

Pacific Union College

Clery Act
Security Information
&
Policy Statements
2014 Calendar Year

**Department of Public Safety
One Angwin Avenue
Angwin, CA 94508**

(707) 965-6551

For further information, questions or comments, contact:

Department of Public Safety
One Angwin Avenue
Angwin, CA 94508

(707) 965-6551 Business
(707) 965-7111 Emergencies
(707) 965-7119 Fax

We are located at:

180 College Avenue

Just up from the Chevron and across the street from Chan Shun Hall

For an online copy of this report, other important safety information, vehicle registration, and parking information, go to:

www.puc.edu/campus-services/public-safety

This information is provided to all current and prospective students, faculty, and staff in compliance with the federal:

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act of 1998

Security Information 2014

Overview

Pacific Union College is concerned about the safety and welfare of all campus members and guests, and is committed to providing a safe and secure environment. Because no campus is isolated from crime, Pacific Union College has developed a series of policies and procedures that are designed to ensure that every possible precautionary measure is taken to protect the campus community. To prevent such incidents, a competent residence life staff, the Public Safety Department, the Plant Services Department, the faculty, staff, and students are responsible for a number of measures to ensure that they and their possessions are adequately protected.

The Department of Public Safety is the security department for the college. It reports to the Vice-President for Student Services and is open 24 hours a day for emergencies, providing around-the-clock protection and services to the campus populace. The Department aids in enforcement of federal, state, and local statutes, as well as Pacific Union College regulations. The primary objective of the Department is to provide a safe and healthy environment that enhances the campus learning experience, thus complementing the college's educational mission.

The Department of Public Safety is responsible for emergency response at Pacific Union College. It is also responsible for providing support services tailored to meet the needs of the campus community. Some of the services include:

- Providing parking registration for students, faculty, staff, and visitors
- Assisting campus motorists with motor vehicle problems
- Monitoring parking regulations on campus
- Providing crime prevention programs

To report a crime, all individuals are encouraged to call the Department of Public Safety at 965-6551 (x6551), or 965-7111 (x7111) for emergencies. Dispatchers are available 24 hours a day to receive emergency calls. Public Safety and/or Napa County Sheriff's officers (as applicable) will respond to calls for service, and/or a report of the incident will be made. On-campus telephones are located in the lobbies and corridors of most campus buildings.

In addition to reporting a crime to the Department of Public Safety, crimes should also be reported to local law enforcement officials for report and follow-up purposes. Public Safety works directly with the local law enforcement authorities as the liaison for the campus. When criminal offenses are reported to Public Safety, the Napa Sheriff's Department is notified for their involvement and investigative authority. Public Safety maintains a close working relationship with all appropriate law enforcement agencies and elements of the criminal justice system.

Crime Prevention

Many violations committed on campus can be prevented. As part of the college's educational mission, The Department of Public Safety attempts to teach members of the campus community how to reduce their chances of being the victim of crimes of property or person. The college's crime prevention program is based upon the dual concepts of eliminating or minimizing criminal opportunities, whenever possible, and encouraging students and employees to be responsible for their own security and the security of others. The following is a listing of the college's crime prevention programs and projects:

- **Escort Service**: Public Safety provides an escort service from dusk to dawn to any individual who requests it. This service is designed to ensure the safety of all individuals by eliminating the need to walk across the campus at night as a solo individual.
- **Crime Prevention Presentations**: Crime prevention presentations are made to students and members of the college populace. Topics include fire prevention, personal safety, dorm safety, the prevention of sexual assault, and drug & alcohol abuse. Seminars can be requested and topics can be tailored to meet the needs of any group on campus.
- **Printed Materials**: Printed crime prevention brochures related to motor vehicle, bicycle, residence hall, employee, and personal safety are readily available.
- **Electronic Alarm System**: An electronic monitoring system, located in the Department of Public Safety, monitors a comprehensive network of fire, intrusion detection, and panic alarm systems across campus.
- **Facilities Surveys**: Comprehensive surveys of exterior lighting, exterior doors, and the grounds are conducted.
- **Bicycle Registration**: Public Safety encourages owners of bicycles to register them on-line with the National Bike Registry (www.nationalbikeregistry.com).

Crime Reporting

Numerous efforts are made to advise members of the campus community on a timely basis about campus crime and crime-related problems. These efforts include the following:

- **Annual Report**: A comprehensive annual report of crime-related information is compiled, published, and distributed. This annual report is available to any member, or prospective member, of the campus community.
- **Daily Crime Log**: A log of all crimes reported to the Department of Public Safety is summarized on a daily basis and available for viewing at the Public Safety office.
- **Special Alerts**: If circumstances warrant, special crime alerts and notifications can be prepared and distributed throughout the campus.

Annual Disclosure of Crime Statistics

20 U.S.C. 1092 (f/h) & EC 67380

The Department of Public Safety prepares an Annual Disclosure of Crime Statistics report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. The full text of this report can be located on the web at www.puc.edu/publicsafety. Access to this site is also possible via the PUC home page at www.puc.edu. This report is prepared in cooperation with the local law enforcement agencies surrounding the main campus, Student Services, the Judicial Committee, and the Housing Department. Each entity provides updated information on their educational efforts and programs to comply with the Act.

Campus crime, arrest and referral statistics include those reported to the PUC Public Safety Department, designated campus officials (including, but not limited to, directors, deans, department heads, judicial committee, advisors to students/student organizations, athletic coaches), and local law enforcement agencies. These statistics may also include crimes that have occurred in private residences or businesses. California law (11160 of the California Penal Code) requires prompt, mandatory reporting to the local law enforcement agency by health care practitioners (such as those at Health Services) when they provide medical services to a person they know or reasonably suspects is suffering from wounds inflicted by a firearm or as a result of assault or abusive conduct. Additionally, the Career and Counseling Center staff informs their clients of the procedures to report crime to the Department of Public Safety on a voluntary or confidential basis, should they feel it is in the best interest of the client. A procedure is in place to anonymously capture crime statistics disclosed confidentially during such a session.

Each year, an e-mail notification is made to all enrolled students that provides the web site to access this report. Faculty and staff receive similar notifications with their paycheck. Copies of the report may also be obtained at the Department of Public Safety office located at 180 College Avenue (across College Avenue from Chan Shun Hall) or by calling (707) 965-6551. All prospective employees may obtain a copy from Human Resources in the Financial Administration building or by calling (707) 965-6231, and the web site address will be attached to PUC employment applications.

The college does not recognize any fraternity, sorority, or student organizations that have off campus houses or offices.

To report a crime:

Contact Pacific Union College Department of Public Safety at (707) 965-6551 (non-emergencies), x7111 (emergency), or dial **9-1-1** to contact the Napa County Sheriff's Office. Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around the Residential Halls should be reported to the Public Safety Department. In addition you may report a crime to the following areas:

Vice President for Student Services	(707) 965-7362
Director, Counseling Center	(707) 965-7080
Director, Health Services	(707) 965-6339
Director, Human Resources	(707) 965-6231
Chairperson, Judicial Committee	(707) 965-7362
Director, Campus Housing	(707) 965-6420
Dean, from any Residence Hall	<i>See College phone directory for phone numbers</i>
Resident Assistant from any Residence Hall	<i>See College phone directory for phone numbers</i>

To report an off-campus crime dial **9-1-1** to report the crime to the Napa County Sheriff's Department.

The Pacific Union College Department of Public Safety staff and Napa County Sheriff's deputies meet on a regular basis to discuss local crimes and other issues, and to exchange ideas which may impact the campus community.

Angwin Campus	On Campus			Public Property*			Non- Campus Property**		
	2012	2013	2014	2012	2013	2014	2012	2013	2014
CRIMES									
Murder	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A
Manslaughter	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A
Forcible Sex Off.	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A
Non-forcible Sex Offenses				N/A	N/A	N/A	N/A	N/A	N/A
Incest	0	0	0						
Statutory Rape	0	0	0						
Robbery	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A
Aggravated Assault	3	1	0	N/A	N/A	N/A	N/A	N/A	N/A
Burglary	6	5	4	N/A	N/A	N/A	N/A	N/A	N/A
Motor Veh. Theft	0	3	0	N/A	N/A	N/A	N/A	N/A	N/A
Arson	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A
TOTAL CRIMES	9	9	4	N/A	N/A	N/A	N/A	N/A	N/A
ARRESTS	On Campus			Public Property*			Non- Campus Property**		
	2012	2013	2014	2012	2013	2014	2012	2013	2014
Liquor Law Violations	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A
Drug Abuse Violations	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A
Weapons Violations	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A
TOTAL ARRESTS	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A
DISCIPLINARY REFERRALS	On Campus			Public Property*			Non- Campus Property**		
	2012	2013	2014	2012	2013	2014	2012	2013	2014
Liquor Law Violations	12	3	7	0	0	0	0	0	0
Drug Abuse Violations	7	8	2	0	0	0	0	0	0
Weapons Violations	0	0	0	0	0	0	0	0	0
TOTAL REFERRALS	19	11	9	0	0	0	0	0	0

HATE CRIMES: None were reported for the time period of January 1, 2014 through December 31, 2014.

Fires—On-campus Student Housing Facilities

Name of Facility	Street Address	Number of Fires		
		2012	2013	2014
Grainger Hall	20 Grainger Court	0	1	0
Graf Hall	35 Graf Oval	0	0	0
Andre Hall	85 La Jota Drive	0	0	0
Newton Hall	40 Grainger Court	0	0	0
Winning Hall	75 La Jota Drive	0	0	0
Nichol Hall	35 College Avenue	0	0	0
McReynolds Hall	15 College Avenue	0	0	0
Court Place Apts.	56—90 Court Place	0	0	0
Brookside Park Apts.	10—84 Brookside Drive	0	0	0
TOTAL FIRES		0	1	0

* - “Public Property” - means all public property that is within the same reasonably contiguous geographic area of the college, such as sidewalks, streets, other thoroughfares, etc.

** - “Non-Campus Property” - means any building or property owned or controlled by a student organization recognized by the college, or any building or property that is used by the college in direct support of educational efforts.

- Statistics Not Available to Clery Reports Manager. (*i.e. Local law enforcement agencies were unable to provide crime statistics that were Date and Time specific for when Pacific Union College was actually utilizing the six off-site teaching locations.*)

N/A - Statistics Not Reported to Clery Reports Manager. (*i.e. Local law enforcement did not respond to Public Safety’s request for statistics.*)

Non-Campus Property Locations

The Department of Public Safety does not provide security at these sites. All emergencies should be reported to local Law Enforcement by dialing **9-1-1**.

The college does not recognize any fraternity, sorority, or student organizations that have off campus houses or offices.

For a statement of policy regarding possession, use, and sale of alcohol and illegal drugs, please reference the “Policy Statements” section of this brochure.

Pacific Union College

POLICY STATEMENTS

Department of Public Safety Authority and Jurisdiction

20 U.S.C. 1092 (c)

Pacific Union College Department of Public Safety officers are certified by the California Bureau of Security and Investigative Services (BSIS) as Security Guards in the State of California and possess Citizen's Powers of Arrest. Public Safety officers have jurisdiction on all property owned by Pacific Union College. Public Safety officers have the authority to ask persons for College Identification and to determine whether individuals have lawful business at Pacific Union College. Pacific Union College Public Safety officers, through a Memorandum of Understanding (MOU) with the Napa County Sheriff, have the authority to issue parking tickets, which, if not paid, are billed to financial accounts of students, faculty, and staff. Criminal incidents are referred to the County Sheriff who has jurisdiction on the campus. The Public Safety Department at Pacific Union College maintains a highly professional working relationship with the Napa County Sheriff's Department, the California Highway Patrol, and other local area law enforcement agencies. All crime victims and witnesses are strongly encouraged to immediately report the crime to the Public Safety Department and the appropriate law enforcement agency. Prompt reporting will assure timely warning notices on-campus and timely disclosure of crime statistics.

Timely Warnings

20 U.S.C. 1092 (d/e)

In the event that a situation arises, either on or off campus, that, in the judgment of the Chief of Public Safety, constitutes an ongoing or continuing threat, a campus wide "timely warning" will be issued. The warning may be issued to students, faculty and staff through any one, or a combination of, the college's e-mail system, "Announce" voicemail system, cell phones via "Notify Me" program, printed brochures, or through the student association newspaper, the *Campus Chronicle*.

Access Policy – General Campus

20 U.S.C. 1092 (b)

The Plant Services Department maintains the college's buildings with a concern for safety and security. Plant Services inspects campus facilities regularly, promptly makes repairs affecting safety and security, and responds immediately to reports of potential safety and security hazards such as broken windows and locks. They also maintain the college's fire alarm system, including the replacement batteries in residential smoke detectors twice yearly.

The Campus is well lighted, and further improvements are being made with regards to lighting, including high intensity sodium vapor lights on buildings, in parking lot areas, in areas with heavy landscaping and trees, and along pathways frequently traveled by students.

The Department of Public Safety assists Plant Services personnel by reporting potential safety and security hazards. Students as well as faculty and staff are also encouraged to call Plant Services (x7150) to report any safety or security hazard.

Except for residence halls, most college facilities are open to the public during the day and evening hours when classes are in session. During the times that the college is officially closed, college buildings are generally locked and only faculty, staff, and students with keys have access, or admittance may be obtained by going to the Department Chair. Some facilities may have individual hours, which may vary at different times of the year. Examples are the Physical Education Department, Library, Campus Center, Irwin Hall Computer labs, Davidian Hall and Chan Shun Hall. In these cases, the facilities will be secured according to schedules developed by the department responsible for the facility.

Access Policy – Residence Halls

20 U.S.C. 1092 (b)

Services and programs intended to enhance the quality of life and to assure the security and safety of the resident student body are a major priority for the residence life administrators. Each men's dorm employs a desk receptionist from 10 am to midnight. Women's dorms include a 24-hour desk receptionist. All facilities are served by live-in deans and resident assistants. At least one professional staff member is on duty at all times, 24 hours a day, 7 days a week.

Security and safety policies and procedures, especially regarding locking individual rooms, building entrances, and related precautions, are discussed with residents in crime prevention meetings conducted by the residence life staff and Public Safety.

General Procedures for Reporting a Crime or Emergency

20 U.S.C. 1092 (a)

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to the Pacific Union College Department of Public Safety (DPS) in a timely manner.

To report a crime on the Pacific Union College campus, call DPS at extension 7111 or, from outside the College phone system, (707) 965-7111. To report a non-emergency security or public safety related matter, call DPS at extension 6551 or, from outside the College phone system, (707) 965-6551.

Dispatchers are available 24 hours a day to answer your call. In response to a call, DPS will take the required action, dispatching an officer or asking the victim to report to DPS to file an incident report.

DPS incident reports are, as applicable, forwarded to the Dean of Students office for review and potential action by the Student Judiciary Committee. DPS will contact the Napa Sheriff's Office to investigate a report when it is deemed appropriate. Additional information obtained via the investigation will also be forwarded to the Student Judiciary Committee.

If assistance is required from the Napa County Sheriff's Department, the Angwin Fire Department, or the Angwin Community Ambulance, DPS will contact the appropriate agency. If a sexual assault or rape should occur, staff on the scene, including DPS, will offer the victim a variety of services.

This publication contains information about on-campus and off campus resources. That information is made available to provide PUC/Angwin community members with specific information about the resources that are available in the event that they become the victim of a crime. The information about "resources" is not provided to infer that those resources are "reporting entities" for PUC.

Crimes should be reported to the College Department of Public Safety to ensure inclusion in the annual crime statistics and to aid in providing timely warning notices to the community, when appropriate. For example, a crime that was reported only to the Napa County Rape Crisis Center would not be included in the PUC crime statistics.

Confidential Reporting Procedures

If you are the victim of a crime and do not want to pursue action within the College System or the criminal justice system, you may still want to consider making a confidential report. With your permission, the Chief or a designee of PUC – DPS can file a report on the details of the incident without revealing your identity. The purpose of a confidential report is to comply with your wish to keep the matter confidential, while taking steps to ensure the future safety of yourself and others. With such information, the College 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 institution.

Counselors

As a result of the negotiated rulemaking process which followed the signing into law, the 1998 amendments to 20 U.S.C. Section 1092 (f), clarification was given to those considered to be campus security authorities. Campus “Pastoral Counselors” and Campus “Professional Counselors”, when acting as such, are not considered to be a campus security authority and are not required to report crimes for inclusion into the annual disclosure of crime statistics. *As a matter of policy, they are encouraged; if and when they deem it appropriate, to inform persons being counseled of the procedures to report crimes on a voluntary basis for inclusion into the annual crime statistics.*

The rulemaking committee defines counselors as:

Pastoral Counselor

An employee of an institution, who is associated with a religious order or denomination, recognized by that religious order or denomination as someone who provides confidential counseling and who is functioning within the scope of that recognition as a pastoral counselor.

Professional Counselor

An employee of an institution whose official responsibilities include providing psychological counseling to members of the institution’s community and who is functioning within the scope of her or her license or certification.

Security Awareness Programs

During orientation in September, students are informed of services offered by the Department of Public Safety. Presentations outline ways to maintain personal safety and residence hall security. Students are told about crime on-campus and in surrounding neighborhoods. Similar information is presented to new employees. Crime Prevention Programs and Sexual Assault Prevention Programs are offered on a continuing basis.

Periodically during the academic year the Pacific Union College Department of Public Safety, in cooperation with other college organizations and departments, present crime prevention awareness sessions on sexual assault (rape and acquaintance rape), Rohypnol abuse, theft, and vandalism, as well as educational sessions on personal safety and residence hall security.

A common theme of all awareness and crime prevention programs is to encourage students and employees to be aware of their responsibility for their own security and the security of others.

In addition to seminars, information is disseminated to students and employees through crime prevention awareness packets, security alert posters, displays, videos, and articles and advertisements in the student newspaper.

When time is of the essence, information is released to the college community through security alerts posted prominently throughout campus, through computer memos sent over the college's electronic mail system and a voice mail broadcasting system.

Crime Prevention Programs

20 U.S.C. 1092 (d/e)

Crime Prevention Programs on personal safety and theft prevention are sponsored by various campus organizations throughout the year. Pacific Union College Department of Public Safety personnel facilitate programs for student, parent, faculty, and new employee orientations, and student organizations, in addition to programs for dormitory Resident Assistants and residents providing a variety of educational strategies and tips on how to protect themselves from sexual assault, theft and other crimes.

Tip: To enhance personal safety, and especially after an evening class, walk with friends or someone from the class that you know well, or call DPS for an escort.

Student's Responsibility for a Safe Campus

The cooperation and involvement of students themselves in a campus safety program is absolutely essential. Students need to assume responsibility for their own personal safety and the security of their personal belongings by taking simple, common sense precautions. For example, although the campus is well lighted, any student, male or female, may feel more comfortable using the college escort service when returning to the residence halls late at night. Room doors should be locked at night and when the room is unoccupied. Valuable items such as stereos, cameras, and televisions should be marked with engraving instruments. Bicycles should be registered with Public Safety and should be secured with a sturdy lock. Students with cars must park them in their assigned areas and keep their vehicles locked at all times. Valuables should be locked in the trunk or out of sight. Students should report any suspicious looking individuals whom they feel do not belong on campus, along with any unusual incidents to Public Safety

Off Campus Criminal Activity

20 U.S.C. 1092 (g)

Napa County Sheriff's Department deputies routinely work and communicate with Department of Public Safety officers on any serious incidents occurring on-campus or in the immediate neighborhood and business areas surrounding campus. Pacific Union College operates no off-campus housing or off-campus student organization facilities. However, many students live in the neighborhoods surrounding Pacific Union College. While the Napa County Sheriff's Office has primary jurisdiction in all areas, both on and off campus, Pacific Union College Department of Public Safety officers have direct communications with the sheriff's deputies, Angwin Fire Department, and Angwin Ambulance to facilitate rapid response in any emergency situation.

Alcoholic Beverages

The possession, sale or the furnishing of alcohol on the Pacific Union College campus is governed by the PUC Alcohol Policy and California state law. Laws regarding the possession, sale, consumption or furnishing of alcohol is controlled by the California Department of Alcohol and Beverage Control

(ABC). However, the enforcement of alcohol laws on-campus is the primary responsibility of the Pacific Union College Department of Public Safety, and the Residence Hall staff. The Pacific Union College campus has been designated “Drug Free” and under no circumstances is the consumption of alcohol permitted. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the PUC Department of Public Safety. Violators are subject to College disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession of alcohol by anyone less than 21 years of age in a public place or a place open to the public is illegal. It is also a violation of the PUC Alcohol Policy for anyone to consume or possess alcohol in any public or private area of campus. Organizations or groups violating alcohol/substance policies or laws may be subject to sanctions by the College.

Illegal Drugs

20 U.S.C. 1092 (i)

The Pacific Union College campus has been designated “Drug free”. The possession, sale, manufacture or distribution of any controlled substance is illegal under both state and federal laws. Such laws are strictly enforced by the PUC Department of Public Safety. Violators are subject to College disciplinary action, criminal prosecution, fine and imprisonment.

Pacific Union College is a drug-free campus which advocates a healthy lifestyle. The College actively seeks to provide a drug-free environment that is in harmony with state and federal laws as well as the philosophy of the Seventh-day Adventist Church. The use of alcohol, tobacco, illegal drugs, steroids for body enhancement, or the misuse of prescription drugs is not acceptable. This applies to all students, volunteers, guests and employees of the College.

The College reserves the right to require an appropriate drug test and to search a student’s vehicle, residence hall room, locker, or other personal property if a reasonable suspicion exists.

Safe Zone

For those who are suffering or struggling with a substance abuse issue, the Career and Counseling Center and the Health Services department provide students with education and counseling regarding substance abuse and addictions. These are safe places to receive information or assistance in a private and confidential setting.

Pacific Union College Alcohol/Substance Abuse Grid

<i>Disciplinary Concern</i>	<i>Action</i>
<i>Warning regarding alcohol/drug use given by residence hall dean or student services personnel</i>	<i>Receive letter of concern. May be placed on probation. May be asked to submit to random testing and/or meet with counselor.</i>
<i>Participation in Activity, party, or social event where alcohol and/or drugs are being used.</i>	<i>Considered a violation of school policy. May be subject to disciplinary action as decided by the Judicial Committee. (Employment in an establishment where patrons are served alcohol is not considered an abuse of this policy.)</i>
<i>1st Offense Alcohol/drug use</i>	<i>Three to five day suspension. Complete substance abuse protocol including drug/alcohol dependency evaluation. Student must demonstrate willingness to submit to a therapy program and random testing if recommended. Student is placed on probation.</i>
<i>2nd Offense Alcohol/drug use</i>	<i>Mandatory withdrawal, dismissal or expulsion. Re-admission may be considered only when a drug or alcohol dependency evaluation has been agreed to, and the student demonstrates a willingness to submit to a therapy program if recommended.</i>
<i>Bringing alcohol/illegal substances on campus</i>	<i>May be suspended for one full quarter. Possible mandatory withdrawal or dismissal. Re-admission may be considered only when a drug or alcohol dependency evaluation has been agreed to, and the student demonstrates a willingness to submit to a therapy program if recommended.</i>
<i>Use of tobacco</i>	<i>May be suspended for three to five days. Follow treatment program as recommended by Health Services/Counseling Center personnel. Placed on probation. Submit to random testing.</i>

Alcohol and Substance Abuse Information

PREVENTION PROGRAMS

Pacific Union College has developed a program to prevent the illicit use of drugs and the abuse of alcohol by students and employees. The program provides services related to drug use and abuse including dissemination of informational materials, educational programs, counseling services, referrals and college disciplinary actions.

PUC's Health Services Office provides an overall coordination of the Drug-Free School Program. However, many services are the responsibility of other areas of the institution. These include:

Alcohol and Drug Education: Health Services,
Public Safety,

Counseling Services: Counseling Center, Health Services, College Chaplain

Referral Services: Health Services, Counseling Center,

College Disciplinary Actions: Student Judicial Committee, Vice President of Student Services, Residence Hall Deans

LOCAL, STATE & FEDERAL LEGAL SANCTIONS

Legal Sanctions – Laws governing Alcohol

The State of California sets 21 as the minimum age to purchase or possess any alcoholic beverage. Specific ordinances regarding violations of alcohol laws, including driving while intoxicated, are available by going to: <http://www.leginfo.ca.gov/calaw.html>.

Sex Offender Registration

In accordance to the “*Campus Sex Crimes Prevention Act*” of 2000, which amends the *Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act*, The *Jeanne Cleary Act* and the *Family Educational Rights and Privacy Act of 1974*, the Pacific Union College Department of Public Safety is providing a link to the California State Department of Justice, Attorney Generals Megan’s Law Sex Offender’s Registry. This act requires institutions of higher education to issue a statement advising the campus community where law enforcement information provided by a State concerning registered sex offenders may be obtained. It also requires sex offenders already required to register in a State to provide notice of each institution of higher education in that State at which the person is employed, carries a vocation, or is a student. In the State of California, convicted sex offenders must register with the local Law Enforcement agency having jurisdiction over their place of residence (in Angwin, Deer Park, Pope Valley that would be the Napa County Sheriff’s Office).

Registry information obtained from the Megan’s Law website shall be used for the purposes of the administration of criminal justice, screening of current or prospective employees, volunteers or otherwise for the protection of the public in general and children in particular. Unlawful use of the information for purposes of intimidating or harassing another is prohibited.

The California State Attorney General’s Office is responsible for maintaining this registry. Follow the link below to access the Attorney General’s “Megan’s Law” website.

<http://www.meganslaw.ca.gov/>

This information may also be obtained by viewing the Megan’s Law CDROM at the Napa Sheriff’s Department and/or Napa Police Department.

Pacific Union College

Policy Against Harassment & Discrimination

AND PROCEDURES FOR ENFORCEMENT

Applicable Federal Law

This policy of Pacific Union College (“College”) addresses the requirements of Title IX of the Education Amendments of 1972 (“Title IX”), federal law prohibiting sex discrimination in federally-funded education programs and activities. Title IX states as follows:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance.

Discrimination on the basis of sex includes sex discrimination, sexual harassment, sexual assault, sexual violence, and sexual exploitation/misconduct (as those terms are defined below). Title IX prohibits sex discrimination in both the educational and employment settings.

This policy also addresses the requirements of the Campus Sexual Violence Elimination Act, or Campus SaVE Act (SaVE), a 2013 amendment to the federal Jeanne Clery Act. The SaVE Act addresses sexual violence in the form of sexual assault, domestic violence, dating violence and stalking. *For the purpose of this document and the College’s handling of such cases, “Title IX” includes the concerns of the Campus SaVE Act.*

Other forms of harassment and discrimination not of a sexual nature will be dealt with under the same policies and procedures outlined here.

Policy Statement

It is the policy of the College to provide an educational, employment, and business environment free of all forms of discrimination or harassment. Discrimination or harassment based upon one’s race, color, religion, national origin, sexual identity, age, genetic information, veteran status, or disability as defined in this policy and as otherwise prohibited by state and federal statutes is prohibited at the College. Sexual harassment, including acts of sexual assault, sexual violence, domestic violence, dating violence, stalking and sexual exploitation/misconduct, is a form of sex discrimination and is prohibited at the College. This policy applies to all College students, faculty, and staff, to other members of the College community, and to contractors, consultants, and vendors doing business or providing services to the College.

Alleged or Suspected Violations of this Policy

Pacific Union College is committed to investigating all possible violations of this policy about which the school knows or reasonably should know (also referred to in this policy as “alleged or suspected violations of this policy”), regardless of whether a complaint alleging a violation of this policy has been filed and regardless of where the alleged conduct occurred. The College’s ability to investigate in a particular situation, or the extent of the investigation in any given situation, may be affected by any number of factors, including whether the complainant is willing to file a complaint or to consent to an investigation, the location where the alleged conduct occurred, and the College’s access to information relevant to the alleged or suspected violation of this policy. The College is nonetheless committed to investigating all alleged and suspected violations of this policy to the fullest extent possible under the circumstances.

Students, faculty or staff who have a complaint against a student, faculty, staff member, or other individual involving allegations of harassment and discrimination, including but not limited to sexual discrimination, unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct or communications constituting sexual harassment, and discrimination or harassment based upon one’s race, color, religion, national origin, age, genetic information, veteran status, or disability in violation of this policy should contact the Assistant Title IX Coordinator. In addition to contacting the Assistant Title IX Coordinator, individuals who have experienced sexual harassment or other acts of sexual assault may contact the proper law enforcement authorities such as the local police department.

Policy Coordinators

Any inquiries regarding this policy should be directed to one or more of the Coordinators identified below. These Coordinators will be available to meet with students regarding issues relating to Title IX and this policy.

Title IX Coordinator

The Lead Coordinator is responsible for implementing and monitoring compliance of the policy on behalf of the college. This includes responsibility for training, education, communication and administration of grievance procedures for the handling of complaints alleging violations of this policy.

Iris Chuah, Director of Human Resources, Financial Administration Building, ichuah@puc.edu, 965-6231.

Assistant Title IX Coordinator

The Assistant Title IX Coordinator is responsible for implementing and monitoring policy compliance on behalf of the college, and administration of grievance procedures for the handling of complaints alleging violations of this policy. The Assistant Title IX Coordinator is responsible for informing the Lead Coordinator of alleged violations and procedures to address those violations. The Assistant Title IX Coordinator will assist alleged victims in making contact with law enforcement and in accessing an advocate, counseling or other resources available on campus or elsewhere.

Assistant Title IX Coordinator – Students, ??

Assistant Title IX Coordinator – Faculty/Staff, ??

Investigators

Investigators will be notified by the Assistant Title IX Coordinator of a suspected or alleged violation of this policy and will conduct the investigation to determine if a violation occurred and recommend resolutions. Investigators will follow the procedures outlined, while apprising the Assistant Title IX Coordinator of the status of their investigation.

Definition and Examples of Conduct Prohibited Under this Policy

Prohibited conduct includes harassment and discrimination, including but not limited to sexual discrimination, unwelcomed sexual advances, requests for sexual favors, and other verbal or physical conduct or communications constituting sexual harassment, and discrimination or harassment based upon one's race, color, religion, national origin, gender identity, sexual identity, age, genetic information, veteran status, or disability. The acts listed below are included to clarify examples of acts which would qualify as discrimination or harassment against those with protected status under Title IX and elsewhere. The listing of these examples does not preclude nor set aside the College's formal codes of conduct listed elsewhere in College publications, handbooks, or addendums to the like. Violations of the College's codes of conduct may not constitute a violation of this policy but would be addressed under the proper College codes such as found in the faculty handbook, staff handbook, Student Handbook, Student Code of Conduct or other applicable policies.

1. Discriminatory Harassment

- Unwelcome verbal or physical conduct based on race, color, religion, national origin, sex, gender identity, sexual orientation, age, genetic information, veteran status, or disability, when:
- Such conduct has the purpose or effect of unreasonably interfering with the individual's work or educational performance;
- Such conduct creates or has the intention of creating an intimidating, hostile, or offensive working and/or learning environment; or
- Such conduct unreasonably interferes with or limits one's ability to participate in or benefit from an educational program or activity.

2. Sex Discrimination

- Making a distinction in favor of, or against, a person on the basis of sex rather than on individual merit
- In an educational setting, making a distinction on the basis of sex that deprives a person of the ability to participate in or benefit from the college's education program or activities

3. Sexual Harassment

Unwelcome, sex or gender-based verbal or physical conduct that is,

- Sufficiently severe, pervasive, and objectively offensive that it,
- Unreasonably interferes with, limits or deprives someone of the ability to participate in or benefit from the College's education program and/or activities, is
- Potentially based on power differentials (quid pro quo),
- Creates a hostile environment, or
- Involves retaliation

Examples of sexual harassment include, but are not necessarily limited to, unwelcome sexual advances, repeated propositions or requests for a sexual relationship to an individual who has previously indicated that such conduct is unwelcome, or sexual gestures, noises, remarks, jokes, questions, or comments about a person's gender, sexuality or sexual experience. Sexual harassment may consist of repeated actions or may even arise from a single incident if sufficiently extreme. The complainant and the accused may be of either gender and need not be of different genders.

4. Sexual Assault/Sexual Violence

Sexual assault/sexual violence is a particular type of sexual harassment that includes non-consensual sexual contact, non-consensual sexual intercourse, rape, or other physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent. Sexual assault/sexual violence includes, but is not necessarily limited to, physical assaults of a sexual nature, such as rape, sexual assault, sexual battery, domestic violence, dating violence, stalking or attempts to commit these acts.

Non-Consensual Sexual Contact is:

Any intentional sexual touching

- However slight,
- With any object,
- By a man or woman upon a man or woman
- That is without consent and/or by force³

Non-Consensual Sexual Intercourse⁴ is:

Any sexual intercourse

- However slight,
- With any object or body part,
- By a man or woman upon a man or a woman,

Domestic Violence is:

A pattern of abusive behavior that is used by an intimate partner to gain or maintain power and control over the other intimate partner. Domestic violence can be physical, sexual, emotional, economic, or psychological actions or threats of actions that influence another person. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone.

That is without consent and/or by force³ **Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion**

⁴ Sexual Intercourse includes: vaginal or anal penetration by a penis, object, tongue or finger and oral copulation (mouth to genital contact or genital to mouth contact), no matter how slight the penetration or contact.

Dating Violence is:

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; and where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship
- The type of relationship
- The frequency of interaction between the persons involved in the relationship

Stalking is:

Stalking is defined as a pattern of repeated and unwanted attention, harassment, contact, or any other course of conduct directed at a specific person that would cause a reasonable person to feel fear.

Hazing is:

Hazing includes but is not limited to any act directed toward an individual, or any coercion or intimidation of an individual to act or to participate in something which a reasonable person would perceive is likely to cause physical or psychological injury and where such act is a condition of initiation into, admission into, continued membership in or association with any group whether that group is a formal or informal entity.

5. Sexual Exploitation/Sexual Misconduct

Sexual Exploitation/Sexual Misconduct occurs when a student/employee takes non-consensual or abusive sexual advantage of another.

Examples of sexual exploitation and sexual misconduct include, but are not limited to:

- Invasion of sexual privacy
- Prostituting another student
- Non-consensual video or audio-recording or broadcasting or sharing of sexual activity
- Engaging in voyeurism
- Exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals
- Sexually-based stalking and/or bullying may also be forms of sexual exploitation
- Use or display in the classroom or any facility of the College, including electronic, of pornographic or sexually harassing materials such as posters, photos, cartoons or graffiti without pedagogical justification
- Sexual activity with someone whom one should know to be – or based on the circumstances should reasonably have known to be – mentally or physically incapacitated (by alcohol or other drug ingestion, unconsciousness or blackout), constitutes a violation of this policy.
- Sexual activity with someone whose incapacity results from mental disability, sleep, involuntary physical restraint, or from the taking of drugs.
- Sexual activity of any kind with anyone under the age of 18

Use of alcohol or drugs will never function as a defense for any behavior that violates this policy.

Report of an Alleged Policy Violation and Its Investigation

REPORTING –A student, faculty member or staff member who has a complaint against a student, faculty, staff member or other individual involving a suspected violation of this policy or of retaliation should contact the Assistant Title IX Coordinator. Faculty and staff are required to report any suspected violations of this policy. Although there is no specific time limit for reporting a suspected violation of this policy, an employee or student who believes that he or she has been subjected to conduct that violates this policy is encouraged to contact the Assistant Title IX Coordinator as soon as possible after the alleged act to discuss the available options for proceeding.

BODILY HARM – If the Assistant Title IX Coordinator receives a report of harassment or assault *involving bodily harm*, the Assistant Title IX Coordinator will contact the local law enforcement agency with jurisdiction over the College. The victim of sexual assault also may choose to file a criminal complaint against the alleged perpetrator. Any pending criminal investigation or criminal proceeding may have some impact on the timing of the College’s investigation, but the College will commence its own investigation as soon as is practicable under the circumstances. The College reserves the right to commence and/or complete its own investigation prior to the completion of any criminal investigation or criminal proceeding.

INVESTIGATION – The Assistant Title IX Coordinator will begin an investigation in partnership with trained investigators and other College officials, as deemed appropriate by the College. *The investigation phase* will be completed within sixty (60) days of the filing of a complaint or the date on which the College becomes aware of a suspected violation of this policy. Audio or video recording of any proceedings are prohibited by any party other than the college throughout this process.

As part of the investigation, the Investigator(s) will seek *separate* interviews with the complainant, the accused and any witnesses to the greatest extent possible. To help ensure a prompt and thorough investigation, complainants are encouraged to provide as much of the following information as much as possible, including the following:

- The name, department, and position of the person or persons allegedly causing the discrimination, harassment or retaliation.
- A description of any relevant incident(s), including the date(s), location(s), and the presence of any witnesses.
- The alleged effect of the incident(s) on the complainant’s academic standing, educational benefits or opportunities, position of employment, salary, employee benefits, promotional opportunities, or other terms or conditions of employment.
- The names of other students or employees who might have been subject to the same or similar discrimination, harassment or retaliation.
- Any steps the complainant has taken to try and stop the discrimination, harassment, or retaliation.
- Any other information the complainant believes to be relevant to the alleged discrimination, harassment, or retaliation.

The accused also is encouraged to provide as much information as possible in connection with the investigation.

INTERIM PROTECTIVE MEASURES – The College reserves the right to suspend or place on immediate administrative leave any member of the campus community accused of violating this policy, or to take any other interim measures the College deems appropriate, pending the outcome of an investigation and/or disciplinary proceedings. Such interim measures can include, but are not limited to, placing an employee on paid or unpaid administrative leave, removing a student from campus housing and/or current classes, modifying course schedules, and issuing a “no contact” order, among many other remedies.

PROHIBITION AGAINST RETALIATION – Retaliation exists when action is taken against a participant in the complaint process that (i) adversely affects the individual’s employment or academic status; and (ii) is motivated in whole or in part by the individual’s participation, or lack thereof, in the complaint process.

No individual involved in a complaint alleging a violation of this policy or participating in the investigation or resolution of such a complaint shall be subject to retaliation as a result of such activity or participation. Any acts of retaliation, as defined in this policy, shall be grounds for disciplinary action, up to and including expulsion/dismissal for students and termination/dismissal for faculty and staff.

CONFIDENTIALITY – To the extent permitted by law, the confidentiality of all parties involved in the resolution of alleged or suspected violations of this policy will be observed, provided that it does not interfere with the College’s ability to conduct an investigation and take any corrective action deemed appropriate. While confidentiality cannot be guaranteed, care will be taken to keep investigation discussions appropriately limited to protect the complainant’s identity when requested.

Resolution of a Filed Grievance

The Assistant Title IX Coordinator and Investigators will review the information gathered in the investigation process and determine next steps. The **resolution process** typically includes the following elements, which may be modified by the College in its discretion to fit the circumstances of a particular case:

1. The Assistant Title IX Coordinator (and Investigation Team) will be responsible for an **investigation** either alone or with one or more other school officials (e.g. faculty) as deemed appropriate by the College and as outlined above.
2. The Investigation Team will conclude the investigation and submit to the Assistant Title IX Coordinator **a report** of the investigation and **a determination** of “violation” or “no violation” as well as a the recommended corrective actions and remedies appropriate for the determination if warranted. Unless the Policy Coordinator deems it necessary to question the report and determination or unless the recommendation determines a hearing is necessary, the Investigation Team’s report will stand as the Resolution.
3. **Standard for Determining Responsibility.** The standard used to determine whether this policy has been violated is *whether it is more likely than not* that the accused violated this policy. This is often referred to as a “Preponderance of Evidence” standard.
4. Appropriate, corrective action/remedies by the College will serve to: (i) **eliminate** the policy violation, (ii) **prevent** the recurrence of the violation, and (iii) **address** the effects of the violation (in accordance with the *Grievance Procedures* contained herein).
5. **Within seven (7) days** of the conclusion of the investigation, both the complainant and the accused will be informed in writing by the Assistant Title IX Coordinator of the outcome of the investigation. The letter will state the ruling of “violation” or “no violation” of the policy and any corrective actions/remedies that will be put into place. This written notice will be issued concurrently to the complainant and the accused.

This process may be changed for reasons including, but not limited to the following:

- Allegations of sexual assault will not be resolved by mediation.
- Either the complainant or the accused may request, at any time during the investigation, that the case be resolved through the hearing process.
- The Policy Coordinator, Assistant Title IX Coordinator or Investigators determine the case is best resolved through the hearing process.

HEARING

The hearing process applies (i) when either the complainant or the accused so requests, (ii) when investigators determine resolution is best served by a hearing, or (iii) in any matter when the College deems appropriate (e.g. termination, separation from the institution). The hearing process is outlined below:

1. The hearing process will begin at the request of any party, complainant, accused, or investigator.
2. The Hearing Panel will be made up of the Policy Coordinator and two other people from a predetermined pool of candidates of trained faculty and staff.
3. The complainant and the accused will both be requested to be present at the hearing to retell their version of the events in question. Accommodations may be made via telephone or video conferencing to allow all parties to participate. The hearing will continue with or without the participation of all parties.
4. The College will maintain documentation of all hearings or other proceedings, which can take various forms (e.g., notes, written findings of fact, transcripts, audio recordings, etc.).
5. **Within seven (7) days** of the conclusion of the hearing, both the complainant and the accused will be informed in writing by the Policy Coordinator of the outcome of the hearing. The letter will state the ruling of “violation” or “no violation” of the policy and any corrective actions/remedies that will be put into place. This written notice will be issued concurrently to the complainant and to the accused. The hearing process will not exceed 30 days in length.
6. The College may disclose to the complainant information about any corrective actions/remedies taken that relate directly to the complainant (e.g., a “no contact” order). **In no event will the complainant be required to abide by a nondisclosure agreement that would prevent disclosure of the outcome.**
7. If there is a finding of policy violation, appropriate, corrective action/remedies by the College will be taken to: **(i) eliminate** the policy violation, **(ii) prevent** the recurrence of the violation, and **(iii) address** the effects of the violation (in accordance with the *Grievance Procedures* contained herein).

APPEALS

Appeals must be requested in writing to the Grievance Committee Chair (As per the Grievance Policies and Procedures) within seven (7) days of receipt of a written outcome of an investigation or hearing. The appeals process is outlined below:

1. Either party may appeal the decision of the hearing in writing to the Grievance Committee Chair within seven (7) days of receiving the written notice.
2. Appeals must include relevant new information for consideration by the appeals committee. This would include information that was unavailable at the time of the decision, concerns about procedural errors or concerns about the level of sanction imposed according to the policies of the College. Disagreement with the findings of a hearing is not sufficient grounds for appeal.
3. The Grievance Committee Chair personally carries the appeal with the documentation of all previous proceedings to the **Grievance Committee**. The Grievance Committee is the final arbiter on all appeals of rulings of violation of the Policy. The Chair will lead a grievance committee made up of himself and two other administrators who have otherwise not been previously involved in the complaint (drawn from a pre-determined pool of candidates at the College's discretion).
4. Neither the complainant nor the accused will be entitled to further hearing in
5. connection with any appeal, but the Grievance Committee may request written submissions from either party or consider any other information as deemed appropriate by the school. Both parties will be informed in writing of the outcome of any appeal within fourteen (14) days of the date by which all requested information is received unless the College determines that additional time is required.

RIGHTS OF COMPLAINANTS AND ACCUSED PARTIES

Complainants and accused parties shall be provided with the following in connection with any hearing or other proceeding used to reach a decision regarding whether any violation of this policy has occurred.

Rights of Complainants

- The opportunity/right to speak on one's own behalf;
- To be accompanied by an advisor or support person who may take notes and advise the complainant, but not otherwise participate;
- To present witnesses who can speak about the alleged conduct at issue;
- To present other evidence on one's own behalf;
- To attend the entire hearing or other proceedings, except for the deliberation phase;
- To review any written statement that will be offered by the accused at a hearing or proceeding prior to the time that it is offered (to the greatest extent possible and consistent with FERPA or other applicable law);
- To be informed of the outcome of the hearing or other proceeding;
- And to appeal the outcome of the hearing or other proceeding.

Rights of Accused Parties

- The right to a written explanation of the alleged violations of this policy;
- The opportunity/right to speak on one's own behalf;
- To be accompanied by an advisor or support person who may take notes and advise the accused, but not otherwise participate;
- To present witnesses who can speak about the alleged conduct at issue;
- To present other evidence on one's own behalf;
- To attend the entire hearing or other proceedings, except for the deliberation phase;
- To review any written statement that will be offered by the complainant at a hearing or proceeding prior to the time that it is offered (to the greatest extent possible and consistent with FERPA or other applicable law);
- To be informed of the outcome of the hearing or other proceeding;
- And to appeal the outcome of the hearing or other proceeding.

Disciplinary/Corrective Actions for Violations of this Policy

Sanctions/Corrective Action. Any violation of this policy involving students or faculty and staff of the College is subject to the Policy and Procedures as stated in this document and is NOT governed by any other employee or student handbook or policy. The College will take reasonable steps to prevent the recurrence of any harassment or other discrimination and to remedy the discriminatory effects on the complainant (and others, if appropriate).

Examples of the *range* of potential sanctions/corrective actions that may be imposed with respect to students may be found in the Student Code of Conduct and any related policies set forth in the College's catalog or Student Handbook. Comparable information with respect to employees can be found in the Faculty Handbook and in the Human Resources documents of the College. The College also may take any other corrective action that it deems appropriate under the circumstances.

Employees and /or students who are found to have violated this policy will be subject to disciplinary action up to and including expulsion or dismissal and with the additional provisions set forth in the "Rights" section of this policy.

Faculty and staff who are found to have violated this policy will be subject to disciplinary action up to and including discharge or termination and with the additional provisions set forth in the "Rights" section of this policy.

Guests and other third parties who are found to have violated this policy will be subject to corrective action deemed appropriate by the College, which may include removal from the campus(es) and termination of any applicable contractual or other arrangements.

In instances where the College is unable to take disciplinary action in response to an alleged violation of this policy because a complainant insists on confidentiality or for some other reason, the College will nonetheless pursue other steps to limit the effects of conduct that violates this policy and prevent its recurrence.

-/-/ END OF REPORT -/-/