hashed, or otherwise protected, including:

- A first and last name;
- A home or other physical address;
- Contact information (including a postal, e-mail or Internet protocol address, or telephone or facsimile number);
- A social security number, driver's license number, passport number or student identification number; and
- Any other information, including date of birth, racial or ethnic background, or religious affiliation that would serve to identify any individual.

The University will maintain as confidential any accommodations or protective measures provided to the victim, to the extent that maintaining such confidentiality would not impair the ability of the University to provide the accommodations or protective measures.

### Confidential Reporting Options

Any OPTUM follows a strict policy of confidentiality between the client and OPTUM. No information regarding a client's experience can be released from OPTUM without the client's written permission. The fact that a person is seeing an OPTUM therapist does not appear on any academic records. The person's identity is kept confidential from anyone outside of OPTUM. Please note, however, that in a professional counseling agency, confidentiality means that counselors may consult with each other regarding any of their clients.

Off campus options for confidential reporting of incidents of sexual assault, domestic violence, dating violence, and stalking include licensed professional counselors, rape crisis centers, and clergy or chaplains.

### Exceptions to the Confidentiality

The right to confidentiality is protected by law. However, there are certain circumstances regarding life-threatening situations in which confidentiality may not be protected. These situations are:

- Reasonable suspicion of child abuse or situations in which a child is at risk of being abused (a child is any person under 18 years old)

- Reasonable suspicion of abuse of individuals who are gravely disabled and unable to care for themselves
- Reasonable suspicion of abuse of dependent elders (ages 65 or older)
- Serious intent to harm self
- Serious intent to harm another person

Employees may be legally required to report to other outside agencies (where appropriate) the minimal necessary information obtained during an encounter or counseling visit. Except in these situations, information communicated to OPTUM cannot be released without permission from the person seeking such services.

If you would like further information on this subject, University Student Affairs, CDHP Office, LEAD Office will be glad to provide it. If it is necessary to disclose identifying information, University Student Affairs and Title IX Coordinator will confer on what information needs to be disclosed, and to whom it needs to be disclosed. Only information necessary to provide the accommodations or protective measures in a timely matter will be considered. If it is necessary to disclose identifying information the victim will be informed before sharing personally identifying information the university believes is necessary to provide an accommodation or protective measure. The victim will be informed of what information will be shared, with whom, and why.

### Available Interim Support

Upon receipt of a report of sexual assault, domestic violence, dating violence, or stalking, the University will provide interim support and reasonable protective measures to the victim to prevent further acts of misconduct, and to provide a safe educational, work and/or living environment. The University will determine the necessity and scope of any interim measures. The range of interim measures which may be applied to the complainant and/or the respondent include, but are not limited to no contact orders, academic accommodations, changes in class/work schedules, changes in housing assignments, and/or interim suspension.

The University will provide written notification to victims about options for, available assistance in, and how to request changes to academic, living, transportation and working situations or protective measures. The University is obligated to make such accommodations or provide such protective measures if the victim requests them and if they are reasonably available, regardless of whether the victim chooses to report the crime to campus police or local law enforcement.

### Written Notification of Rights, Options and Resources

Upon receipt of a report of sexual assault, domestic violence, dating violence, or stalking, the University will provide written notification to students and employees about their rights, 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.

If you or someone you know may have experienced any form of sexual assault, domestic violence, dating violence, or stalking, we urge you to seek immediate assistance. Student assistance can be obtained from:

### [On Campus Resources](#)

#### Counseling and Psychological Services – CONFIDENTIAL REPORTING RESOURCE

- 287 E Third Street, Pomona (Pumerantz Library, Room 402)
- Hours- Tuesday and Thursday- 11am to 6:30pm
- Office phone number: 909-448-4105

- [Counseling Services](#)

- After Hours Emergency Crisis phone number: 626-391-8508
- Emergency/Non–Emergency after hours, please contact

#### Pomona Valley Hospital Medical Center

- 1798 N. Garey Ave, Pomona, CA 91767
- Tel. 909-865-9500

#### Campus Security

- Hours: 24 hours / 7 days a week
- 909-706-3000
- Location: 401 E Second Street, 1<sup>st</sup> Floor
- USC Building, Room 102

### [Off Campus Resources](#)

Optum Health Counseling- Available 24/7: 800-234-5465, Access Code is westernu

#### Project Sister Family Services

- Project Sister Family Services is the foremost agency dedicated to providing services to the women, children, and men survivors of sexual assault and abuse and their families in the East San Gabriel and Inland Valleys in Southern California.
- 24 Hour Hotline: 909-626-4357
- Phone: 909-623-1619

#### House of Ruth

- House of Ruth’s mission is two-fold: (1) to advocate for and assist women and children victimized by domestic violence and children exposed to violence in transforming their lives by providing culturally competent shelter, programs opportunities and education;
- (2) To contribute to social change through intervention, education, prevention programs and community awareness.
- Toll-free Hotline: 877-988-5559
- Pomona Outreach Office: 909-623-4364

Pomona Valley Hospital Medical Center

The emergency room at Pomona Valley Hospital is County designated sexual assault response team (SART) Center. SART is a victim-sensitive program designed to provide a team approach to responding to sexual assaults. Victims/survivors may take a support person with them to the hospital.

- 1798 N. Garey Ave., Pomona, CA
- 909-865-9500

City of Pomona Police Department

- 490 W. Mission Blvd, Pomona, CA
- Normal Business: 909-620-2156
- Non-Emergency Crimes: 909-622-1241
- Emergencies: 911

The University will provide written notification to victims about available options and assistance in the following:

- Academic situations: Sr. Vice President of Students Affairs, 909-469-5341
- Work Environments: Vice President of Human Resources, 909-469-8421
- Protective measures: Pomona Police Department 909-622-1241

Possible sanctions to be imposed following the final determination of an on-campus disciplinary procedure regarding rape, sexual assault and other sexual offenses are based upon the respondent’s relationship to the University and may include discretionary sanctions, probation, suspension or dismissal/expulsion, restitution, termination of employment, or a notice of persona non grata from the University or specified facilities.

# Disciplinary Review Procedures

## Investigations of Complaints

Upon receipt of a complaint from any source (victim, campus safety, 3rd party, online, etc.), the Title IX Director or designee will conduct an assessment or preliminary inquiry of the complaint, taking into consideration the nature of the conduct, the Complainant's expressed preferences, if any, as to course of action, and the necessity for any interim measures to protect the safety of the complainant and/or University community. If, during the preliminary inquiry, the investigator determines that there is reasonable cause to believe that prohibited conduct has occurred, the investigator will prepare and issue a "Notice of Full Investigation" to the Respondent and Complainant and begin the administrative review process.

Every effort shall be made to complete an investigation within sixty (60) working days of the date a formal complaint is made or soon thereafter as practical under and dependent upon the circumstances.

A Title IX Investigator is a University Official designated serving as a neutral fact finder and trained, for the investigation and evaluation of incidents related to possible violations of the [Non-Discrimination, Anti-Harassment, and Non-Retaliation](#). The investigation will be conducted by officials who, at a minimum, receive annual training on the issues related to dating violence, domestic violence, sexual assault and stalking and on how to conduct an investigation and hearing process that protects the safety of the victims and promotes accountability.

## Notification of Findings

The investigator will inform the parties of the final determination. Notification will be made using the parties' WesternU, Pomona email account. Once emailed, notice will be presumptively delivered.

Notifications to the Complainant for harassment or non-sexual misconduct investigations will specify:

- The finding on alleged policy violation that impacted the Complainant;
- The relevant/appropriate sanctions and/or preventive measures that impact the Complainant; and
- Information on when the results that impacted or impact the Complainant (finding, sanctions and preventive measures) are considered by the University to be in effect.

The outcome notification for investigations related to Sexual Misconduct, will be made to all parties, without significant time delay between notifications. Notifications for investigations of Sexual Misconduct will specify:

- The finding on each alleged policy violation and the rationale supporting the essential findings to the extent the University is permitted to share under state or federal law;
- The relevant/appropriate sanctions and/or preventive measures and the rationale supporting the sanctions and/or preventive measures;
- Information on when the results (finding, sanctions and preventive measures) are considered by the University to be in effect; and
- Information on appeals options that are available to all parties.

Notification for all other investigations (not related to Sexual Misconduct), will be made to the Respondent and will specify:

- The finding on each alleged policy violation and the rationale supporting the essential findings;
- The relevant/appropriate sanctions and/or preventive measures and the rationale supporting the sanctions and/or preventive measures;
- Information on when the results (finding, sanctions and preventive measures) are considered by the University to be in effect; and
- Information on appeals options that are available to the Respondent.

### **Federal Education Rights and Privacy Act**

The outcome of an investigation is part of the education record of the Respondent and is protected from release under the Federal Education Rights and Privacy Act, except under certain conditions. As allowed by FERPA, when a student is accused of a policy violation that would constitute a “crime of violence” or forcible or non-forcible sex offense, WesternU, Pomona will inform the Complainant of the outcome as described previously.

In cases where WesternU, Pomona determines through the investigation that a Respondent violated policy that would constitute a “crime of violence” or non-forcible sex offense, WesternU, Pomona may also release the above information publicly and/or to any third party. FERPA defines “crimes of violence” that include arson; assault offenses (includes stalking); burglary; criminal homicide—manslaughter by negligence; criminal homicide—murder and non-negligent manslaughter; destruction/damage/vandalism of property; kidnapping/abduction; robbery; forcible sex offences; and non- forcible sex offences.

### **Title IX Investigation and Administrative Review Process**

The WesternU, Pomona’s full-length policy entitled Sexual Misconduct and Complaint Procedures addresses the University’s outline for institutional disciplinary action cases of alleged dating violence, domestic violence, sexual assault, stalking, and related prohibited conduct and includes the following:

- Full-length description of the [Title IX Investigation and Administrative Review Process](#)

- Definitions and roles of the Title IX Coordinator, Deputy Title IX Coordinators, and Title IX Investigators.
- Full list of rights for the Complainant and Respondent.
- List of interim and protective measures and possible sanctions the University might impose.
- Institutional procedures of simultaneous notification to complainants and respondents and notification of processes for additional parties involved in the Title IX Investigation and Administrative Review Process.
- Institutional process for finding, results, and appeal procedures.

\*The above list is not an exhaustive list of policy contents; please access the University's full policy for [Non Discrimination Anti-Harassment and Non Retaliation](#)

## Missing Students Notification Procedures

If a member of the University Community has reason to believe that a student is missing, through collaboration of the Campus Security Department, University Student Affairs and local law enforcement, every effort will be made to locate the student following the procedures outlined in the Missing Student Notification Policy.

In accordance with the Higher Education Opportunity Act; Public Law 110-315, regarding new regulations to campus safety requirements and emergency procedures, the Office of University Student Affairs must inform you that each student residing in University on campus housing has the option to designate an individual or individuals to be contacted by the University no later than 24 hours after the time that the Campus Security Department determines that student to be missing. Each institution of higher education that provides on-campus housing and participates in any program under this title shall establish a missing student notification policy for students who reside in on-campus housing that:

- Informs each student that they have the option to identify a contact person whom the University shall notify as soon as possible and within 24 hours of the determination that the student is missing in accordance with official notification procedures established by WesternU.
- Informs each student who is under 18 years of age, and not an emancipated individual, that the institution is required to notify a custodial parent or guardian no later than 24 hours after the time that the student is determined to be missing, in accordance with such procedures.
- Informs each student who is under 18 years of age, and not an emancipated individual, that the University must notify a custodial parent or guardian as soon as possible and within 24 hours of the determination that the student is missing, in addition to notifying any

additional contact person designated by the student, in accordance with official notification procedures established by WesternU.

- Informs each residing student that the institution will notify the appropriate law enforcement agency no later than 24 hours after the time that the student is determined missing, in accordance with such procedures.
- Requires (if campus security or law enforcement personnel have been notified and makes a determination that a student who is the subject of a missing person report has been missing for more than 24 hours and has not returned to the campus) the institution to initiate the emergency contact procedures in accordance with the student's designation.
- Establishes official notification procedures for a missing student who resides in on campus housing that includes procedures for official notification of appropriate individuals at the institution that such student has been missing for more than 24 hours.
- Requires any official missing person report relating to such student be referred immediately to the institution's police or campus security department; and if, on investigation of the official report, such department determines that the missing student has been missing for more than 24 hours. If a student is determined to have been missing for 24 hours, WesternU administration will contact local Police, and the student will be determined missing. A University Student Affairs designee will contact the student's emergency contact person or family/parents immediately to inform them of their student's missing status. The University requires all missing student reports to be immediately referred to Campus Security for further investigation. Students are responsible for updating their emergency contact(s) through the University Student Affairs Office or via BanWeb. The emergency contacts will be maintained confidentially; only authorized campus individuals and law enforcement officers, in furtherance of a missing person investigation, may have access to the information.

### **Procedures for Reporting and Notification Regarding Missing Students**

Individuals who have reason to believe that a student is missing should immediately report their concern to Campus Security. Any member of the campus community should report a missing student by filing a missing person report with any of the following offices:

1. Campus Security at 909-706-3000
2. University Student Affairs Office at 909-469-5605
3. Pomona Police Department at 909-622-1241 (Emergencies call 911)

For more information go to [Missing Student Notification](#) policy.

## Registered Sex Offenders

The Adam Walsh Child Protection and Safety Act of 2006 (42 U.S.C. 16921) requires convicted sex offenders to register their status with the Pomona Police Department if they are enrolled, residing, attending, carrying on a vocation (i.e., contractor or vendor on campus for more than 30 days in the year), or working with or without compensation for WesternU, Pomona. Campus Security does not maintain a public database of registrants at the University.

Sex offenders can be queried by name, or by their residence zip code, county, city, or address. Additionally, this site has a map lookup to view sex offenders who live within a specified radius of a location, such as within a specific radius around your residence, place of work, or around WesternU, Pomona.

## ***Megan's Law***

[Megan's Law](#) permits law enforcement agencies to advise the public about registered sex offenders from whom they may be at risk. Megan's Law does not make information public about sex offender registration specific to a college or university. For more information regarding Megan's Law, call the 24-hour national Megan's Law Helpline at 888-ASK-PFML.

## California Penal Code (CPC) Section 290.1

(a) (1) Commencing October 28, 2002, every person required to register pursuant to CPC Sections 290 to 290.009, inclusive of the Sex Offender Registration Act who is enrolled as a student of any university, college, community college, or other institution of higher learning, or is, with or without compensation, a full-time or part-time employee of that university, college, community college, or other institution of higher learning, or is carrying on a vocation at the university, college, community college, or other institution of higher learning, for more than 14 days, or for an aggregate period exceeding 30 days in a calendar year, shall, in addition to the registration required by the Sex Offender Registration Act, register with the campus [security] department within five working days of commencing enrollment or employment at that university, college community college, or other institution of higher learning, on a form as may be required by the Department of Justice. The terms "employed or carries on a vocation" include employment whether or not financially compensated, volunteered, or performed for government or educational benefit. The registrant shall also notify the campus [security] department within five working days of ceasing to be enrolled or employed, or ceasing to carry on a vocation, at the university, college, community college, or other institution of higher learning.

## Weapons Policy

WesternU, Pomona aspires to maintain a safe and healthy environment. As such, the University prohibits firearms, ammunition, certain knives or cutting devices, explosives, incendiary devices

or other dangerous objects on University property (owned, operated or leased) or University sponsored programs/events as outlined in the [Weapons and Chemical Deterrent Spray](#) policy.

#### Prohibited Items:

Prohibited weapons/dangerous objects include but are not limited to firearms, martial arts weapons, Nunchakus, airsoft, pellet or bb guns, belt buckle knives, dirk, dagger, cane swords, pen knives, lipstick knives, switchblade knives, butterfly knives, machetes, slingshots, black jacks, sand clubs, billy clubs, and/or metal knuckles. Prohibited knives include those with blades longer than 2.5 inches, or of any size that open automatically, or have a blade with more than one sharp edge.

#### Prohibited Activities:

The following conduct is prohibited on all WesternU, Pomona property (owned, operated, or leased) or at university sponsored programs/events:

- Manufacturing, sale, purchase, transportation, possession, concealment, display or use of firearms, ammunition, prohibited knives or cutting devices, explosives, incendiary devices, or other dangerous objects
- Remodeling, sale, purchase, transportation, possession, concealment, display or use of any item resembling a firearm, ammunition, prohibited knife or cutting devices, explosives, incendiary devices, or other dangerous objects
- Use of any item outside of its intended use (i.e., metal pipes, razors, etc.) for the purpose of causing harm to self or others is prohibited.

#### Exceptions:

University staff or faculty can be authorized to possess a specified weapon/dangerous object for use on campus only within the procedural guidelines of the Weapons and Chemical Deterrent Spray policy and as authorized by the University President or designee.

### Security Awareness Programs

During orientation week in August, students are informed of services offered by the Campus Security Department. The Campus Security Department addresses a variety of safety issues including but are not limited to, Active Shooter Response training, personal safety, protection of property, how Campus Security patrols the campus, and what security systems are available to Campus Security personnel (i.e., cameras, alarms, etc.).

### Crime Prevention Programs

The WesternU offers several crime prevention programs available to students and staff. The [LiveSafe](#) app technology empowers effective safety-related communication via a campus safety app linked to a cloud-based command dashboard. The goal is for individuals to share information with friends and safety officials about sexual assault, mental health issues, and violence preventing incidents before they occur.



WesternU, Pomona prides itself upon being dedicated to the community; pride in serving the community that surrounds the campus as well as serving those within the University. If you see any of the following, we want to know about it as soon as possible:

- A hazardous condition or suspicious activity, or
- If you notice a person who is injured or severely ill and may be in need of immediate assistance, or
- You sense anyone is behaving in a socially aggressive or destructive manner toward any other person.

To meet this goal, WesternU, Pomona's Campus Security Department encourages every member and every guest of our campus to:

- Contact us right away. If you see an emergency, call 911 or 909-706-3000. As we are all frequently reminded if you see something—say something. Help us get there sooner to provide assistance to someone in need.
- Contact someone else on campus. In some cases, people are not sure if calling Campus Security is the best option. We understand, so we encourage you to notify someone else nearby right away, so they can help make that decision of how to get help best—and fastest.
- You can call us at 909-706-3000, email us at [\\_](#) or stop by our office on the ground floor of the University Services Center located at 401 E Second Street, Pomona.
- Want to attach a picture of the problem? Great idea! Send that too, it can really help us solve the problem if we can see the hazard you are describing to us.
- Please take a moment to visit our webpage [Campus Security](#)

## Drug & Alcohol Policy

WesternU, Pomona complies with the mandates of the Drug-Free Schools and Communities Act of 1989 (34 CRF Part 86) and the drug free campuses regulation. WesternU, Pomona certifies that it has adopted and implemented a program to prevent the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees.

Alcohol and other drugs should not interfere with the University's educational mission. All University students, faculty members, staff members, and administrators are subject to local, state, and federal laws regarding the unlawful possession, distribution, or use of alcohol or illegal drugs.

The unlawful manufacture, distribution, dispensing, possession or use of illegal drugs on the University campus or at any University-sponsored event, on or off-campus, is prohibited. No one

may use illegal substances, or abuse legal substances, including alcohol, in a manner which impairs performance of assigned tasks. A complete description of these regulations is contained in the [WesternU Alcoholic Beverages on Campus](#) policy and the WesternU [Drug-Free Workplace](#) policy.

WesternU also addresses the use of alcohol and controlled substances, by stating that the following is prohibited.

- Possession or consumption of alcoholic beverages on campus, except at approved events, which follow University guidelines.
- Use, possession, distribution or sale of illegal drugs and marijuana on campus. Possession of drug paraphernalia on campus is also prohibited.

### Assistance for Alcohol Abuse and/or Drug Use Problems

Western University of Health Sciences is committed to education and counseling as the primary focuses of its Substance Prevention Program and will provide confidential and professional assistance for any student who wants it. Students enrolled at WesternU main campus are urged to seek information and help regarding substance abuse through the OPTUM. The staff will provide information about the effects of drug and alcohol use, will help students examine the extent of any potential problem and will develop a plan of action that might involve counseling, education, and/or referral to other resources as needed.

To protect students' privacy, information obtained regarding a student during participation in any related program is treated as confidential. Students may seek counseling by calling (909) 469-8496 or (626) 932-2575 (Pager) Optum Health's Website for additional information: <http://www.liveandworkwell.com/>. If you would like to enter the site anonymously, go to [www.liveandworkwell.com](http://www.liveandworkwell.com) and click the "Click here to enter using only an Access Code" button on the right side. A field will appear, and you can enter your Access Code, "westernu".

The Student Assistance Program (SAP) and the Employee Assistance Program (EAP) are designed to respond to a variety of life-style issues. Some of the work is designed to provide quality alcohol and drug information to members of the University community.

### Alcohol (Prohibited Conduct by Students)

The listed conduct applies to behavior occurring on University property or University sponsored programs/events:

- The purchase, possession, consumption, manufacturing, transportation, or distribution of any alcoholic beverages (including beer and wine) by any student, except as permitted by law AND as sanctioned by the University, is prohibited.

- Being under the influence of an intoxicating liquor and being unable to care for one’s own safety, interfering with the use of a public way, or interfering with, limiting, or depriving an individual from participating or benefitting from the University’s education or employment programs and/or activities is prohibited.
- Selling, either directly or indirectly, any alcoholic beverages, except under the authority of a California Alcoholic Beverage Control License AND as sanctioned by the University is prohibited. This includes selling glasses, mixes, ice, or tickets for admission.
- Possession of an alcoholic beverage in an open container in a motor vehicle or on a bicycle is prohibited, regardless of who is driving or whether one is intoxicated.
- The manufacturing, use, or possession of a false State Identification Card or Driver’s License on University Property or a University sponsored program/event is prohibited.
- Driving a motor vehicle or bicycle while under the influence of alcohol is prohibited.
- Possessing, collecting, or otherwise displaying empty alcohol containers (i.e., cans, empty bottles) except as sanctioned by the University is prohibited.

## Fire Safety Report

### Fire Log

The fire log is maintained with the daily Crime Log as part of the Incident Tracking System and available at the Campus Security Office for the main campus. A record of fire alarm and sprinkler tests can be obtained from Facilities. Routine fire alarm and sprinkler testing is conducted by a contracted vendor.

### Fire Safety Statistics

Year	Location	Injuries	Fire Deaths	Property Value
2018	0	0	0	0
2019	0	0	0	0
2020	0	0	0	0

### Student Housing Facilities

Records of fire alarm and sprinkler tests can be obtained from Daumier Property Management staff. Routine fire alarm and sprinkler testing is conducted by a contracted vendor. Due to the fact that the facility is fully managed by the property management company, WesternU does not have any written policies related to student housing. WesternU has a lease agreement with the management company.

## Fire Safety Systems in Daumier

Facility	Fire Alarm Monitoring Done On-Site	Partial #1 Sprinkler System	Full #2 Sprinkler System	Number of Drills Each Semester	Evacuation Plans & Placards	Fire Extinguishers Devices	Smoke Detection
Daumier	No	No	Yes	1x per semester	Yes	Yes	Yes

## Fire Safety Training

The Department of Environmental Health and Safety conducts fire extinguisher training classes with hands-on extinguishment of fires annually. Fire drills are conducted once a semester in coordination with Campus Security.

## Fire Safety Rules & Regulations

### APPLIANCES

- Employees and students shall not bring or maintain any electrical appliances used for heating or preparation of food other than those containing enclosed heating elements. Toasters, toaster ovens and other cooking devices that do not contain open heating elements are permissible only in the kitchenette or kitchen areas. Grills and/or the materials for such grills are prohibited (e.g., propane, natural gas, wood/charcoal).
- All appliances and extension cords must be UL (Underwriters Laboratory) List-approved for the intended use.

### FIRE SAFETY & HAZARDS

Violation of local, state, federal or campus fire policies is prohibited. This includes but not limited to:

- Arson – any willful or malicious burning or attempt to burn, a dwelling house, public building, or personal property of another is prohibited.
- Causing Fire – accidentally or recklessly causing a fire, regardless of whether it damages WesternU, Pomona or personal property or causes injury, is prohibited.
- Evacuation – All persons are required to evacuate a building immediately upon the sound of an alarm. Interfering with emergency services, procedures, or failing to conform to established safety regulations and/or instruction given by emergency response staff is prohibited.

- Fire Reporting & Equipment – Falsely reporting a fire, tampering with or misuse of any fire or reporting equipment (e.g., fire alarms, smoke detectors, fire sprinkler, fire extinguishers, “EXIT” signs, etc.) is prohibited.
- Egress – Disabling, opening, damaging, or propping exits used exclusively as fire exits is prohibited (unless being used properly as an exit during an emergency). All hallways, exits, stairwells, doorway, or areas that may be deemed an “egress” (i.e., window) need to be free from garbage, bicycles, clutter, furniture, or other items that may have a potential to limit entry/exit (including tripping hazard). All doors and windows must have the ability to be fully opened.

In addition, the following prohibited conduct applies to behavior occurring in on-campus housing areas/buildings (owned or leased) or on-campus housing sponsored programs/events:

- Combustibles – Possessing or storing gasoline, fireworks, combustible chemicals and/or fuel-driven engines/appliances (e.g., motorcycles, mopeds, gas/propane grills, etc.) within residential housing rooms, balconies, buildings and/or on grounds immediately adjacent to the on-campus housing facilities is prohibited.
- Heat Sources – open-coiled electric or heating appliances including, but not limited to space heaters and sun lamps within residential housing rooms, balconies or buildings are prohibited. Curling Irons, glue guns, irons, or any other “heat source” equipment must be attended to all times. Leaving such equipment “on” unattended is a violation of this policy.
- Lamps & Lights – Halogen lamps and neon lights are prohibited. Open top lamps, regardless of lamp/bulb type must have a metal screen fully covering light/heat source.
- Extension Cords & Plug-Ins – Extensions cords and multi-plugs are not permitted under state fire marshal regulations. Power strips/surge protectors with UL rating are permitted. Plugging a power strip onto another power strip (piggy-backing) is not permitted.
- Residents interested in barbecuing should use the barbecue pits, located within the housing area.

## Smoking/Vaping

Smoking/Vaping is prohibited in any:

- Building owned, leased, or rented by the University, whether on or off campus.
- All University-owned or leased vehicles (including shuttles and carts).
- Smoking/vaping is only permitted in designated areas of University parking lots and public sidewalks immediately adjacent to University parking lots.
- Sale of smoking/vaping materials is prohibited on any University properties.
- [Smoking and Vaping](#) policy is inclusive of e-cigarettes, vapes or other smoking devices

- Smoking and Vaping is not permitted on the property of the “Daumier” resident housing.

### Fire Reporting Procedures

1. Pull emergency alarms and give verbal alarm.
2. Call 9-1-1 from a safe location. Please note you will likely be asked to identify what is burning, where (i.e., the building, floor, room) and your name.
3. Call Campus Security at 909-706-3000 from a safe location
4. Follow evacuation procedures and vacate the building.



## Disclosure of Crime Statistics

### Pomona Campus

(By Clery Act geographic locations & by year reported).

<b>Criminal Offenses - On Campus</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	1	0	0
Fondling	1	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	2	1	0
Aggravated Assault	2	1	0
Burglary	1	1	1
Motor Vehicle Theft	3	2	1
Arson (only those L.E. determined as arson)	0	0	0

<b>Criminal Offenses – Non-Campus</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>
Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson (only those L.E. determined as arson)	0	0	0

**Criminal Offenses - Public Property****2018 2019 2020**

Murder/Non-negligent Manslaughter	1	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	4	0	0
Aggravated Assault	0	1	0
Burglary	0	0	0
Motor Vehicle Theft	2	3	3
Arson (only those L.E. determined as arson)	0	0	0

**Hate Crimes – On Campus****2018 2019 2020**

Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson (only those L.E. determined as arson)	0	0	0
Simple Assault	0	0	0
Larceny-Theft	0	0	0
Intimidation	0	0	0
Destruction/damage/Vandalism of Property	0	0	0



**Hate Crimes – Student Housing****2018 2019 2020**

Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson (only those L.E. determined as arson)	0	0	0
Simple Assault	0	0	0
Larceny-Theft	0	0	0
Intimidation	0	0	0
Destruction/damage/Vandalism of Property	0	0	0

**Hate Crimes – Non Campus****2018 2019 2020**

Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson (only those L.E. determined as arson)	0	0	0
Simple Assault	0	0	0
Larceny-Theft	0	0	0
Intimidation	0	0	0
Destruction/damage/Vandalism of Property	0	0	0

**Hate Crimes – Public Property****2018 2019 2020**

Murder/Non-negligent Manslaughter	0	0	0
Negligent Manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory Rape	0	0	0
Robbery	0	0	0
Aggravated Assault	0	0	0
Burglary	0	0	0
Motor Vehicle Theft	0	0	0
Arson (only those L.E. determined as arson)	0	0	0
Simple Assault	0	0	0
Larceny-Theft	0	0	0
Intimidation	0	0	0
Destruction/damage/Vandalism of Property	0	0	0

**VAWA Offenses – On Campus****2018 2019 2020**

Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	1	0

**VAWA Offenses – On Campus Student Housing Facilities****2018 2019 2020**

Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	1	0

**VAWA Offenses – Non-Campus****2018 2019 2020**

Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0

**VAWA Offenses – Public Property****2018 2019 2020**

Domestic Violence	0	1	1
Dating Violence	0	0	0
Stalking	0	0	0

**Arrests – On Campus****2018 2019 2020**

Illegal Weapons Possession	0	0	1
Drug-Law Violations	0	0	0
Liquor Law Violations	0	0	0

**Arrests – Student Housing****2018 2019 2020**

Illegal Weapons Possession	0	0	0
Drug-Law Violations	0	0	0
Liquor Law Violations	0	0	0

**Arrests – Non-Campus****2018 2019 2020**

Illegal Weapons Possession	0	0	0
Drug-Law Violations	0	0	0
Liquor Law Violations	0	0	0

**Arrests – Public Property****2018 2019 2020**

Illegal Weapons Possession	0	0	0
Drug-Law Violations	0	1	0
Liquor Law Violations	0	0	0

**Disciplinary Actions - On Campus****2018 2019 2020**

Illegal Weapons Possession	0	0	0
Drug-Law Violations	0	0	0
Liquor Law Violations	0	0	0

**Disciplinary Actions – Non-Campus****2018 2019 2020**

Illegal Weapons Possession	0	0	0
Drug-Law Violations	0	0	0
Liquor Law Violations	0	0	0

**Disciplinary Actions – Public Property****2018 2019 2020**

Illegal Weapons Possession	0	0	0
Drug-Law Violations	0	0	0
Liquor Law Violations	0	0	0

**Unfounded Crimes****2018 2019 2020**

Total Unfounded Crimes	0	0	0
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