



EMPEROR'S COLLEGE

ANNUAL SECURITY REPORT



2017

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EMPEROR'S COLLEGE

SCHOOL OF TRADITIONAL ORIENTAL MEDICINE

SAFETY & SECURITY INFORMATION

Campus safety and security are important issues at the Emperor's College. Our goal is to provide students with a safe environment in which to learn and to keep students and employees well informed about campus security. The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, or Clery Act, requires institutions of higher education to provide students with the information they need to make informed decisions. The following policies and procedures are established to comply with the Clery Act.

A. Timely Warnings

Emperor's College believes that a well-informed community is an integral component in maintaining the safest campuses and facilities possible. We offer information about crime statistics to the community by providing the Annual Security Report and posting it on our website. In addition, the college administration may make crime alerts to the college community when there are reports of violent crimes or any other crime that is deemed to represent a continuing threat to Emperor's College. The decision to issue a timely warning shall be made on a case-by-case basis after consideration of the available facts, including elements such as the nature of the crime, the continuing danger or risk to the campus community, and the possible risk of compromising law enforcement efforts. Victim(s) information will be held confidential. Crime Alerts can be distributed by one or more of the following means, but are not limited to:

- Bulletins or flyers
- Mass e-mails
- Text Message

Bulletins will include information about the incident, crime prevention recommendations, and any other special instructions. These timely warnings will typically be posted within 24 hours, or once all the relative information has been received.

B. Reporting the Annual Disclosure of Crime Statistics

The school prepares this report to comply with the Clery Act. The full text of this report can be located on our web site at: www.emperors.edu/about/annual-security-report/. This report is prepared in cooperation with the local law enforcement agencies around our campus.

Campus crime, arrest and referral statistics include those reported to the Santa Monica Police Department, designated campus officials (including but not limited to the Chief Operating Officer), and other law enforcement agencies.

Each year notification is made to all enrolled students and employees that provides the web site to access this report. Copies of the report may also be obtained in person from the Chief Operating Officer or by calling 310-453.8300 ext. 110. All prospective employees may obtain a copy from the Chief Operating Officer or by calling the school at 310-453.8300.

C. Reporting of Criminal Offenses

A truly safe campus can only be achieved through the cooperation of students, faculty and staff. As a member of the Emperor's College community, it is your responsibility to report a crime, suspicious activity or other emergencies on campus to the appropriate school official. Should you become witness to or victim of a crime, immediately report the incident to local law enforcement (9-1-1) and to the appropriate college official.

Under Clery Act guidelines, a crime is "reported" when it is brought to the attention of a Campus Security Authority (CSA) or local law enforcement personnel by a victim, witness, other third party, or even the offender. It doesn't matter whether or not the individual(s) involved in the crime, or reporting the crime, are associated with the institution. If a campus security authority receives the crime information and believes it was provided in good faith, he or she should document it as a crime report. In "good faith" means there is a reasonable basis for believing that the information is not simply rumor or hearsay. That is, there is little or no reason to doubt the validity of the information.

Campus Security Authorities

The definition of "Campus Security Authority" (CSA) according to the federal law is as follows: "An official of an institution who has significant responsibility for students and campus activities, including, but not limited to, student housing, student discipline, and campus judicial proceedings."

The Campus Security Authorities at Emperor's College are:

- George Park, Chief Operating Officer. 310.453.8300 ext. 110
- Jacques MoraMarco, Academic Dean. 310.453.8300 ext. 108
- Robert Newman, Dean of Clinical Education. 310.453.8300 ext. 105
- Yun Kim, President. 310.453.8300 ext. 118

Other

The campus community is also encouraged to report unsafe physical conditions along with environmental health and safety issues to any CSA.

D. Confidential Reporting

Emperor's College encourages anyone who is the victim or witness to any crime to report the incident as soon as possible. All reports will be investigated. The school does not have professional or pastoral counselors on staff, and does not have procedures for voluntary, confidential reporting of crime statistics. Violations of the law will be referred to the Santa Monica Police Department. When a potentially dangerous threat to the school community arises, timely reports or warnings will be issued through email messages, text messages, the posting of flyers in the school buildings, in-class announcements, or other appropriate means.

E. Access Policy

The facilities are open Monday through Sunday according to assigned class and clinic schedules. During business hours, the school will be open to students, parents, employees, contractors, guests, and invitees. The building may also be open for educational classes for licensed professionals in Oriental Medicine or to groups securing the use of the facilities through the President. During non-business hours access to all school facilities is by key and security code, if issued, or by admittance via the President and/or the Chief Operating Officer. Emergencies may necessitate changes or alterations to any posted schedules.

F. Campus Security Authority and Jurisdiction

The school's administration attempts to provide a safe, secure educational environment for all students and employees. The school does not provide security guards on its campus premises. The ultimate authority for law enforcement at the school is the local police department. The school does not have any written agreements with local police departments for the investigation of alleged criminal offenses. School officials have the authority to contact the local police to request assistance in preventing or reacting to crime within or in the immediate vicinity of school facilities. The Chief Operating Officer is the school's coordinator of security issues. He is not authorized to arrest individuals but does have the authority to detain suspected criminal offenders if it is deemed safe to do so. The administration at the Emperor's College has a strong, working relationship with the local police and works in partnership to offer students and employees the safest possible environment.

G. Security Awareness and Crime Prevention Programs

All new enrolled students participate in a general school orientation class. During the orientation class, the need and procedure of reporting emergencies and criminal activities, campus security measures and crime prevention is discussed. Similar information is presented to new employees. In addition, information is disseminated to students and employees through tips posted in the school buildings, in-class announcements, and announcements through social media.

Robbery and Assault Prevention

- Be aware of your surroundings and the people around you.
- Walk with a companion whenever you can.

- Stay in well-lit and heavily traveled areas as much as possible.
- Walk confidently, directly, and at a steady pace. If you feel you are being followed, walk quickly to areas where there are other people.
- Conceal your valuables at all times.
- Park in lighted areas.
- Check the backseat of your car before getting in.
- Stay alert and tuned into your surroundings, including removing headphones or turning down the volume on MP3 players, telephones, or other audio devices.
- Trust your instincts. If something or someone makes you uneasy, avoid the person or leave.

Theft Prevention

Do not leave backpacks, books, or other personal property unattended --not even for a minute! Never leave valuables in your vehicle.

If you absolutely need to leave valuables in your car, lock them in your glove box or trunk.

H. Criminal Activity Off Campus

Emperor's College does not provide law enforcement services to off-campus activities on behalf of the school. Any off campus events are supervised by campus employees. Therefore, the school will monitor and report criminal activity at such events to local law enforcement authorities.

I. Safety Procedures

All students and employees are encouraged to take an active role in maintaining a safe environment. To avoid accidents and injuries, students and employees are required to take preventative measures by:

- using equipment properly;
- following manufacturer's directions when using chemicals and products;
- Immediately wiping spills found on the floor;
- assisting elderly and disabled guests;
- keeping all aisles free from personal items and debris; and
- Immediately reporting building and equipment safety hazards to a Campus Security Authority.

Safety Reports

For all minor or serious accidents, a Campus Security Authority must be called to the scene to gather the following information and submit a written report to the school's Chief Operating Officer:

- name, address, phone number of the injured person;
- name of student(s) and/or employee(s) involved in the incident;
- date and time of accident;
- description of how the accident happened; and
- name, address, phone number of other witnesses to the accident

J. Medical Emergencies

Notify a Campus Security Authority immediately, in case of a medical emergency such as:

- serious fall
- apparent heart attack
- unconsciousness
- chemical product; (spills in the eye or swallowing)
- violent acts, assault, or rape

The Campus Security Authority must provide the following information:

- nature of medical problem
- address of the building
- location of the person in the building
- notify the Chief Operating Officer of the location and nature of the accident
- stay with the injured person
- have someone meet the Emergency personnel
- keep the area clear of bystanders

Non-Emergency (medical)

All accidents must be reported to the Chief Operating Officer. The Campus Security Authority or personnel will attend to the injured person and determine if professional medical attention is required. If there is any doubt, we recommend the injured person see a doctor.

K. Emergency Notification, Response Preparation and Evacuation

The Chief Operating Officer will immediately notify the school community upon confirmation of an emergency or dangerous situation. Emergency Notification will be distributed by one or more of the following means, but are not limited to:

- Bulletins or flyers
- Mass e-mails
- Text Message

The Chief Operating Officer has overall responsibility for coordinating and implementing the Emergency Notification, Response and Evacuation Plan. The Chief Operating Officer will ensure that the school's emergency evacuation procedures have been informed to the students and staff.

Bomb Threat

In case of a bomb threat at the Emperor's College:

- immediately contact the Police or a Campus Security Authority;
- evacuate the building when directed by the Police or Campus Security Authority; and
- Remember in all situations to remain calm.

Fire

Emperor's College has an alarm monitored system that is directed to the Fire Department.

In all cases when the fire alarm sounds, students and staff must:

- instruct all guests to evacuate the building;
- assist the guests who need help evacuating;
- request assistance for disabled guests to evacuate down the stairs;
- evacuate the building immediately;
- Re-enter the building only when the Fire Department or a Campus Security Authority has given clearance.

Escape Route

Floorplans are posted throughout the school. Each plan will show a direct escape route. Please familiarize yourself with the escape routes in designated student and employee areas.

Severe Weather Warnings

Based on weather-service information the building management will make a decision on when to evacuate team members, students, and guests.

Active Shooter on Campus Guidelines

Immediate Actions

If someone on campus starts shooting, take whatever actions are necessary to:

- Save your life
- Seek means of escape
- Seek physical protection

Once You Are Out of Danger

Call 9-1-1, and have the following information available:

- Your name
- The location of the incident (*1807 Wilshire Blvd, Santa Monica- on the 18th St. side of the complex, upstairs or downstairs*)
- Number of shooters
- Identification of shooters
- Number of people involved
- Your location

Follow Directions

Follow directions given by the police, fire, medical and other emergency personnel on scene.

In The Event of Evacuation

- Exit area immediately in a safe manner.
- While exiting, tell anyone you see to exit the area.

When Evacuation and Exit Are Not An Option

Shelter in place in the nearest room or office. If it is safe do so, secure the area as follows:

- Close the door (but use extreme caution if someone knocks or asks for help; it could be the shooter trying to trick you).
- Barricade the door with furniture; try to keep your body clear of the doorway.
- Turn off the lights.
- Close the blinds.
- Stay silent.
- Turn off radios, AV equipment, and computer monitors; place your cellular phone on silent
- Drop to the ground immediately, face down as flat as possible. If within 15-20 feet of a safe place, duck and run to it.
- Move or crawl away from gunfire, trying to utilize any obstructions between you and the gunfire. Remember that many objects of cover may conceal you from sight, but may not be bulletproof.
- Stay calm, quiet and out of sight.
- Use whatever you can to take adequate cover (concrete walls, thick desks, filing cabinets, etc.).
- Place signs in the windows advising First Responders you need help and the number of wounded (DO THIS ONLY IF YOU ARE POSITIVE THE SHOOTER WILL NOT SEE THE SIGN).
- Apply first aid but keep your safety in mind.
- Stay in place until help arrives or until circumstances allow you to exit.

If Outside When Shooting Occurs

- Drop to the ground immediately, face down as flat as possible. If within 15-20 feet of a safe place, duck and run to it.
- Move or crawl away from gunfire, trying to utilize any obstructions between you and the gunfire. Remember that many objects of cover may conceal you from sight, but may not be bulletproof.
- When you reach a place of relative safety, stay down and do not move. Wait and listen for directions from public safety and/or law enforcement personnel.

If Suspect is in Close Proximity

- An individual must use his/her own discretion about when he or she must engage a shooter for survival.
- Generally, one can lie motionless and pretend to be unconscious or confront the individual.
- Make a plan as to how you will survive the situation.
- Make a total commitment to action and act as a team with others if possible.
- Do whatever is necessary to survive the situation.

In the Event That There Are Hostages

Get to a safe and/or secure location. Call the police and be prepared to give the following information:

- Identify hostage location in building or area
- Number of assailants, if known
- Number of hostages, if known
- Identity of assailant(s), if known
- Any description of assailants and weapons
- Any demands made by the assailant(s)

After Incident

- Seek medical attention if needed.
- Assist police by offering any information you know about the shooter(s) and tell them what you saw and did during the incident.
- Seek counseling if needed.

IMPORTANT PHONE NUMBERS

EMERGENCY	911
Santa Monica Police Dept.	310.458.8491
Los Angeles County Sheriff's Office	310.456.6600
Santa Monica Fire Dept.	310.458.8660
Santa Monica - UCLA Hospital	310.319.4870
St. John's Hospital and Health Center	310.829.5511
Emperor's College CSA's	
• George Park, Chief Operating Officer	310.453.8300 ext. 110
• Jacques MoraMarco, Academic Dean	310.453.8300 ext. 108
• Robert Newman, Dean of Clinical Education	310.453.8300 ext. 105
• Yun Kim, President	310.453.8300 ext. 118

L. Fire Prevention and Workplace Hazards

It is the responsibility of all faculty and staff to alert the Chief Operating Officer of any and all conditions that could potentially pose a fire hazard or other unsafe condition in or around the building. No smoking

is permitted in the building and flammable chemicals are confined and stored in a locked area, meeting all OSHA requirements. Good housekeeping practices will be the responsibility of all faculty, staff and students. Waste materials are to be discarded in their proper places and all aisles, doorways, hallways and exit doors are to be kept clear at all times.

M. Alcohol, Drugs and Weapons Policies

Emperor's College is committed to having a drug-free and alcohol-free campus that prohibits at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students, faculty and staff.

Any student or employee in violation of this policy is subject to criminal prosecution and/or disciplinary action, including reprimand, probation, suspension, expulsion, and/or termination from employment.

The possession, transportation, and/or consumption of alcohol by individuals under the age of 21 is strictly prohibited.

Emperor's College strictly enforces the College's zero-tolerance policy, as well as federal, state and local laws, concerning the use and sale of illegal drugs.

Firearms and other dangerous weapons are not permitted on campus. Intentional use, possession, or sale of firearms or any other weapon is strictly prohibited on campus by state law.

N. Alcohol and Substance Abuse Education

The School 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 information materials, referrals, and school disciplinary actions.

A violation of any law regarding drugs or alcohol is also a violation of the school's Drug Free School Policy and will be treated as a separate disciplinary matter by the school.

Local mental health and substance abuse services are available at:

Drug Counseling, Rehabilitation & Assistance Programs

24 Hour National Addiction Hotline **1.800.559.9503**

For a list of free or sliding scale drug and alcohol rehab centers in Los Angeles, visit <http://www.freerehabcenters.org/state/california>

Additional information about drug and alcohol abuse, health risks, addiction and prevention can be accessed at the National School on Alcohol Abuse and Alcoholism (www.collegedrinkingprevention.gov) as well as the National School on Drug Abuse (www.drugabuse.gov/DrugPages/DrugsofAbuse.html).

O. Sexual Misconduct Policies & Procedures

Emperor's College is committed to providing a working and educational environment for all students, faculty and staff that is free from sex discrimination, including sexual misconduct. Every member of the school community should be aware that the school is strongly opposed to sexual misconduct, and that such behavior is prohibited by state and federal laws.

The school's Sexual Misconduct Policy is part of this Annual Security Report. It describes the school's programs to prevent sexual misconduct, and the procedures that the school will follow once an incident of sexual misconduct has been reported. This Policy is disseminated widely to the school community through publications, the school website, new employee orientations, student orientations, and other appropriate channels of communication. Copies of the Policy can be obtained from the Chief Operating Officer or downloading from the school's website at www.emperors.edu/about/annual-security-report/. The school provides training to key staff members to enable the school to handle any allegations of sexual misconduct promptly and effectively. The school will respond quickly to all reports of sexual harassment, and will take appropriate action to prevent, to correct, and if necessary, to discipline behavior that violates this policy.

The school's Sexual Misconduct Policy governs sexual misconduct involving students that occurs on any school property or in connection with any school-sponsored program or event. This Policy applies to all students, employees, and third parties conducting business with the school, regardless of the person's gender, gender identity, sexual orientation, age, race, nationality, class status, ability, religion or other protected status. The school encourages victims of sexual violence to talk to somebody about what happened – so victims can get the support they need, and so the school can respond appropriately. As further described in the Policy, the School will seek to respect a victim's request for confidentiality to the extent possible, while remaining ever mindful of the victim's well-being. The school prohibits retaliation against those who file a complaint or third-party report, or otherwise participate in the investigative and/or disciplinary process (e.g., as a witness).

P. Work Place Violence

Emperor's College is committed to providing a safe educational and work environment free from violence, threats of violence, stalking, harassment, intimidation, and other disruptive behavior.

Any person who observes or is the victim of workplace violence should report the incident to a CSA directly, by email to george@emperors.edu, or by calling 310.453.8300 ext 110.

Each threat or act of violence will be investigated immediately by the appropriate law enforcement agency and by the appropriate CSA.

Employees who act in violation of this policy and/or the law will be subject to discipline, up to and including dismissal. Such disciplinary action shall be in accordance with college policies.

Q. Hate Crimes

Hate crimes, as defined by the California Penal Code, are any act of physical intimidation, physical harassment, physical force, physical violence, or the threat of physical force and/or physical violence that is directed against any person or group of persons because of the ethnicity, race, national origin, religion, sex, sexual orientation, gender identity, disability, or political or religious beliefs of that person or group. Additionally, hate crimes may include the following: larceny-theft, simple assault, intimidation, destruction, damage, or vandalism of property.

Emperor's College does not condone hate violence and is charged with ensuring that the rights guaranteed by state law and the U.S. Constitution are protected for all people, regardless of their ethnicity, race, national origin, religion, sex, sexual orientation, gender identity, disability, or political or religious beliefs.

Incidents of hate violence can be reported to a CSA directly, by email to george@emperors.edu, or by calling 310.453.8300 ext 110.

R. Sexual Offender Registration

In accordance to the Campus Sex Crimes Prevention Act of 2000, the Clery Act, and the Family Rights and Privacy Act of 1974, the school is providing information for where students and employees may obtain information regarding registered sex offenders. The State establishes a website as the official internet public access to the sex offender registration computerized database. In California, the website is www.meganslaw.ca.gov or the national registry at <http://www.nsopr.gov>. Registry information provided under this section shall be used only 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. The Campus Sex Crimes Prevention Act requires institutions of higher education to provide a statement advising the campus community where law enforcement information provided by a state concerning registered sex offenders can be obtained.

EMPEROR'S COLLEGE SCHOOL OF TRADITIONAL ORIENTAL MEDICINE

CAMPUS CRIME REPORT

The *Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act* is a federal law that requires institutions of higher education (colleges and universities) in the United States to disclose campus security information including crime statistics for the campus and surrounding areas. All institutions of post-secondary education (both public and private) that participate in federal student aid programs must publish and disseminate an annual campus security report in addition to providing timely warnings of any criminal activities.

To comply with the Clery Act, Emperor's College is responsible for gathering crime statistics and providing safety information to all students, staff, faculty, visitors, and prospective students. The college's Chief Operating Officer oversees this process, which includes collection of in-house data as well as requesting statistics annually from applicable law enforcement agencies. Copies of the report are available online and may be obtained from the Chief Operating Officer by calling 310-453-8300 ext. 110. All prospective employees may obtain a copy from the Chief Operating Officer or by calling 310-453-8300 ext. 110.

Offense	On Campus			Non Campus			Public Property		
	2014	2015	2016	2014	2015	2016	2014	2015	2016
Murder/Non-Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Negligent Manslaughter	0	0	0	0	0	0	0	0	0
Rape	0	0	0	0	0	0	0	0	0
Fondling	0	0	0	0	0	0	0	0	0
Incest	0	0	0	0	0	0	0	0	0
Statutory Rape	0	0	0	0	0	0	0	0	0
Robbery	0	0	0	0	0	0	0	0	0
Aggravated Assault	0	0	0	0	0	0	0	0	0
Burglary	0	0	0	0	0	0	0	0	0
Motor Vehicle Theft	0	0	0	0	0	0	0	0	0
Arson	0	0	0	0	0	0	0	0	0
VAWA Offenses									
Domestic Violence	0	0	0	0	0	0	0	0	0
Dating Violence	0	0	0	0	0	0	0	0	0
Stalking	0	0	0	0	0	0	0	0	0
Arrests & Disciplinary Referrals									
Liquor Law Arrests	0	0	0	0	0	0	0	0	0
Liquor Law Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0
Drug Law Arrests	0	0	0	0	0	0	0	0	0

Drug Law Arrests Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Arrests	0	0	0	0	0	0	0	0	0
Illegal Weapons Possession Violations Referred for Disciplinary Action	0	0	0	0	0	0	0	0	0

Hate Crimes – There were no reported hate crimes for the years 2014, 2015 or 2016

Unfounded Crimes – There were no unfounded crimes for the years 2014, 2015 or 2016

Off Campus Student Housing - Emperor's College does not maintain any dormitories or other off-campus student housing properties

EMPEROR'S COLLEGE DRUG FREE SCHOOL POLICY

Emperor's College believes that it is very important to provide a safe environment for all its students and employees. Substance abuse, while at work, school or otherwise, seriously endangers the safety of students and employees, as well as the general public, and creates a variety of problems including increased theft, decreased morale, decreased productivity, and a decline in the quality of services provided. It is also our Policy to prevent the use and/or presence of these substances in the school. Emperor's College will strive to provide an environment conducive to making conscientious and healthy decisions when students are faced with difficult choices associated with the use of legal and illegal drugs.

It is a violation of school policy for any student to:

- Use illegal drugs or misuse prescription drugs;
- Misuse of alcohol or marijuana;
- Possess, trade, manufacture, distribute, dispense, buy or offer for sale alcohol, illegal and/or prescription drugs while on duty, during break periods, or on school property;
- Arrive or return to school intoxicated from use of illegal drugs, misused prescription drugs or alcohol;
- Engage in the use of illegal drugs, misuse of prescription drugs or alcohol during school hours or while on school property (including parking lots); or
- Use prescription drugs or non-prescription drugs that may affect the safety of the student or fellow students, and members of the public,

The legal use of prescribed drugs is permitted only if it does not impair your ability to perform the essential functions as a student effectively and in a safe manner that does not endanger other individuals in the college.

If a student is taking prescribed drugs which may affect your attentiveness, cause drowsiness, or otherwise impair their abilities please notify the Academic Dean.

Students are individually responsible for being aware of applicable laws, regulations, ordinances, and the school's policy for complying with them. Emperor's College will assist in that endeavor by providing current information on an ongoing basis to all students.

Drug & Alcohol Health Risks

Alcohol: People drink to socialize, celebrate, and relax. Alcohol often has a strong effect on people—and throughout history, people have struggled to understand and manage alcohol's power. Why does alcohol cause people to act and feel differently? How much is too much? Why do some people become addicted while others do not?

Alcohol's effects vary from person to person, depending on a variety of factors, including:

- How much you drink
- How often you drink
- Your age
- Your health status
- Your family history

While drinking alcohol is itself not necessarily a problem—drinking too much can cause a range of consequences, and increase your risk for a variety of problems.

Cocaine: Cocaine is a powerfully addictive stimulant drug. Cocaine increases levels of the natural chemical messenger *dopamine* in brain circuits controlling pleasure and movement. This flood of dopamine ultimately disrupts normal brain communication and causes cocaine's high.

Short-term effects include constricted blood vessels, nausea, faster heartbeat, extreme happiness and energy, irritability and paranoia. Long-term effects include nosebleeds, severe bowel decay, higher risk of contracting HIV, hepatitis C, and other bloodborne diseases, malnourishment, restlessness, and severe paranoia with auditory hallucinations. A person can overdose on cocaine, which can lead to death.

Marijuana: Marijuana contains the mind-altering chemical THC and other related compounds. THC over-activates certain brain cell receptors, resulting in effects such as altered senses, changes in mood, impaired body movement, difficulty with thinking and problem-solving, and impaired memory and learning. Marijuana use can have a wide range of health effects, including hallucinations and paranoia, breathing problems, and possible harm to a fetus's brain in pregnant women. Marijuana use can cause some very uncomfortable side effects, such as anxiety and paranoia and, in rare cases, extreme psychotic reactions. Marijuana use can lead to a substance use disorder, which can develop into an addiction in severe cases.

Hallucinogens and Dissociative Drugs: Hallucinogens and dissociative drugs—which have street names like acid, angel dust, and vitamin K—distort the way a user perceives time, motion, colors, sounds, and self. These drugs can disrupt a person's ability to think and communicate rationally, or even to recognize reality, sometimes resulting in bizarre or dangerous behavior. Hallucinogens such as LSD, psilocybin, peyote, DMT, and ayahuasca cause emotions to swing wildly and real-world sensations to appear unreal, sometimes frightening. Dissociative drugs like PCP, ketamine, dextromethorphan, and *Salvia divinorum* may make a user feel out of control and disconnected from their body and environment. In addition to their short-term effects on perception and mood, hallucinogenic drugs are associated with psychotic-like episodes that can occur long after a person

has taken the drug, and dissociative drugs can cause respiratory depression, heart rate abnormalities, and a withdrawal syndrome.

Methamphetamine: The abuse of methamphetamine—a potent and highly addictive stimulant—remains an extremely serious problem in the United States. The consequences of methamphetamine abuse are terrible for the individual—psychologically, medically, and socially. Abusing the drug can cause memory loss, aggression, psychotic behavior, damage to the cardiovascular system, malnutrition, and severe dental problems. Methamphetamine abuse has also been shown to contribute to increased transmission of infectious diseases, such as hepatitis and HIV/AIDS.

Reasonable Search:

To ensure that illegal drugs and alcohol do not enter or affect the school, Emperor's College reserves the right to search all vehicles, containers, lockers, or other items on school property in furtherance of this Policy. Individuals may be requested to display personal property for visual inspection upon the school's request. Searches will be conducted only where Emperor's College has reason to believe that the student has violated the school's Policy. Failure to consent to a search or display of personal property for visual inspection will be grounds for discipline, up to and including termination from the school or denial of access to school premises. Searches of a student's personal property will take place only in the student's presence. All searches under this Policy will occur with the utmost discretion and consideration for the student involved. Individuals may be required to empty their pockets, but under no circumstances will a student be required to remove articles of clothing to be physically searched.

Student Assistance:

Emperor's College holds all students accountable in terms of substance use but also supports getting help for students. Students who come forward voluntarily to identify that they have a substance problem will not be reprimanded. It is important for the student to come to an understanding regarding the extent of the problem in order to correct the problem and be able to avoid future usage in violation of the school's Policy. This is required in order to correct the problem and be able to avoid violating the school's Policy in the future. If the student is willing to actively engage in resolving the substance use problem, the school will refer the student to a Substance Abuse Professional for an assessment and possible outpatient counseling at the student's expense. This leave will be conditioned upon receipt of reports from the treatment providers that the student is cooperating and making reasonable progress in the treatment program. The student will be permitted to return to school only if (s)he passes a drug /alcohol test and has satisfactory medical evidence that (s)he is fit for attendance.

This protection does not cover a student who confesses a problem after an incident or accident that requires a substance use test, or after being notified that a reasonable suspicion test is required.

Disciplinary Action:

Violation of this Policy will result in the student's immediate termination. Re-admittance may be considered after 60 days. To be considered for re-admittance, the student must provide proof of having satisfactorily attended treatment that is provided by a Substance Abuse Professional (SAP) and/or prescribed by a SAP and completed a drug and/or alcohol test, determined by which test was previously positive, with a negative test result. If the student is re-admitted, (s)he must complete the prescribed follow-up testing by the SAP or by law, as applicable, to continue attending Emperor's College. Treatment and follow-up testing will be at the expense of the student. Emperor's College may terminate a student who has entered a rehabilitation program for violations of the Drug Free School Policy or any other school policy in accordance with the procedures set forth in the Catalog and Student Handbook.

Confidentiality:

All information, interviews, reports, and statement memoranda, written or otherwise, received by Emperor's College as part of this drug program are confidential communications. Unless authorized by state laws, rules or regulations, the school will not release such information without a written consent form signed voluntarily by the student. Information will not be released unless such information or records are compelled by a court or a professional or occupational licensing board.

Biennial Review:

The school will review the drug and alcohol prevention program every two years on the odd number year. Any recommendations/data and or assistance available to substance abusers will be updated and distributed to all students and staff of Emperor's College.

Notice of Federal Student Aid (FSA) Penalties for Drug Law Violations:

The Higher Education Opportunity Act requires institutions to provide to every student upon enrollment a separate, clear and conspicuous written notice with information on the penalties associated with drug-related offenses under existing section 484(r) of the HEA. It also requires an institution to provide a timely notice to each student who has lost eligibility for any grant, loan, or work-study assistance as a result of penalties under 484(r)(1) of the HEA a separate clear, and conspicuous written notice that notifies the student of the loss of eligibility and advises the student of the ways in which to regain eligibility under section 484(r)(2) of the HEA. Students are hereby notified that federal guidelines mandate that a federal or state drug conviction can disqualify a student for Federal Student Aid funds. Convictions only count if they were for an offense that occurred during a period of enrollment for which the student was receiving Title IV aid—they do not count if the offense was not during such a period. Also, a conviction that was reversed, set aside, or removed from the student's record does not count, nor does one received when he/she was a juvenile, unless the student was tried as an adult.

The Higher Education Act of 1965 as amended (HEA) suspends aid eligibility for students who have been convicted under federal or state law of the sale or possession of drugs, if the offense occurred during a period of enrollment for which the student was receiving federal student aid (grants, loans, and/or

work-study). If you have a conviction(s) for these offenses, call the Federal Student Aid Information Center at 1-800-4-FED-AID (1-800-433-3243) to complete the "Student Aid Eligibility Worksheet" to find out how this law applies to you.

If you have lost federal student aid eligibility due to a drug conviction, you can regain eligibility if you pass two unannounced drug tests conducted by a drug rehabilitation program that complies with criteria established by the U.S. Department of Education.

By completing the FAFSA, you may be eligible for nonfederal aid from states and private institutions even if ineligible for Federal Aid. If you regain eligibility during the award year, notify your financial aid administrator immediately. If you are convicted of a drug-related offense after you submit the FAFSA, you might lose eligibility for federal student aid, and you may be liable for returning any financial aid you received during a period of ineligibility.

School Flexibility:

Emperor's College reserves the right to alter or amend any portion of this policy at any time without prior notice. The school reserves the right to alter or modify this policy in a given situation depending on the totality of the circumstances. Time periods stated herein for the performance of any act or provision of any notice by the school are for guidance only and failure of the Emperor's College to strictly meet any time frame provided herein shall not preclude the school from taking any action provided herein. Under no circumstances shall failure to perform any act within the time frames herein excuse or relieve any student from his or her obligations, act to nullify any positive test, or relieve any student from the consequences of any positive test, or any other violation of this Policy.

EMPEROR'S COLLEGE SCHOOL OF TRADITIONAL ORIENTAL MEDICINE **CAMPUS SEXUAL MISCONDUCT POLICIES & PROCEDURES**

1. Introduction

Emperor's College is committed to providing a work environment that is free of discrimination, harassment, and retaliation. This policy applies to employees, independent contractors, interns, volunteers, students, vendors and visitors. Such behavior is illegal as well as inappropriate. Actions, words, jokes, or comments based on an individual's sex, race, ethnicity, age, religion, or any other legally protected characteristic will not be tolerated in the workplace, after work, or on social networking sites. As an example, harassment of any type (both overt and subtle) is a form of employee misconduct that is demeaning to another person, undermines the integrity of the employment relationship, and is strictly prohibited.

As part of the school's commitment to providing a working and learning environment free from sexual misconduct, this Policy shall be disseminated widely to the school community through publications, the school website, new employee orientations, student orientations, and other appropriate channels of communication. Emperor's College provides training to key staff members to enable the school to handle any allegations of sexual misconduct promptly and effectively. The school will respond quickly to all reports of sexual harassment, and will take appropriate action to prevent, to correct, and if necessary, to discipline behavior that violates this policy.

2. Notice of Non-Discrimination

Title IX of the Education Amendments of 1972 is a federal law that prohibits discrimination based on gender in educational institutions which receive federal financial assistance. Title IX also prohibits sexual harassment, which includes sexual assault and sexual violence.

Emperor's College does not discriminate on the basis of sex in its education programs and activities.

3. Scope of the Policy

This Policy governs sexual misconduct involving students that occurs on any school property or in connection with any school-sponsored program or event. This Policy applies to all students, employees, and third parties conducting business with the school, regardless of the person's gender, gender identity, sexual orientation, age, race, nationality, class status, ability, religion or other protected status. The school encourages victims of sexual violence to talk to somebody about what happened – so victims can get the support they need, and so the school can respond appropriately. As further described in this Policy, the school will seek to respect a victim's request for confidentiality to the extent possible, while remaining ever mindful of the victim's well-being.

4. Prohibited Conduct

Sexual misconduct comprises a broad range of behaviors focused on sex that may or may not be sexual in nature. Any intercourse or other intentional sexual touching or activity without the other person's consent is sexual assault, which is a form of sexual misconduct under this Policy. Sexual harassment and sexual exploitation, stalking, domestic violence, and dating violence are also forms of sexual misconduct. Intimidation for one of these purposes is sexual misconduct, as is retaliation following an incident of alleged sexual misconduct or attempted sexual misconduct. The definitions for specific acts of sexual misconduct can be found in the Definitions of Key Terms at the end of this Policy statement.

Misconduct can occur between strangers or acquaintances, or people who know each other well, including between people involved in an intimate or sexual relationship, can be committed by anyone regardless of gender identity, and can occur between people of the same or different sex or gender. **This Policy prohibits all forms of sexual misconduct.**

5. Options for Assistance Following an Incident of Sexual Misconduct

Emperor's College strongly encourages any victim of sexual misconduct to seek immediate assistance. Seeking prompt assistance may be important to ensure a victim's physical safety or to obtain medical care. The school strongly advocates that a victim of sexual assault report the incident in a timely manner. Time is a critical factor for evidence collection and preservation.

Reporting Incidents of Sexual Misconduct.

Victims of sexual misconduct may file a report with the Santa Monica Police Department. Victims may also file a report with the school's Title IX Coordinator. More information about reporting an incident of sexual misconduct can be found in Section 7 of this Policy, below.

When a student or employee reports to the school that the student or employee has been a victim of dating violence, domestic violence, sexual assault, or stalking, whether the offense occurred on or off campus, the school will provide the student or employee a written explanation of the student's or employee's rights and options. The school will also provide the student or employee with written notification about assistance available both within the school and without, as well as information about options for academic or protective measures.

The victim of the sexual misconduct may choose for the investigation to be pursued through the criminal justice system and the school's disciplinary procedures. The school and the criminal justice system work independently from each other. Law enforcement officers do not determine whether a violation of this Policy has occurred. The Title IX Coordinator will guide the victim through the available options and support the victim in his or her decision.

Support Services Available.

Counseling, advocacy and support services are available for victims of sexual misconduct, whether or not a victim chooses to make an official report or participate in the school's disciplinary or criminal

process. Emperor's College does not provide counseling or health care services. Personal counseling offered by the school will be limited to initial crisis assessment and referral.

Santa Monica –UCLA Medical Center Rape Treatment Center

The Rape Treatment Center provides free, expert, comprehensive, and compassionate care for sexual assault victims – children and adults – 24 hours a day, including emergency medical treatment and forensic services; crisis counseling and longer-term psychotherapy; advocacy; accompaniment during police reporting, medical care, and court proceedings; information about rights and options to help victims make informed choices; and many other support services. The Center is located at 1250 16th St, Santa Monica, CA 90404. The phone number is: 310 319 4503.

Additional sexual misconduct crisis and counseling options are available locally and nationally through a number of agencies, including:

The Gay Men's Domestic Violence Project

1-800-832-1901

The Rape Foundation

1223 Wilshire Blvd., No. 410

Santa Monica, CA 90403.

(310) 451-0042

www.therapefoundation.org

National Sexual Assault Hotline

800-656-HOPE (4673)

National Domestic Violence Hotline

800-799-SAFE

The school's Title IX Coordinator will work with all students affected by sexual misconduct to ensure their safety and support their wellbeing. This assistance may include providing accommodations to support or protect a student after an incident of sexual misconduct and while an investigation or disciplinary proceeding is pending. Such accommodations may include the ability to alter class schedules, withdraw from/retake a class without penalty, and access academic support (e.g., tutoring). The school may be able to provide additional interim measures to victims while an investigation is pending, such as no contact orders and changing the alleged perpetrator's class schedule. Students who report an incident of sexual misconduct may also be able to obtain a formal protection order from a civil or criminal court. The school will work with the student and the applicable court to assist in the enforcement of any such protective orders.

Evidence Preservation

Victims of sexual assault, domestic violence or dating violence should consider seeking medical attention as soon as possible. It is important that a victim of sexual assault not bathe, douche, smoke, change clothing or clean the bed/linen where they were assaulted so that evidence necessary to prove criminal activity may be preserved. In circumstances where the victims do not opt for forensic evidence collection, health care providers can still treat injuries and take steps to address health concerns. Victims

of sexual misconduct are encouraged to also preserve evidence by saving text messages, instant messages, social networking pages, other communications, and keeping pictures, logs or other copies of documents, if they have any, that would be useful in connection with a school or police investigation.

6. Title IX Coordinator

The school's Title IX Coordinator is responsible for monitoring and overseeing Emperor's College's compliance with Title IX and the prevention of sex harassment, sexual misconduct and discrimination.

The Title IX Coordinator is:

- Knowledgeable and trained in school policies and procedures and relevant state and federal laws;
- Available to advise any individual, including a complainant, respondent, or a third party, about school and community resources and reporting options;
- Available to provide assistance to any school employee regarding how to respond appropriately to a report of Title IX-related prohibited conduct and related retaliation;
- Participates in ensuring the effective implementation of this Policy, including monitoring compliance with all procedural requirements, record keeping, and timeframes; and
- Responsible for overseeing training, prevention, and education efforts.

Inquiries or concerns about Title IX may be referred to the school's Title IX Coordinator:

Yun Kim
1807 Wilshire Blvd., Ste 200
Santa Monica, CA 90403
Phone: (310) 453-8300
Email:yun@emperors.edu

You may also contact the Office for Civil Rights, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, D.C 20202, OCR@ed.gov.

7. Reporting Policies and Protocols

Emperor's College strongly encourages all members of the school community to report information about any incident of sexual misconduct as soon as possible, whether the incident occurred on or off campus. Reports can be made either to the school and/or to law enforcement.

Reporting to the School

An incident of sexual misconduct may be reported directly to the school's Title IX Coordinator. If the school's Title IX Coordinator is the alleged perpetrator of the sexual misconduct, the report should be submitted to the school's Chief Operating Officer. Filing a report with a school official will not obligate the victim to prosecute, nor will it subject the victim to scrutiny or judgmental opinions from officers.

An individual who has experienced an incident of sexual misconduct may report the incident at any time, regardless of how much time has elapsed since the incident occurred. The school is committed to supporting the rights of a person reporting an incident of sexual misconduct to make an informed choice among options and services available.

The school will respond to all reports in a manner that treats each individual with dignity and respect and will take prompt responsive action to end any misconduct, prevent its recurrence, and address its effects.

Reporting to Law Enforcement

An incident of sexual misconduct can be reported to law enforcement at any time, 24 hours a day/7 days a week, by calling 911. At the complainant's request, the school will assist the complainant in contacting law enforcement. If the complainant decides to pursue the criminal process, the school will cooperate with law enforcement agencies to the extent permitted by law. A complainant has the option to decide whether or not to participate in any investigation conducted by law enforcement. Filing a police report will:

- Ensure that a victim of sexual assault receives the necessary medical treatment and tests
- Provide the opportunity for collection of evidence helpful in prosecution, which cannot be obtained later (ideally a victim of sexual assault should not wash, douche, use the toilet, or change clothing prior to a medical/legal exam)
- Assure the victim has a referral to confidential counseling from counselors specifically trained in the area of sexual assault

Reporting of Crimes & Annual Security Reports

Campus safety and security are important issues at Emperor's College. Our goal is to provide students with a safe environment in which to learn and to keep students, parents, and employees well informed about campus security. The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, or Clery Act, requires institutions of higher education to record and report certain information about campus safety, including the number of incidents of certain crimes on or near campus, some of which constitute sexual misconduct under this Policy.

Each year the school prepares this report to comply with the Clery Act. The full text of this report can be located on the school's web site at www.emperors.edu/about/annual-security-report/. This report is prepared in cooperation with the local law enforcement agencies around our campus. Each year notification is made to all enrolled students and employees that provides the web site to access this report. Copies of the report may also be obtained in person from the Chief Operating Officer or by calling 310-453-8300 ext. 110. All prospective employees may obtain a copy from the Chief Operating Officer.

Timely Warnings

In the event that a situation arises, either on or off campus, that, in the judgment of the Chief Operating Officer constitutes an ongoing or continuing threat, a campus wide “timely warning” will be issued. The warning will be disseminated to staff and students through announcements by one or more of the following means, but are not limited to bulletins or flyers, mass e-mails and text message. The timely warning will include information that promotes safety and tips to prevent similar crimes, allowing the campus community to take appropriate precautions. The timely warning will also include the time, location, and type of crime reported. Anyone with information warranting a timely warning should report the circumstances to the Chief Operating Officer by phone at 310-453-8300 ext. 110 or in person at the school.

Third-Party and Anonymous Reporting

In cases where sexual misconduct is reported to the Title IX Coordinator by someone other than the complainant (by an instructor, classmate or friend, for example), the Title IX Coordinator will promptly notify the complainant that a report has been received. This Policy and the Procedures will apply in the same manner as if the complainant had made the initial report. The Title IX Coordinator will make every effort to meet with the complainant to discuss available options and resources. Reports from an anonymous source will be treated in a similar fashion.

No Retaliation

Emperor’s College prohibits retaliation against those who file a complaint or third-party report, or otherwise participate in the investigative and/or disciplinary process (e.g., as a witness). The school will take strong responsive action if retaliation occurs. Any incident of retaliation should be promptly reported to the Title IX Coordinator or the Chief Operating Officer.

Coordination With Drug Free School Policy

Emperor’s College encourages students to report all instances of sexual misconduct. The school will take into consideration the importance of reporting sexual misconduct in addressing violations of the school’s alcohol and drug policies. An individual who participates as a complainant or witness in an investigation of sexual assault, domestic violence, dating violence, or stalking will not be subject to disciplinary sanctions for a violation of the school’s student conduct policies at or near the time of the incident, unless the school determines that the violation was egregious, including, but not limited to, an action that places the health or safety of any other person at risk or involves plagiarism, cheating, or academic dishonesty.

8. School Policy on Confidentiality

Emperor’s College encourages victims of sexual misconduct to talk to somebody about what happened – so victims can get the support they need, and so the school can respond appropriately.

This policy is intended to make students aware of the various reporting and confidential disclosure options available to them – so they can make informed choices about where to turn should they

become a victim of sexual misconduct. The school encourages victims to talk to someone identified in one or more of these groups.

Privileged and Confidential Communications – Professional & Pastoral Counselors

Professional, licensed counselors and pastoral counselors who provide mental-health counseling to members of the community (and including those who act in that role under the supervision of a licensed counselor) are not required to report any information about an incident to the Title IX coordinator without a victim's permission. *Emperor's College does not provide professional or pastoral counseling, but can assist a victim of sexual misconduct in obtaining support services from these groups or agencies.* Contact information for these support organizations is listed in Section 4 of this Policy.

A victim who at first requests confidentiality may later decide to file a complaint with the school or report the incident to local law enforcement, and thus have the incident fully investigated.

NOTE: While these professional and pastoral counselors and advocates may maintain a victim's confidentiality vis-à-vis the school, they may have reporting or other obligations under state law.

ALSO NOTE: If the school determines that the alleged perpetrator(s) pose a serious and immediate threat to the school community, the school's Chief Operating Officer may be called upon to issue a timely warning to the community. Any such warning should not include any information that identifies the victim.

Reporting to "Responsible Employees"

A "responsible employee" is an school employee who has the authority to redress sexual violence, who has the duty to report incidents of sexual violence or other student misconduct, or who a student could reasonably believe has this authority or duty.

When a victim tells a responsible employee about an incident of sexual violence, the victim has the right to expect the school to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

A responsible employee must report to the Title IX coordinator all relevant details about the alleged sexual violence shared by the victim and that the school will need to determine what happened – including the names of the victim and alleged perpetrator(s), any witnesses, and any other relevant facts, including the date, time and specific location of the alleged incident.

To the extent possible, information reported to a responsible employee will be shared only with people responsible for handling the school's response to the report. A responsible employee should not share information with law enforcement without the victim's consent or unless the victim has also reported the incident to law enforcement.

The following employees are the school's responsible employees:

- President
- Academic Dean
- Dean of Clinical Education
- Associate Dean, DAOM
- Associate Dean, MTOM
- Faculty members

Before a victim reveals any information to a responsible employee, the employee should ensure that the victim understands the employee's reporting obligations – and, if the victim wants to maintain confidentiality, direct the victim to confidential resources.

If the victim wants to tell the responsible employee what happened but also maintain confidentiality, the employee should tell the victim that the school will consider the request, but cannot guarantee that the school will be able to honor it. In reporting the details of the incident to the Title IX Coordinator, the responsible employee will also inform the Coordinator of the victim's request for confidentiality.

Responsible employees will not pressure a victim to request confidentiality, but will honor and support the victim's wishes, including for the school to fully investigate an incident. By the same token, responsible employees will not pressure a victim to make a full report if the victim is not ready to.

Reporting to Title IX Coordinator

When a victim tells the Title IX Coordinator about an incident of sexual misconduct, the victim has the right to expect the school to take immediate and appropriate steps to investigate what happened and to resolve the matter promptly and equitably.

To the extent possible, information reported to the Title IX Coordinator will be shared only with people responsible for handling the school's response to the report. The Title IX Coordinator should not share information with law enforcement without the victim's consent or unless the victim has also reported the incident to law enforcement.

Before a victim reveals any information to the Title IX Coordinator, the Coordinator should ensure that the victim understands the Coordinator's reporting obligations – and, if the victim wants to maintain confidentiality, direct the victim to confidential resources. If the victim wants to tell the Title IX Coordinator what happened but also maintain confidentiality, the Coordinator should tell the victim that the school will consider the request, but cannot guarantee that the school will be able to honor it.

The Title IX Coordinator will not pressure a victim to request confidentiality, but will honor and support the victim's wishes, including for the school to fully investigate an incident. By the same token, the Title IX Coordinator will not pressure a victim to make a full report if the victim is not ready to.

Requesting Confidentiality: How the School Will Weigh the Request and Respond.

If a victim discloses an incident to the Title IX Coordinator but wishes to maintain confidentiality or requests that no investigation into a particular incident be conducted or disciplinary action taken, the school must weigh that request against the school's obligation to provide a safe, non-discriminatory environment for all students, including the victim.

If the school honors the request for confidentiality, a victim must understand that the school's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator(s) may be limited.

Although rare, there are times when the school may not be able to honor a victim's request in order to provide a safe, non-discriminatory environment for all students.

The Title IX Coordinator will evaluate requests for confidentiality. When weighing a victim's request for confidentiality or that no investigation or discipline be pursued, the Title IX Coordinator will consider a range of factors, including the following:

- The increased risk that the alleged perpetrator will commit additional acts of sexual misconduct or other violence, such as:
 - whether there have been other sexual misconduct complaints about the same alleged perpetrator;
 - whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence;
 - whether the alleged perpetrator threatened further sexual misconduct or other violence against the victim or others;
 - whether the sexual misconduct was committed by multiple perpetrators;
- Whether the sexual misconduct was perpetrated with a weapon;
- Whether the victim is a minor;
- Whether the school possesses other means to obtain relevant evidence of the sexual misconduct (e.g., security cameras or personnel, physical evidence);
- Whether the victim's report reveals a pattern of perpetration (e.g., via illicit use of drugs or alcohol) at a given location or by a particular group.

The presence of one or more of these factors could lead the school to investigate and, if appropriate, pursue disciplinary action. If none of these factors is present, the school will likely respect the victim's request for confidentiality.

If the school determines that it cannot maintain a victim's confidentiality, the school will inform the victim prior to starting an investigation and will, to the extent possible, only share information with people responsible for handling the school's response. Emperor's College will remain ever mindful of the victim's well-being, and will take ongoing steps to protect the victim from retaliation or harm and

work with the victim to create a safety plan. Retaliation against the victim, whether by students or school employees, will not be tolerated. Emperor's College will also:

- assist the victim in accessing other available victim advocacy, academic support, counseling, disability, health or mental health services, and legal assistance;
- provide other security and support, which could include issuing a no-contact order, helping arrange a change of course schedules (including for the alleged perpetrator pending the outcome of an investigation) or adjustments for assignments or tests; and
- inform the victim of the right to report a crime to local law enforcement – and provide the victim with assistance if the victim wishes to do so.

Emperor's College may not require a victim to participate in any investigation or disciplinary proceeding.

Because the school is under a continuing obligation to address the issue of sexual violence campus-wide, reports of sexual violence (including non-identifying reports) will also prompt the school to consider broader remedial action – such as increased monitoring, supervision or security at locations where the reported sexual violence occurred; increasing education and prevention efforts, including to targeted population groups; conducting climate assessments/ victimization surveys; and/or revisiting its policies and practices.

If the school determines that it can respect a victim's request for confidentiality, the school will also take immediate action as necessary to protect and assist the victim.

Miscellaneous

Take Back the Night and other public awareness events. Public awareness events such as "Take Back the Night," the Clothesline Project, candlelight vigils, protests, "survivor speak outs" or other forums in which students disclose incidents of sexual violence, are not considered notice to the school of sexual misconduct for purposes of triggering its obligation to investigate any particular incident(s). Such events may, however, inform the need for campus-wide education and prevention efforts.

Off-campus Counselors and Advocates. Off-campus counselors, advocates, and health care providers will also generally maintain confidentiality and not share information with the school unless the victim requests the disclosure and signs a consent or waiver form. Contact information for these off-campus resources can be found in Section 5 of this Policy.

9. Investigation Procedures and Protocols

The school's Title IX Coordinator oversees the School's investigation, response to, and resolution of all reports of prohibited sexual misconduct, and of related retaliation, involving students, faculty, and staff. The Title IX Coordinator will designate a specially trained investigator (or team of investigators) to interview the complainant, respondent and any witnesses. The investigator will also gather pertinent documentary materials (if any) and other information.

Notice of Investigation

The Title IX Coordinator will inform the complainant before starting an investigation. The complainant may request that an investigation not be undertaken. The Title IX Coordinator will consider such a request in light of the school's commitment to provide a safe and non-discriminatory environment for all students. If the Title IX Coordinator determines not to investigate, she will notify the complainant in writing, including that the determination was made at the complainant's request. At the complainant's request, the Title IX Coordinator will also notify the respondent in writing, including that the complainant asked the school not to investigate.

The investigator will direct the complainant, respondent, witnesses and other interested individuals to preserve any relevant evidence.

If an investigation proceeds, the school will notify the respondent in writing that a report has been filed. The notice will describe the allegations in the report. The complainant and respondent will be given the opportunity to meet separately with the Title IX Coordinator to review the Policy and these Procedures.

Investigation Process

The school's process for responding to, investigating and adjudicating sexual misconduct reports will continue during any law enforcement proceeding. The investigator may need to temporarily delay an investigation while the police are gathering evidence but will resume the investigation after learning that the police department has completed its evidence-gathering and will generally not wait for the conclusion of any related criminal proceeding.

The investigator will interview the complainant, respondent and any witnesses. They will also gather pertinent documentary materials (if any) and other information.

Time Frame for Investigation

Consistent with the goal to maximize educational opportunities and minimize the disruptive nature of the investigation and resolution, the Title IX Coordinator seeks to resolve all reports in a timely manner. In general, an Investigation may last up to 30 days, from receipt of written notice from the complainant of the intent to proceed with an investigation. Adjudication will generally take up to 30 days from the date the investigative report is provided to both the complainant and the respondent. The Title IX Coordinator may set reasonable time frames for required actions under the Policy. Those time frames may be extended for good cause as necessary to ensure the integrity and completeness of the

investigation, comply with a request by external law enforcement, accommodate the availability of witnesses, accommodate delays by the parties, account for school breaks or vacations, or address other legitimate reasons, including the complexity of the investigation (including the number of witnesses and volume of information provided by the parties) and the severity and extent of the alleged conduct. Any extension of the timeframes, and the reason for the extension, will be shared with the parties in writing. Best efforts will be made to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness.

Where necessary, the school will take immediate steps to protect complainants pending the final outcome of an investigation, including academic accommodations and other interim measures. These steps may include the ability to change class schedules; withdraw from/retake a class without penalty; access academic support such as tutoring; issue no contact orders; and change the alleged perpetrator's class schedule.

Interim Suspension During Investigation

Emperor's College may suspend a student, employee or organization pending the completion of an investigation and resolution, particularly when in the judgment of the Title IX Coordinator, the safety or wellbeing of any member(s) of the campus community may be jeopardized by the on-campus presence of the responding party or the ongoing activity of a student organization whose behavior is in question.

Impact of Victim's Confidentiality Request

A victim's request for confidentiality will likely limit the school's ability to investigate a particular matter. The school may take steps to limit the effects of the alleged sexual misconduct and prevent its recurrence without initiating formal action against the alleged perpetrator or revealing the identity of the student complainant. Examples include: providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred; providing training and education materials for students and employees; revising and publicizing the school's policies on sexual misconduct; and conducting climate surveys regarding sexual misconduct.

Investigation Report

The investigator will prepare a report detailing the relevant content from the interviews and the documentation gathered. The report will include the assessment of individual credibility and recommended findings of responsibility.

The respondent and complainant will each have the opportunity to review a copy of the investigative report and any other information used during the disciplinary proceedings. The names and other identifying information of other students will be redacted from such materials in accordance with the Family Educational Rights and Privacy Act (FERPA), except to the extent that doing so would interfere with the purpose of Title IX to eliminate sex-based discrimination.

Upon receipt of the investigative report, the complainant and respondent shall each have the opportunity to request a hearing be conducted pursuant to the procedures set forth in Section 10,

below. If neither party requests a hearing within 10 calendar days from their receipt of the investigative report, then the recommended findings of responsibility set forth in the investigative report shall be final. The Title IX Coordinator shall rely on the recommended findings of responsibility in the investigative report for purposes of imposing sanctions in accordance with Section 11, below.

Voluntary Resolution

Voluntary resolution, when selected by the complainant and deemed appropriate by the Title IX Coordinator, is a path designed to eliminate the conduct at issue, prevent its recurrence, and remedy its effects in a manner that meets the expressed preference of the complainant and the safety and welfare of the school community. Voluntary resolution is not appropriate for all forms of conduct under the Policy.

The school retains the discretion to determine, when selected by the complainant, which cases are appropriate for voluntary resolution. If a complainant requests voluntary resolution, and the Title IX Coordinator concludes that voluntary resolution is appropriate, then the Title IX Coordinator will take appropriate action by imposing remedies designed to maximize the complainant's access to all employment, educational, and extracurricular opportunities and benefits at the school and to eliminate a potential hostile environment. A complainant may request and decide to pursue voluntary resolution at any time. In those cases in which the voluntary resolution involves either the notification to or participation by the respondent, it is the respondent's decision whether to accept voluntary resolution.

Voluntary resolution may include: conducting targeted or broad-based educational programming or training for relevant individuals or groups; providing increased monitoring, supervision, or security at locations or activities where the misconduct occurred; facilitating a meeting with the respondent with the complainant present (in cases that do not involve sexual assault); and any other remedy that can be tailored to the involved individuals to achieve the goals of the Policy. In some forms of voluntary resolution, the remedies imposed will focus on supporting the complainant with no participation or involvement by the respondent. In other forms of voluntary resolution, the respondent may agree to participate. Depending on the type of remedy used, it may be possible for a complainant to maintain anonymity.

Voluntary resolution may also include restorative principles that are designed to allow a respondent to accept responsibility for misconduct and acknowledge harm to the complainant or to the school community. Restorative models will be used only with the consent of both parties, and following a determination by the Title IX Coordinator that the matter is appropriate for a restorative approach.

The school will not compel a complainant to engage in mediation, to confront directly the respondent, or to participate in any particular form of informal resolution. Mediation, even if voluntary, is never appropriate in sexual assault cases and will not be used in such cases. As the title implies, participation in voluntary resolution is a choice, and either party can request to end this manner of resolution and pursue an investigation and adjudication at any time, including if voluntary resolution is unsuccessful at

resolving the report. Similarly, a complainant can request to end an investigation and pursue voluntary resolution at any time.

The time frame for completion of voluntary resolution may vary, but the school will seek to complete the process within 15 days of the complainant's request.

10. Grievance/Adjudication Procedures

Hearing Panel

If requested by either complainant or respondent following the distribution of the investigative report, the school will convene a hearing panel following the end of the investigation. The hearing panel determines whether the respondent is responsible or not responsible for a violation of the Policy. If the respondent is determined to be responsible, the matter proceeds to the sanctions stage.

The hearing panel will generally include the Title IX Coordinator and two additional members who will be individuals associated with the school. These additional hearing panel members may include administrators, officers, lawyers or other individuals with relevant experience and special training. Panel members may participate remotely so long as the hearing room is equipped with telephone equipment that allows the panel member to hear all the participants and to be heard by all the participants throughout the hearing proceedings. All panelists will receive training from experts in the field at least once a year. In addition to training on how the adjudicatory process works, the training will include specific instruction about how to approach students about sensitive issues that may arise in the context of sexual misconduct. The complainant and respondent will be informed of the panel's membership before the hearing process begins. A complainant and/or respondent may challenge the participation of a panel member because of perceived conflict of interest, bias, or prejudice. Such challenges, including rationale, must be made to the Title IX Coordinator at least 48 hours prior to the commencement of the hearing. At its discretion, the Title IX Coordinator will determine whether such a conflict of interest exists and whether a panel member should be replaced. Postponement of a hearing may occur if a replacement panelist cannot be immediately identified.

Advisors

Both the complainant and the respondent are entitled to be accompanied to any meeting or proceeding relating to the allegation of sexual misconduct by an advisor or support person of their choice, provided the involvement of such advisor or support person does not result in the postponement or delay of such meeting as scheduled.

Written Submissions

Both the complainant and respondent will have the opportunity to submit written responses to the investigation report and other relevant information to the hearing panel. Each of the complainant and respondent will have the opportunity to review any written submissions by the other. The hearing panel may set reasonable parameters for these written submissions. The hearing panel will review the investigation report and written submissions.

Hearing Procedures

The Title IX Coordinator will, whenever possible, give the complainant and respondent at least five days' advance notice of the hearing. The hearing is a closed proceeding, meaning that no one other than the panel members, the complainant and respondent, their respective advisors, witnesses (when called), and necessary school personnel may be present during the proceeding. The Chief Operating Officer will work with school staff so that any student whose presence is required may participate in the hearing.

In general, hearings will proceed as follows:

- The Title IX Coordinator may set reasonable time limits for any part of the hearing. Each of the complainant and respondent will have the opportunity to present witnesses and other information consistent with the Policy and these Procedures. The panel may determine the relevance of, place restrictions on, or exclude any witnesses or information. When the complainant and respondent are not able to be present for the hearing panel, arrangements will be made for participation via alternate means.
- In cases where either the complainant or respondent opts not to participate in the hearing, the panel may still hear from the other.
- Additional hearing rules include:
 - Questioning. Only the panel may ask questions of the complainant and respondent and any witnesses. Both the complainant and respondent will have the opportunity to suggest questions of the other and of witnesses by submitting suggested questions to the panel in writing. The panel may revise or not ask any or all submitted questions.
 - Information Regarding Romantic or Sexual History. The panel will not consider the romantic or sexual history of either the complainant or respondent in cases involving allegations of sexual misconduct, except for testimony offered by one or the other about the complainant's and respondent's shared sexual history that the panel deems relevant. If such information is offered by the complainant or respondent, the other has the right to respond. The existence of a prior consensual dating or sexual relationship between the complainant and respondent by itself does not support an inference of consent to alleged sexual misconduct.
 - Prior Conduct Violations. The hearing panel will not consider the respondent's prior conduct violations, unless the investigator provided that information to the hearing panel because the respondent was previously found to be responsible, and the previous incident was substantially similar to the present allegation(s) and/or the information indicates a pattern of behavior by the respondent.

The school will keep an audio recording of the hearing for the use of the panel, for sanctioning, and for purposes of appeal. Cell phones and recording devices may not be used in the hearing room(s) unless approved by the panel in advance.

Panel Determinations/Standard of Proof

The panel will use “preponderance of the evidence” as the standard of proof to determine whether a violation of the Policy occurred. Preponderance of the evidence means that a panel must be convinced based on the information it considers that the respondent was more likely than not to have engaged in the conduct at issue in order to find the respondent responsible for violating the Policy. The panel will find a student responsible, or not responsible, based on a majority vote. The panel will generally render a decision within 10 days after the conclusion of a hearing. The panel’s decision will include an explanation of the basis for the decision. If the panel finds the respondent responsible, the matter will proceed to the sanctions stage.

The parties will be informed of the results of the adjudication hearing by simultaneous written notice to both parties of the outcome of the complaint. As set forth in Section 12, below, both parties shall have the option to appeal the hearing panel’s determination.

11. Sanctions and Other Remedies

The Title IX Coordinator, with the advice and counsel of the other hearing panel members, shall be responsible for imposing sanctions that are:

- Fair and appropriate given the facts of the particular case;
- Consistent with the school’s handling of similar cases;
- Adequate to protect the safety of the campus community; and
- Reflective of the seriousness of sexual misconduct.

The Title IX Coordinator will consider relevant factors, including if applicable: (1) the specific sexual misconduct at issue (such as penetration, touching under clothing, touching over clothing, unauthorized recording, etc.); (2) the circumstances accompanying the lack of consent (such as force, threat, coercion, intentional incapacitation, etc.); (3) the respondent’s state of mind (intentional, knowing, bias-motivated, reckless, negligent, etc.); (4) the impact of the offense on the complainant; (5) the respondent’s prior disciplinary history; (6) the safety of the school community; and (7) the respondent’s conduct during the disciplinary process.

The Title IX Coordinator will render a sanctioning decision within five days following the receipt of the panel’s determination. The sanctioning decision will be communicated in writing to the complainant and the respondent.

The school may impose any one or more of the following sanctions on a person determined to have violated the Policy:

- Reprimand/warning
- Changing the respondent’s academic schedule
- Disciplinary probation

- Restricting access to school facilities or activities
- Community service
- Issuing a “no contact” order to the respondent or requiring that such an order remain in place
- Dismissal or restriction from school employment
- Suspension (limited time or indefinite)
- Expulsion

In addition to any other sanction (except where the sanction is expulsion), the school may require any student determined to be responsible for a violation of the Policy to receive appropriate education and/or training related to the sexual misconduct violation at issue. The school may also recommend counseling or other support services for the student.

Whatever the outcome of the hearing process, a complainant may request ongoing or additional accommodations and the Title IX Coordinator will determine whether such measures are appropriate. Potential ongoing accommodations include:

- Providing an escort for the complainant
- Changing the complainant’s academic schedule
- Allowing the complainant to withdraw from or retake a class without penalty
- Providing access to tutoring or other academic support, such as extra time to complete or re-take a class

Emperor’s College may also determine that additional measures are appropriate to respond to the effects of the incident on the school community. Additional responses for the benefit of the school community may include:

- Increased monitoring, supervision, or security at locations or activities where the misconduct occurred
- Additional training and educational materials for students and employees
- Revision of the school’s policies relating to sexual misconduct
- Climate surveys regarding sexual misconduct

12. Appeals

Either the respondent or the complainant or both may appeal the determination of the hearing panel and/or the sanctions. Appeals are decided by the school’s Chief Operating Officer. The three grounds for appeal are:

1. A procedural error affecting the determination or sanction;
2. New information that was not available at the time of the investigation or hearing and that may change the determination or sanction; and
3. Excessiveness or insufficiency of the sanction.

Disagreement with the finding or sanctions is not, by itself, grounds for appeals.

The appealing student must submit the appeal in writing to the School's Chief Operating Officer within five days after receiving the sanctioning notice. If either the complainant or respondent submits an appeal, the Title IX Coordinator will notify the other that an appeal has been filed and the grounds of the appeal. The non-appealing student may submit a written response within five days after notice of an appeal.

If the Chief Operating Officer concludes that a change in the hearing panel's determination is warranted, the Chief Operating Officer may enter a revised determination, reconvene the panel to reconsider the determination, or return the matter for additional investigation. After consultation with the Title IX Coordinator, the Chief Operating Officer may also change the sanction. If both the complainant and respondent appeal, the appeals will be considered concurrently.

The Chief Operating Officer will notify the complainant and respondent of the final decision in writing. Appeals decisions will be rendered within 15 days after the receipt of the written appeal. All appeal decisions are final.

13. Records Disclosure

Disciplinary proceedings conducted by Emperor's College are subject to the Family Educational Records and Privacy Act (FERPA), a federal law governing the privacy of student information. FERPA generally limits disclosure of student information outside the school without the student's consent, but it does provide for release of student disciplinary information without a student's consent in certain circumstances.

Any information gathered in the course of an investigation may be subpoenaed by law enforcement authorities as part of a parallel investigation into the same conduct, or required to be produced through other compulsory legal process.

Additional information about FERPA can be found on the school's website at www.emperors.edu.

Emperor's College will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in Section 16 of Title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by the school against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

14. Education and Prevention Programs

As set forth in Section 4 of this Policy statement, Sexual Assault, Sexual Harassment, Sexual Exploitation, Dating Violence, Domestic Violence, and Stalking are all forms of Prohibited Conduct.

Emperor's College is committed to offering educational programs to promote awareness and prevention of Prohibited Conduct. Educational programs include an overview of the school's policies and procedures; relevant definitions, including prohibited conduct; discussion of the impact of alcohol and illegal drug use; consent; safe and positive options for bystander intervention; review of resources and reporting options available for students, faculty, and staff; and information about risk reduction. Incoming students and new employees will receive primary prevention and awareness programming as part of their orientation.

As part of the school's commitment to provide an educational and work environment free from Prohibited Conduct, this Policy will be disseminated widely to the school community through e-mail communication, publications, websites, new employee orientations, student orientations, and other appropriate channels of communication.

The Title IX Coordinator, hearing panel members, and anyone else who is involved in responding to, investigating, or adjudicating sexual misconduct will receive annual training from experts in the field. In addition to training on how the adjudicatory process works, the training will include specific instruction about how to approach students about sensitive issues that may arise in the context of sexual misconduct.

Definitions of Sexual Misconduct under California Law

Sexual Assault is any unwanted physical contact of a sexual nature that occurs either without the consent of each participant or when a participant is unable to give consent freely. Sexual assault can occur either forcibly and/or against a person's will, or when a person is unable to give consent freely. Non-consensual sexual intercourse is any form of sexual intercourse (vaginal, anal or oral) with any object without consent. Non-consensual sexual contact is any intentional sexual touching, however slight, with any object without a person's consent.

California law provides the following definitions with respect to incidents of sexual assault:

The California Education Code states that "sexual assault" includes, but is not limited to: rape, forced sodomy, forced oral copulation, rape by a foreign object, sexual battery, or the threat of any of these. (Ed. Code, § 67380(c)(3).)

Cal. Pen. Code § 261(a) defines Rape as an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under any of the following circumstances:

- Where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent
- Where it is accomplished against a person's will by means of force, violence, duress, menace, or fear of immediate and unlawful bodily injury on the person or

another

- Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance
- Where a person is at the time unconscious of the nature of the act
- Where a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief
- Where the act is accomplished against the victim's will by threat

California Penal Code § 646.9 defines Stalking as any person who willfully, maliciously, and repeatedly follows or willfully and maliciously harasses another person and who makes a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family.

Under California law, Cal. Pen. Code § 13700(b), "Domestic violence" means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant, or person with whom the suspect has had a child or is having or has had a dating or engagement relationship. Factors that may determine whether persons are cohabiting include, but are not limited to,

- sexual relations between the parties while sharing the same living quarters,
- sharing of income or expenses,
- joint use or ownership of property,
- whether the parties hold themselves out as husband and wife,
- the continuity of the relationship, and
- the length of the relationship.

The California Penal Code does not define "Dating Violence." However, the California Department of Public Health provides the following definition of Teen Dating Violence:

Teen Dating Violence (TDV), also known as Adolescent Relationship Abuse (ARA), can be defined as violence and/or abuse among two adolescents, ages 10-24 in a current, past and/or potential romantic relationship, including physical, verbal, emotional, sexual, economic, technological, and stalking, where there is an imbalance of power and a pattern of coercion over time. (<https://www.cdph.ca.gov/Pages/TeenDatingViolence.aspx>, accessed 8-25-16)

Under California Education Code, Cal. Ed. Code § 67386, "Affirmative consent" means affirmative, conscious, and voluntary agreement to engage in sexual activity.

- It is the responsibility of each person involved in the sexual activity to ensure that he or she has the affirmative consent of the other or others to engage in the sexual activity.
- Lack of protest or resistance does not mean consent, nor does silence mean consent.

Bystander Intervention

The school's primary prevention and awareness program includes a description of safe and positive options for bystander intervention. Active bystanders take the initiative to help someone who may be targeted for a sexual assault. They do this in ways that are intended to avoid verbal or physical conflict. Active bystanders also take the initiative to help friends, who are not thinking clearly, from becoming offenders of crime. Intervention does not mean that you directly intervene to stop a crime in progress; rather, these steps are "early intervention" – before a crime begins to occur.

Friend/Bystander Intervention:

- If you see someone being physically abused or in potential danger, call 911 immediately
- In many cases, the first step to safety is the knowledge that the victim is not alone. They may feel isolated, but many others experience abuse and there are resources to get help.
- Be supportive and respectful. Make clear statements about your friend's value and rights as a person, such as "No one deserves to be abused or assaulted."
- Listen.
- Don't push your friend to leave. Support the choices she/he makes. She/he already has

- Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time.
- The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of consent.

In the evaluation of complaints in any disciplinary process, it shall not be a valid excuse to alleged lack of affirmative consent that the accused believed that the complainant consented to the sexual activity under either of the following circumstances:

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

In the evaluation of complaints in the disciplinary process, it shall not be a valid excuse that the accused believed that the complainant affirmatively consented to the sexual activity if the accused knew or reasonably should have known that the complainant was unable to consent to the sexual activity under any of the following circumstances:

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

someone in her/his life that is controlling. She/he will feel empowered by not being told what to do.

- Don't criticize the abuser. A victim often has conflicting feelings about the abusive partner. If you're critical of the abuser, the victim may become defensive or may shut down.
- Find out about the resources that are available.
- Learn as much as you can about dating abuse.
- Encourage your friend to make a safety plan if they have decided to leave the relationship. Your part in a safety plan can include walking home together, checking in at certain times of the day, and having a code word your friend can use if they need immediate help.
- Also encourage your friend to make a safety plan if she/he chooses to stay. This includes: safe places to go if violence escalates, numbers to call, safe words that alert a friend that the victim/survivor needs help and to call 911.
- Don't confront the abuser; this can result in an escalation of violence against the victim.
- Don't slip a hotline card or any other information about abuse into someone's bag or under a door. This can escalate the violence against the victim.
- Don't send a voicemail message or an email message about the abuse to your friend. You do not know if the abuser is monitoring the phone or the computer.
- Be careful for yourself. Let your friend know what you are comfortable doing and what your boundaries are.

Risk Reduction

The School's primary prevention and awareness program includes information on risk reduction. This includes:

Avoiding Dangerous Situations. While you can never completely protect yourself from sexual assault, there are some things you can do to help reduce your risk of being assaulted.

- Be aware of your surroundings. Knowing where you are and who is around you may help you to find a way to get out of a bad situation.
- Try to avoid isolated areas. It is more difficult to get help if no one is around.
- Walk with purpose. Even if you don't know where you are going, act like you do.
- Trust your instincts. If a situation or location feels unsafe or uncomfortable, it probably isn't the best place to be.
- Try not to load yourself down with packages or bags as this can make you appear more vulnerable.
- Make sure your cell phone is with you and charged and that you have cab money.
- Don't allow yourself to be isolated with someone you don't trust or someone you don't know.
- Avoid putting music headphones in both ears so that you can be more aware of your surroundings, especially if you are walking alone.

Safety Planning. Things to think about:

- How to get away if there is an emergency? Be conscious of exits or other escape routes. Think about options for transportation (car, bus, subway, etc.).
- Who can help? Friends and/or family, or support centers in your area. Please see Section 5 of this Policy for a list of support organizations.
- Where to go? Options may include a friend's house or relative's house, or you may consider going to a domestic violence or homeless shelter. You may also go to the police. **Important Safety Note:** If the dangerous situation involves a partner, go to the police or a shelter first.
- What to bring? This may include important papers and documents such birth certificate, social security card, license, passport, medical records, lease, bills, etc. This will also include house keys, car keys, cash, credit cards, medicine, important numbers, and your cell phone. If you are bringing children with you, remember to bring their important papers and legal documents. You can keep all of these things in an emergency bag. You should hide the bag—it is best if it is not in your house or car. If the bag is discovered, you can call it a “tornado” or “fire” bag.

Protecting Your Friends. You have a crucial role to play in keeping your friends safe. No matter what the setting, if you see something that doesn't feel quite right or see someone who might be in trouble, there are some simple things you can do to help out a friend.

- Distract. If you see a friend in a situation that doesn't feel quite right, create a distraction to get your friend to safety. This can be as simple as joining or redirecting the conversation: suggest to your friend that you leave the party, or ask them to walk you home. Try asking questions like: “Do you want to head to the bathroom with me?” or “Do you want to head to another party – or grab pizza?”
- Step in. If you see someone who looks uncomfortable or is at risk, step in. If you feel safe, find a way to de-escalate the situation and separate all parties involved. Don't be shy about directly asking the person if they need help or if they feel uncomfortable.
- Enlist others. You don't have to go it alone. Call in friends or other people in the area as reinforcements to help defuse a dangerous situation and get the at-risk person home safely. There is safety in numbers.
- Keep an eye out. Use your eyes and ears to observe your surroundings. If you see someone who has had too much to drink or could be vulnerable, try to get them to a safe place. Enlist friends to help you. Even if you weren't around when the assault occurred, you can still support a friend in the aftermath.

Social Situations. While you can never completely protect yourself from sexual assault, there are some things you can do to help reduce your risk of being assaulted in social situations.

- When you go to a social gathering, go with a group of friends. Arrive together, check in with each other throughout the evening, and leave together. Knowing where you are and who is around you may help you to find a way out of a bad situation.
- Trust your instincts. If you feel unsafe in any situation, go with your gut. If you see something

suspicious, contact law enforcement immediately.

- Don't leave your drink unattended while talking, dancing, using the restroom, or making a phone call. If you've left your drink alone, just get a new one.
- Don't accept drinks from people you don't know or trust. If you choose to accept a drink, go with the person to the bar to order it, watch it being poured, and carry it yourself. At parties, don't drink from the punch bowls or other large, common open containers.
- Watch out for your friends, and vice versa. If a friend seems out of it, is way too intoxicated for the amount of alcohol they've had, or is acting out of character, get him or her to a safe place immediately.
- If you suspect you or a friend has been drugged, contact law enforcement immediately. Be explicit with doctors so they can give you the correct tests (you will need a urine test and possibly others).

Information on Risk Reduction was provided by RAINN: Rape, Abuse & Incest National Network: www.rainn.org.

Sexual Assault Prevention

- Always remember that NO means NO.
- Take part in a Self Defense Training.
- Using the Buddy System- no one gets left behind!
- Avoid drugs and or alcohol use.

What To Do If You Are Sexually Assaulted

- Get to a safe place.
- Call 9-1-1.
- Make every effort to preserve any physical evidence of the assault. (This includes no showering, or disposing of any clothing or other items that are present after or during the assault.)
- Seek medical attention.
- Seek emotional support from the Rape Treatment Center (Santa Monica-UCLA Hospital).

What To Do If You Are Abused

- Get to a safe place.
- Call 9-1-1.
- Talk to someone you trust; it is important to break the silence.
- Obtain a restraining order.
- If you decide to leave the relationship, develop a safety plan. This plan can include asking a trusted friend for help, choosing a safe place to stay, and collecting money, emergency phone numbers, and clothing so you can leave quickly.
- Seek support.

What To Do If You Are Stalked

- If you have not already done so, assertively communicate that you want the behavior to stop and set/maintain personal boundaries.
- Try not to allow yourself to be isolated with the person.
- Tell family, friends, roommates, and co-workers about the stalking and seek support.
- Don't walk alone, particular at night.
- Make plans for friends to accompany you.
- If you feel you are unsafe, you probably are and should seek help. Take threats seriously. Danger generally is higher when the stalker talks about suicide or murder, or when the victim tries to leave or end the relationship. Don't confront a stalker. Go to a safe place and call 9-1-1.
- It is also a good idea to make a record of the stalking behavior. Keep a log including the date, time, what happened, and the names of anyone who witnessed the incident. Save any packages, letters, messages or gifts from the stalker. Save all voicemail or text messages from the stalker.

15. Amendments

Emperor's College may amend the Policy or the Procedures from time to time. Nothing in the Policy or Procedures shall affect the inherent authority of the school to take such actions as it deems appropriate to further the educational mission or to protect the safety and security of the school community.

Emperor's College Sexual Misconduct Policy

Definitions of Key Terms

- Sexual Harassment - Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when (i) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's education or employment, (ii) submission to or rejection of such conduct by an individual is used as the basis for education or employment decisions affecting such individuals, or (iii) such conduct has the purpose or effect of unreasonably interfering with an individual's school or work performance or creating an intimidating, hostile, or offensive educational or working environment.
 - Hostile Environment Caused By Sexual Harassment - refers to a situation where students and/or employees are subject to a pattern of exposure to unwanted sexual behavior that is so severe, persistent, or pervasive that it alters the conditions of education, employment, or participation in a school program or activity, thereby creating an environment that a reasonable person in similar circumstances and with similar identities would find hostile, intimidating, or abusive. An isolated incident, unless sufficiently severe, does not amount to a hostile environment caused by sexual harassment.
 - Quid Pro Quo Harassment – refers to a situation where students and/or employees are subject to unwanted sexual behavior where submission or rejection of such conduct is used, explicitly or implicitly, as the basis for decisions affecting an individual's education, employment, or participation in a school program or activity.

- Sexual Assault - is any unwanted physical contact of a sexual nature that occurs either without the consent of each participant or when a participant is unable to give consent freely. Sexual assault can occur either forcibly and/or against a person's will, or when a person is unable to give consent freely. Non-consensual sexual intercourse is any form of sexual intercourse (vaginal, anal or oral) with any object without consent. Non-consensual sexual contact is any intentional sexual touching, however slight, with any object without a person's consent. Sexual assault includes incidents of rape and sex offenses defined below.

- *Rape* - The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

- *Sex Offenses* - Any sexual act directed against another person, without the consent of the victim, including instances where the victim is incapable of giving consent.
 - *Fondling* - The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the

victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

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

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

- Dating Violence - Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. 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 purpose 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.

- Prohibited Conduct – The School prohibits the crimes of Sexual Assault, Sexual Harassment, Sexual Exploitation, Dating Violence, Domestic Violence, and Stalking as defined in these Definitions of Key Terms.

- Sexual Exploitation - sexual misconduct that occurs when a person takes unjust or abusive sexual advantage of another for his or her own advantage or benefit or for the benefit or advantage of anyone other than the exploited party; and that behavior does not otherwise constitute sexual assault. Examples of sexual exploitation include, but are not limited to, videotaping or photographing of any type (web-cam, camera, Internet exposure, etc.) without knowledge and consent of all persons; prostituting another person; knowingly transmitting HIV or a sexually transmitted disease to an unknowing person or to a person who has not consented to the risk; or inducing incapacitation with the intent to commit sexual assault, without regard to whether sexual activity actually takes place.

- Stalking - 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. Course of conduct means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property. Substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Reasonable person means a reasonable person under similar circumstances and with similar identities to the victim.

- Retaliation - means any adverse action, or attempted adverse action, against an individual or group of individuals because of their participation in any manner in an investigation, proceeding, or hearing under this Policy.
- Intimidation - To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct, but without displaying a weapon or subjecting the victim to actual physical attack.
- Consent – Emperor’s College uses an ***affirmative consent*** standard to determine whether a sexual assault complainant consented to the alleged conduct. “Affirmative consent” is defined as an affirmative, conscious, and voluntary agreement to engage in sexual activity. Neither the lack of protest or resistance nor silence constitutes consent, and consent may be withdrawn at any time. Affirmative consent must be given by all parties to sexual activity. For the purpose of evaluating complaints during the disciplinary process described under this Policy, it is not a valid excuse that the respondent believed the complainant consented if: (A) the respondent’s belief arose from his or her own intoxication or recklessness, or (B) the respondent did not take reasonable steps to ascertain whether the complainant affirmatively consented. Similarly, it will not be a valid excuse that the respondent believed the complainant affirmatively consented where the respondent knew or reasonably should have known that the complainant was unable to consent because he or she was: (A) asleep or unconscious, (B) incapacitated due to drugs/alcohol/ medication, or (C) unable to communicate due to a mental or physical condition.
- Complainant – means the person making the allegation(s) of sexual misconduct.
- Respondent – means the person alleged to have committed sexual misconduct.