



**PALO ALTO UNIVERSITY**  
**Annual Campus Safety and Security Report**  
**2020**

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## Message from the PAU Administration

Palo Alto University (“PAU”) is pleased to publish its Annual Campus Safety and Security Report.

In this report, you will find important information about PAU’s policies, personal safety and crime prevention, and where students, employees and visitors should go to report crimes. The Annual Campus Safety and Security Report also includes crime statistics as required under the Clery Act for the last three calendar years.

I encourage you to read this important information and to use it to enhance your experiences at PAU. All persons are strongly encouraged to immediately report crimes to the appropriate police agency. Prompt reporting will assure timely warning notices on campus and timely disclosure of crime statistics.

If you have any questions about this report, or if you wish to obtain a paper copy of this report, please direct your inquiries to PAU’s Business Office, attention Senior Human Resources Manager, located in Room 101, Building 1, Allen Calvin Campus, 1791 Arastradero Road, Palo Alto, CA 94304.

June Klein, Ed.D.  
Vice President for Business Affairs and Chief Financial Officer  
Palo Alto University

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## About this Report

PAU is committed to the safety and well-being of our students, faculty, staff, independent contractors, volunteers, patrons, and all other members of our community.

The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, codified at 20 U.S.C. § 1092(f) as a part of the Higher Education Act of 1965 (the “Clery Act”), requires institutions of education who participate in federal student aid programs, to publish an annual security report as well as make timely warnings of any criminal activity. The Annual Campus Safety and Security Report includes crime statistics for the previous three years and policies adopted by the school to maintain and promote campus safety.

Under the oversight of the Vice President for Business Affairs and Chief Financial Officer of PAU, the Business Office (Human Resources Manager) collects reportable crime data that makes up this report.

The Annual Campus Safety and Security Report is emailed to all current students, staff and faculty, and it is also available on PAU's website at [www.paloaltou.edu](http://www.paloaltou.edu). PAU also informs prospective students and employees about the existence of this report.

Hard copies of this report are also available in the Human Resources office, Room 101, Building 1, at the Allen Calvin Campus.

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## Campus Facilities

Through strategic partnerships with the surrounding community, PAU's central location in the Silicon Valley provides opportunities for students to learn the psychological implications in the business environment locally and globally.

PAU's main campus is the Allen Calvin Campus, which is located at 1791 Arastradero Road, Palo Alto, California 94304.

The University also operates off-campus, the Gronowski Clinic, a psychology training clinic dedicated to providing compassionate counseling and psychotherapy services to adults, older adults, couples, adolescents, children, and families in Santa Clara County and San Mateo County. The Gronowski Clinic is located at 5150 El Camino Real, Los Altos, California 94022.

In addition, PAU partners with four community colleges and one major university to offer convenient locations for its degree program and class offerings.

The locations of the other partnering colleges and universities are as follows:

- Stanford University, School of Medicine, Department of Psychiatry and Behavioral Sciences, 401 Quarry Road, Palo Alto, CA 94304
- DeAnza Community College, 21250 Stevens Creek Boulevard, Cupertino, CA 95014

PAU students also conduct their clinical training at many external practicum sites and non-PAU training sites that are not owned or operated by PAU.

In addition, PAU's global online M.A. Counseling program has on the ground clinical supervision sites in China and Argentina through the Global Advancement of Counseling Excellent (GACE).

The policies and procedures stated herein and the procedures for reporting crimes are the **same** for all persons, regardless of whether they are on a PAU campus or studying or working at other external sites and locations affiliated with the University, unless otherwise specifically noted.

Please note: PAU does not have any on-campus or off-campus student housing facilities. Likewise, PAU does not have any on-campus or off-campus fraternity or sorority houses, or student organizations that extend beyond the University.

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## **PAU Safety Policy**

PAU is concerned about the safety and health of all members of the PAU community, and it has promulgated a Safety Policy and an Injury and Illness Prevention Program. Safety is everyone's responsibility. The following are guidelines for safety at PAU:

- Call 911 for help if you are injured or discover an injured person; and to report an emergency
- First-Aid kits and flashlights are located in the kitchen area located in both buildings
- Please notify the Human Resources Manager if the First-Aid supplies are incomplete or in need of replacements
- Learn the location of the nearest fire exit and fire extinguishers
- Do not put yourself at risk or in an unsafe condition under any circumstances
- Please notify your advisor, the Facilities Department or the Human Resources Manager if you discover an unsafe condition
- Report all incidents, not matter how minor, to the PAU Business Officer, Human Resources Manager
- No-smoking allowed in the buildings
- Always use common sense

It is the policy of PAU that everyone is free to speak to anyone regarding safety without reprisal and with full anonymity.

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## **General Safety Awareness and Crime Prevention**

Members of the University community are advised to be alert to their surroundings and aware of measures they can take to increase their personal safety and guard their personal possessions.

Be aware of persons loitering for no apparent reason in parking areas, walkways, entrances and exits, and service areas. Report any suspicious persons to the University as described in the Reporting Procedures described below.

In the evenings, people are encouraged to walk in groups and use heavily traveled and well-lit streets.

Do not leave valuable items unattended.

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## Facilities Management

PAU's Facilities department is responsible for the upkeep of the campus buildings and serves as the primary liaison with the PAU Business Office for the matters occurring on and adjacent to PAU's campus. This Facilities department performs regular maintenance to ensure a safe environment. In collaboration with the PAU Administration, the Facilities department performs routine inspections to detect potential hazards and perform timely repairs.

PAU does not operate a campus safety department, nor does it staff its campus with campus safety officers or private security officers.

However, several of the partnering colleges and universities where PAU students take classes or engage in student related activities, do operate campus safety departments and/or employ campus safety/private security officers. For more information about the campus security of the non-campus partnering colleges and universities, please refer to the websites of the partnering colleges and universities, as listed in Appendix D.

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## Reporting Crimes

PAU encourages all students, faculty, staff and guests to report crimes as soon as possible to law enforcement. Prompt reporting is the best option to ensure preservation of evidence and for the identification and location of witnesses.

PAU also encourages all students, faculty, staff and guests to report crimes to the University and to do so to the University's designated officers described below. Please note, the filing of a report to the University is independent of a report to law enforcement, and the University strongly encourages all persons to report crimes to law enforcement in addition to reporting to the University.

Any suspicious activity or person seen in the parking lots or loitering around vehicles, inside buildings or around campus property should promptly be reported to the police and to the University.

### **To Report a Crime:**

#### **A. Emergency and External Reporting Options (Non-University):**

On-Campus (Allen Calvin Campus or Gronowski Clinic Campus):

□ For Emergencies, Dial 9-1-1

- City of Palo Alto Police Department: Emergency (650) 321-4433 or Non-Emergency (650) 329-2413
- City of Los Altos Police Department: Emergency (650) 947-2779; 24-Hour Business Phone (650) 947-2770.

Off-Campus (Campus of an Affiliated School of PAU):

- For Emergencies, Dial 9-1-1
- City of Palo Alto Police Department: Emergency (650) 321-4433 or Non-Emergency (650) 329-2413
- Stanford University Department of Public Safety: Non-Emergency (650) 329-2413
- De Anza College, De-Anza Police Department: from campus phones, dial 9-1-1 or from cell phones (408) 924-8000; for non-emergencies, call 650-949-7313 or dial extension 7-3-1-3 from campus phones

## **B. Reporting Options at the University**

- |                               |                |
|-------------------------------|----------------|
| 1. Human Resources Department | (650) 433-3879 |
| 2. Facilities Department      | (650) 433-3853 |

Please see the PAU Student Sexual Misconduct Policy, starting on page 15 below for additional reporting options for matters involving sexual misconduct, including how to make an anonymous report and for a list of additional resources.

## **Timely Warnings**

PAU issues timely warnings and advisories to students, faculty and staff, in the event that a situation arises, either on or off campus, that, in the judgment of PAU administration, constitutes an ongoing or continuing threat.

The warning will be issued through PAU’s email system to students, faculty and staff.

Depending on the particular circumstances of the situation, the PAU administration may also post a notice on PAU’s Emergency Notification System, “PAU Alert”. PAU’s “PAU Alert” is an electronic alert system that allows University officials to contact you during an emergency by sending messages to you via email, text message, voice message, or RSS feed. Please see below for information on how to sign up for PAU’s “PAU Alert” Emergency Notification System.



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## Emergency Notification System

In the event of an emergency, please call 911.

PAU has implemented an Emergency Alert Notification System called “PAU Alert”. PAU Alert is an electronic alert system that allows University officials to contact you during an emergency by sending messages to you via email, text message, voice message, or RSS feed.

In order to receive alerts or notifications under this system, ALL students, faculty, and staff must sign up for PAU Alert system. You may sign up by logging in to your PAU OneLogin account at <https://paloalto.onelogin.com>. Once you successfully log in, you should see the OmniAlert application.

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## Relationships with Local Law Enforcement Agencies

PAU has a positive working relationship with the Palo Alto Police Department and the Los Altos Police Department. PAU cooperates with local law enforcement agencies when incidents arise that require investigative efforts, resources, crime related reports and exchanges of information, as determined by PAU or the law enforcement agency. PAU hopes to memorialize these working relationships into a formal memorandum of understanding in the near future.

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## Disclosure to Law Enforcement

PAU is required by state law to report to law enforcement any incident that it learns of that might be classified as a violent crime, hate crime, or sexual assault. This requirement extends to all “Campus Security Authorities,” which includes any official of PAU who has significant responsibility for student and campus activities, which includes any Dean, Director, Faculty Advisor, Department Head, Student Grievance Officer, or Student Affairs staff member.

PAU requires that all persons employed by PAU who become aware of a crime involving PAU or a member of the PAU community immediately report the incident to the Human Resources Manager or the Facilities department, as described on page 6. PAU will report the matter to law enforcement consistent with state law.

## Crime Prevention and Safety

The University's Administration collaborates with students, faculty and staff to address safety. The University also offers safety presentations by representatives from various public and private organizations, in an effort to prevent crimes and increase safety.

As part of PAU's crime prevention and safety efforts, the Human Resources Department at PAU maintains records of reported crimes occurring on and around campus, and at non-campus locations of which PAU students frequent and use in connection with written agreements for student use.

In addition, during orientation, students are informed of services offered by the University, including information on campus safety and the University's policy prohibiting sexual misconduct.

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

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## Emergency Plan

PAU has promulgated the "Palo Alto University Emergency Plan" to protect life and health, minimize property and economic damage, and to maximize restoration of normal activities for the campus community. Please see Appendix A for a full description of that plan.

If a crime is in progress:

1. Do not put yourself at risk.
2. Do not interfere with persons committing the crime or creating the disturbance.
3. If you are the victim of, are involved in, or witness any on-campus violation of the law such as assault, robbery, theft, overt sexual behavior, call the police by dialing 9-1-1 and report the following information:
  - Nature of incident
  - Location of incident
  - Description of person(s) involved
  - Location of person(s) involved
  - Your name, location, department and phone number
4. If personal safety allows, try to get a good description of the criminal. Note height, weight,

sex, color, approximate age, clothing, method and direction of travel, and name if known.

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5. Remain where you are until a police officer arrives.

## **Drug-Free Campus Policy**

### **14.1 Health Risks**

It is widely recognized that the misuse and abuse of drugs (“controlled substances”<sup>[1]</sup>) and the abuse of alcohol are major contributors to serious health problems as well as to social and civic concerns. The health risks associated with the use of illicit drugs and the abuse of alcohol include various deleterious physical and mental consequences including addiction, severe disability, and death. Information concerning the known effects of alcohol and specific drugs can be found in Department of Education literature available in the PAU Library.

### **14.2 Federal Legislation**

In response to these concerns, the U.S. Congress passed the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Amendments of 1989. In accordance with these Acts, PAU has enacted the following policy applicable to all employees and students.

### **14.3 Policy**

It is the policy of PAU to maintain a drug-free workplace and campus. PAU prohibits, on its campus and property and in the work place, the sale, distribution, possession, manufacturing, or attempt to obtain or use of a dangerous drug, restricted drug, narcotic, or other controlled substance as those terms are used in California statutes, except when lawfully prescribed pursuant to medical or dental care.

The workplace and campus are presumed to include all PAU premises where activities of the School are conducted. Violation of this policy may result in disciplinary sanctions up to and including termination of employment or expulsion of students. Violations may also be referred to the appropriate authorities for prosecution. This policy will be reviewed biennially.

### **Student Employees:**

As a condition of employment, all PAU employees are required to follow this policy. Employees who unlawfully manufacture, distribute, dispense, possess or use controlled substances or unlawfully use, possess, or distribute alcohol in the workplace, on the campus, or as part of any School activity shall be subject to discipline up to and including discharge from employment and, where appropriate, may be referred for prosecution.

An employee who is convicted (including a plea of nolo contendere) of a criminal drug statute violation occurring in the workplace must, within five days thereafter, notify PAU of such conviction by informing the employee’s supervisor (for staff) or the Vice President, Academic Affairs.

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<sup>[1]</sup>Controlled substances are those defined in 21 U.S.C. 812 and include, but are not limited to, such substances as marijuana, heroin, cocaine and amphetamines.

Individuals who are not PAU employees, but who perform work at PAU for its benefit (e.g., independent contractors, temporary employees provided by agencies, visitors engaged in joint projects at PAU, volunteers and so forth) are required to comply with this policy. Such individuals who unlawfully manufacture, distribute, dispense, possess or use controlled substances or unlawfully use, possess, or distribute alcohol in the PAU workplace may be barred from further work for and at PAU.

### **Students:**

Students who unlawfully distribute, possess or use controlled substances or alcohol in the workplace, on the campus, or as part of any School activity may be subject to discipline up to and including expulsion and, where appropriate, may be referred for prosecution.

#### **14.4 Drug Testing**

The practice of psychology involves, at its core, the welfare and protection of the patient or client. Those who practice have an obligation to take reasonable steps to avoid harming the patient or client and to hold themselves to the highest ethical standards in their professional or educational activities. During their training, students are required to practice in practicum or internship activities where the welfare and protection of patients and client is critical. Because of the high ethical standards set in the field of psychology and the public health and safety-sensitive nature of the practice, PAU has established a policy for drug testing of students.

Where there is a reasonable suspicion of drug use by PAU students, he/she may be subject to discipline or dismissal for improper behavior and/or may be asked about any observed behavior and offered an opportunity to give a reasonable explanation. If he/she is unable to explain his/her behavior, he/she may be required to take an independent drug test and/or to undergo appropriate rehabilitation as a condition of maintaining student status.

“Reasonable suspicion” includes a suspicion that is based on personal observations such as a student’s manner, disposition, muscular movement, appearance, behavior, speech, or breath odor; on information provided to the Director of Clinical Training by PAU faculty members or staff, or by other persons believed to be reliable; or on other surrounding circumstances.

PAU will pay the cost for the administration of an independent test and for reasonable transportation to the testing facility. The student will have the opportunity to alert the clinic or laboratory personnel to any prescription or non-prescription drugs that he/she has taken which may affect the outcome of the test. All drug testing will be performed by urinalysis.

Students who refuse to undergo the drug test or students who test positive for a controlled substance and refuse to undergo, or complete rehabilitation may be subject to discipline up to and including expulsion.

All drug testing records will be treated as confidential.

#### **14.5 Rehabilitation (Students and Student Employees)**

Successful completion of an appropriate rehabilitation program (including participation in aftercare) may be considered as evidence of eligibility for continued or future employment or for reinstatement of student status.

#### **14.6 Guide to Supervisors of Student Employees**

Responsibility for effective implementation and enforcement of PAU's Controlled Substance and Alcohol Policy begins with supervisors. Supervisors must be alert to indications or evidence of the use or presence of controlled substances or alcohol in the workplace.

##### **Communication:**

Supervisors must make sure that every employee is aware of PAU's Controlled Substance and Alcohol Policy and understands that violation of this policy is a serious matter and cause for disciplinary action including possible termination of employment. Supervisors must assure that a copy of this Policy is posted in the work area and that each new employee is given a copy. A copy of this Policy will be published in the Faculty, Staff, and Student Handbooks.

##### **Presence of Controlled Substances or Alcohol in the Workplace:**

PAU prohibits in the workplace, the sale, distribution, possession, manufacturing, or attempt to obtain or use of a dangerous drug, restricted drug, narcotic, or other controlled substance as those terms are used in California statutes, except when lawfully prescribed pursuant to medical or dental care. The unlawful presence of any controlled substance or alcohol in the workplace itself is prohibited.

If and when an employee is suspected of violating this policy, the supervisor should consult with their immediate manager or the President if the case involves the manager, to plan and carry out an appropriate investigation and resolution of the situation.

##### **Impaired Performance on the Job/Unlawful Use of Controlled Substances or Alcohol in the Workplace:**

Performance problems on the job can have many causes. In discussions with an employee concerning any performance problem, the supervisor should offer to help the employee determine the source of the problems and offer guidance on appropriate assistance, counseling, or other resources.

When job performance has become impaired, the supervisor should take normal corrective action, beginning with discussion with the employee. When the behavior of an employee on the job raises safety concerns for the employee and/or others in the workplace, the supervisor must take immediate action to assess the situation; in such cases employees must not be allowed to continue on the job. Specific actions to be taken depend upon the facts of the particular situation.

In a situation in which an employee acknowledges to the supervisor that poor performance or unacceptable conduct results from substance abuse, the supervisor should urge the employee to seek help from a qualified substance abuse treatment resource. If the employee chooses to seek help, he or she should be referred to appropriate sources. If the employee requests a leave of absence for a rehabilitation program, the supervisor should take normal steps to review the request for such a leave. Supervisors should make reasonable accommodation consistent with operational requirements.

If the employee demonstrating poor performance or unacceptable conduct claims causes other than substance abuse are causing the problem, or does not elect to seek help for whatever is the cause of the problem, the supervisor first should counsel the employee in the ways his or her actions on the job need improvement or are unacceptable. If improvement does not take place, the employee should be warned that the poor performance can result in discipline, including termination of employment. Managers should consult with their supervisors to decide upon an appropriate form of action.

### **Reporting of Convictions:**

Employees who are convicted of a criminal drug statute violation occurring in the workplace must report the conviction directly, or through their supervisor to the Executive Council for appropriate action as required by PAU policy and/or law.

### **14.7 Getting Help**

Employees who are concerned about substance use, abuse, and rehabilitation are strongly urged to contact their family physicians or the PAU Clinic Director who can refer them to appropriate resources (community or private agencies) that provide complete, confidential substance abuse counseling.

Students (including employees who are also PAU students) are urged to contact the Clinic Director or their family physician for appropriate referral sources.

### **14.8 Free Speech**

Every student has the right under appropriate circumstances and subject to the other rules, policies and procedures of the University to: speak freely, listen to others, assemble in public meetings and express him or herself. Because these rights are for each member of the community, it follows that no student may prevent or disrupt an exercise of such rights by others, or to disrupt a School activity or damage School or community member property, whether the persons involved are expressing approval or disapproval of an idea or action. In the exercise of speech or demonstration no or group is permitted to disrupt the normal operation of the School.

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## **Drug-Free Workplace Policy**

PAU maintains a workplace free of drugs and alcohol pursuant to the federal Drug-Free Workplace Act of 1988 and the California Drug-Free Workplace Act of 1990.

Consistent with this policy, PAU has established the following rules about the use, possession and sale of controlled substances and alcohol by its employees. Compliance is a condition of all who wish to work or study at PAU.

1. The illegal use, sale, manufacture, dispensation, distribution or possession of controlled substances while on the job or on PAU property is prohibited and will result in disciplinary action, up to and including immediate termination of employment. Similarly, reporting for work under the influence of controlled substances is prohibited and will result in disciplinary action, up to and including termination of employment.
2. If you are arrested for a drug-related offense and are awaiting trial, you will be suspended without pay (1) until all charges against you are dismissed; (2) until you plead guilty; or (3) until your trial results in a verdict. If you plead guilty, your employment with PAU will be terminated.
3. As a condition of employment, employees must notify PAU within five (5) days of any conviction for any violation of any criminal drug statute, where the violation occurred in the workplace. PAU must notify the federal agencies from which it has grants within ten (10) days of receiving notice of such a conviction from an employee or some other source.
4. The illegal use of controlled substances off duty and off PAU premises is unacceptable. It can have a poor effect on your job performance. Conviction for the illegal use, sale or possession of narcotics, drugs, or controlled substances off duty or off PAU property may also result in disciplinary action, up to and including termination of employment.
5. Alcohol may not be consumed on PAU property during working hours, except for PAU-sponsored social functions. PAU policy prohibits the use of alcohol on PAU property or during working hours, as well as reporting to work under the influence of alcohol. Violation of this policy will result in disciplinary action, up to and including termination of employment. The only exceptions to this policy are those occasions when we hold a social gathering, and alcoholic beverages are provided. However, in this situation, your consumption of alcohol should be reasonable under the circumstances, and you are expected to comply with our rules prohibiting unlawful sexual harassment and other forms of unlawful harassment. Otherwise, drinking during meal breaks or at any other time while on duty is inappropriate.
6. Managers and supervisors should be attentive to the performance and conduct of those who work with them and should not permit an employee to work in an impaired condition or otherwise in violation of this policy. When management has reasonable suspicion to believe that an employee is working in violation of this policy, prompt action will be taken.



7. The legal use of controlled substances, such as prescription drugs prescribed by a licensed physician or over-the-counter medications that you buy at the store, is not prohibited by

- this policy. However, if you cannot safely perform all of the essential functions of your job because you are taking prescription or over-the-counter medicine, PAU may require you to see a doctor, at PAU's expense. You may be discharged or required to take a leave of absence if the doctor concludes that you cannot safely perform the essential functions of your position because you are using prescription or over-the-counter medicine.
8. Before an employee engages in misconduct or other unacceptable acts, upon request, PAU will attempt to reasonably accommodate by a leave of absence for an employee who wishes to voluntarily enter and participate in an alcohol or drug rehabilitation program.
  9. It is the responsibility of an employee to seek help before his or her alcohol or controlled substances problems cause job performance, misconduct or lead to disciplinary action. An employee's decision to seek assistance will not be used as the basis of discipline.
  10. Every employee must specifically acknowledge receipt of this policy and agree, as a condition of employment, to abide by its terms.

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## Prohibition and Prevention of Sexual Misconduct

PAU is committed to maintaining its campus community as a place which is free from all forms of sexual misconduct. All forms of sexual misconduct are prohibited, including sexual and gender-related: violence, assault, harassment, domestic violence, dating violence, and stalking.

The PAU *Student Sexual Misconduct Policy* can be found on the PAU website at <https://www.paloalto.edu/palo-alto-university-sexual-misconduct-policy>.

The PAU *Student Sexual Misconduct Policy* states as follows:



## STUDENT SEXUAL MISCONDUCT POLICY

(Updated on August 14, 2020)

## **I. INTRODUCTION**

Palo Alto University (also referred to as “PAU” or “the university”) is committed to maintaining its campuses and programs free from all forms of sexual misconduct.

This policy prohibits all forms of sexual misconduct, including sexual and gender-related: violence, assault, harassment, domestic violence, dating violence, and stalking.

This policy applies to misconduct directed against students occurring on PAU property or at PAU-sponsored events or programs, whether they take place on-campus or off-campus. Off-campus conduct that is likely to have a substantial effect on on-campus activity or that poses a threat or danger to the university community also may be addressed under this policy.

### **Getting Help:**

All members of the PAU community who believe they have experienced violations of this sexual misconduct policy should report these incidents to local law enforcement authorities and seek medical attention.

- For emergencies call: 911
- City of Palo Alto Police Department: Emergency (650) 321-4433
- Rape Trauma Services 24-hour helpline: (650)-692-7273
- National Domestic Violence Hotline: 1-800-799-SAFE (7233)
- For additional resources, please see section XIV below.
- For additional reporting options, please see section VI below.

## **II. NOTICE OF NON-DISCRIMINATION**

PAU does not permit discrimination or harassment in its programs and activities on the basis of race, color, national origin, ancestry, sex, gender, gender identification, sexual orientation, disability, age, religion, medical condition, veteran status, marital status or any other characteristic protected under law.

## **III. SCOPE OF THE POLICY**

This policy sets forth the policies and procedures for reporting incident(s) of possible sexual misconduct that occurs toward any PAU student.

Persons who believes that an incident of possible sexual misconduct has occurred against a student of PAU, by another student, faculty member, administrator, or any other individual that a student comes into contact with by way of any university administered program, job or activity, should follow this policy. Please see section VI for information on how to report incident(s) of possible sexual misconduct, against a student.

For information related to academic misconduct, or other misconduct that is not sexual misconduct, please refer to the applicable sections of the student handbook for your program.

As for employees who believe they have experienced sexual misconduct, please consult your faculty or staff handbooks for the relevant reporting policies and procedures that apply. Employees may also contact the Title IX Coordinator for assistance. See below.

#### **IV. TITLE IX COORDINATOR AND INTAKE OFFICER**

Title IX of the Education Amendments of 1972 (“Title IX”) is a federal law that prohibits discrimination on the basis of sex (or gender) for students and employees of educational institutions that receive federal financial assistance.

“No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance...” 20 U.S.C. §1681.

The Title IX Coordinator is the person designated by the university to oversee the university’s Student Sexual Misconduct Policy and to whom anyone with questions about this policy may be referred.

Palo Alto University has designated Thom Shepard, Dean of Students, as PAU’s Title IX Coordinator. Dean Shepard can be reached at (650) 433-3814 or at [tshepard@paloaltou.edu](mailto:tshepard@paloaltou.edu). Dean Shepard’s office is located on the Allen Calvin Campus, Office 353, 1791 Arastradero Road, Palo Alto, California 94304. Typically, the Title IX Coordinator will serve as the intake officer for any Title IX related issues. However, on a case-by-case basis, the Title IX Coordinator may designate another qualified individual from the university to serve as the intake officer for alleged cases of student sexual misconduct.

In the event that the Title IX Coordinator is unavailable, students may direct inquiries relating to this policy to Dr. James Breckenridge, Ph.D., Chief of Staff & Dean of Institutional Effectiveness. Dr. Breckenridge can be reached at (650) 433-3895 and [jbreckenridge@paloaltou.edu](mailto:jbreckenridge@paloaltou.edu).

#### **V. PROHIBITED CONDUCT AND DEFINITIONS**

PAU prohibits all forms of sexual misconduct, which includes sexual and gender-related violence of any form: assault, harassment, domestic violence, dating violence, and

stalking. Each of these terms encompasses a broad range of behavior.

The following are among the forms of sexual misconduct that violate university policy and their associated definitions:

1. Sexual Assault: Having or attempting to have sexual contact with another individual:
  - a. By force or threat of force;
  - b. Without affirmative consent; or
  - c. Where the individual is incapacitated.
2. Non-Consensual Sexual Contact (or attempts to commit the same): Any intentional sexual touching, however slight, with any object, by any person upon any other person regardless of gender identity or expression, that is without consent and/or is by force.
3. Non-Consensual Sexual Intercourse (or attempts to commit the same): Any sexual intercourse, with any object or body part, by any person upon any other person regardless of gender identity or expression, that is without consent and/or is by force.
4. Sexual Exploitation: Taking non-consensual or abusive sexual advantage of another person for one's own advantage or benefit, or to the benefit or advantage of another person. Examples of sexual exploitation include:
  - a. Causing or attempting to cause another person to become drunk, drugged or otherwise incapacitated with the intent of engaging in a sexual behavior;
  - b. Recording, photographing or transmitting images of sexual activity and/or intimate body parts (groin, genitalia, breasts or buttocks) of another person without their consent;
  - c. Allowing third parties to observe sexual acts and voyeurism (spying on people who are engaging in sexual acts or who are doing other intimate activities such as undressing, showering, etc.);
  - d. Exposing one's genitals in non-consensual circumstances or inducing someone to expose their genitals;
  - e. Knowingly transmitting a sexually transmitted disease or virus to another person without their knowledge;
  - f. Sexually-based stalking and/or bullying.
5. Domestic Violence: Violence committed by a current or former spouse or intimate partner of the complainant, by a person with whom the complainant shares a child in common, by a person who is cohabitating with or has cohabitated with the

- complainant as a spouse or intimate partner, by a person similarly situated to a spouse of the complainant under the domestic or family violence laws of the jurisdiction receiving grant monies, or by any other person against an adult or youth complainant who is protected from that person's acts under the domestic or family violence laws of the jurisdiction.
6. Dating Violence: Violence committed by a person who is or has been in a romantic or intimate relationship with the complainant, and where the existence of such a relationship shall be determined based on a consideration of the following factors:
    - a. The length of the relationship;
    - b. The type of relationship, and;
    - c. The frequency of interaction between the people involved in the relationship.
  7. Stalking: A course of physical or verbal contact directed at another individual that would cause a reasonable person to:
    - a. Fear for their safety or the safety of others; or
    - b. Suffer substantial emotional distress.
  8. Retaliation: Action which is taken against a person because of the person's participation in a complaint or investigation of sexual misconduct, including but not limited to, complainants, respondents, witnesses, or others involved in the complaint, investigation and/or resolution of the alleged sexual misconduct. Retaliation can take many forms, including threats, intimidation, pressuring, continued abuse, violence or other forms of harm to others.
  9. Sexual Harassment is unwelcome, gender-based verbal or physical conduct that is sufficiently severe, persistent or pervasive to interfere with, deny or limit a person's ability to participate in or benefit from the university's education programs and/or activities. Sexual harassment has many forms. Sexual harassment is harmful regardless of gender of the perpetrator or the complainant.
    - a. Quid Pro Quo: One form of sexual harassment is quid pro quo, or "this for that." Unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature constitutes sexual harassment when it is implicitly or explicitly suggested that submission to or rejection of the conduct results in adverse educational or employment action. An example is a Teaching Assistant asking a student to have sex in exchange for keeping quiet about a student's violation of the plagiarism policy.

- b. Hostile Environment: Another form of sexual harassment involves hostile environment. It is sexual harassment when an individual receives unwelcome sexual advances, unwanted verbal, physical, or visual behavior of a sexual nature, or is made to feel uncomfortable because of their gender identity, gender expression or sexual orientation. Conduct that may constitute sexual harassment may include one or more of the following:
  - i. Physical conduct: Unwanted touching, blocking normal movement, or interfering with studies or work;
  - ii. Verbal conduct: Epithets, derogatory comments, slurs, or humor of a sexual nature;
  - iii. Visual conduct: Leering, making sexual gestures, displaying suggestive objects or pictures, cartoon posters in a public space or forum;
  - iv. Written conduct: Letters, notes, or electronic communications containing comments, words or images as described above.

10. Close personal relationships affecting university teaching, mentoring and/or supervisory functions: Except where explicit and advanced authorization has been obtained in writing from the Provost, no person who is employed by the university may participate in a close personal relationship with an individual who is a member of the university community for whom the person provides or may (by virtue of university assigned position or functions) reasonably be expected in the future to provide teaching, mentoring or supervision. Supervision includes grading or other academic evaluation, job evaluation, decisions pertaining to promotion, the direct setting of salary or wages, and job, internship, educational, or employment references or recommendations.

Close personal relationships include dating and/or intimate sexual relationships that are or are not consensually undertaken by the supervisor and the individual. Such relationships do not include the usual and customary socializing at the university of teacher-student; mentor-mentee; supervisor-employee; faculty member-student; co-workers; and supervisor-student employee. A person provides supervision when they oversee, directs or evaluates the work of others, including but not limited to, managers, administrators, coaches, directors, deans, chairs, advisors.

The following are additional definitions used under this policy:

- 1. Consent means “affirmative consent,” which 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 they have the affirmative consent of the other or others to engage in sexual activity. Lack of protest or

resistance does not mean consent, nor does silence mean consent. Affirmative consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the people 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 under this policy, it shall not be a valid excuse that the respondent believed that the complainant affirmatively consented to the sexual activity if the respondent knew or reasonably should have known that the complainant was unable to consent to the sexual activity under any of the following circumstances:

- a. The respondent's belief in affirmative consent arose from the intoxication or recklessness of the complainant;
  - b. The respondent did not take reasonable steps, in the circumstances known to them at the time, to ascertain whether the complainant affirmatively consented.
  - c. The complainant was asleep or unconscious.
  - d. 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.
  - e. The complainant was unable to communicate due to a mental or physical condition.
2. Coercion is a form of force that comprises unreasonable pressure for sexual activity. When someone makes clear that they do not want to participate in a sexual activity, that they want to stop, or that their limit is at a certain point, continued pressure to act beyond that point can be considered coercive.
  3. Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Other forms of force include intimidation (implied threats), threats and coercion to overcome resistance or produce consent. For example, "Have sex with me or I'll hit you." "Okay, don't hit me; I'll do what you want."
  4. Incapacitation is a state where someone cannot knowingly give consent. It may occur as the result of alcohol or other drug use. This policy also applies to a person who is incapacitated as a result of sleep, mental disability or from being given "rape drugs" (Rohypnol, GHB, Burundanga, Ketomine, etc.). Possession, use and/or distribution of any of these drugs or administering any of these drugs to another person are a violation of this policy.
  5. Sexual Contact is the intentional touching of the intimate body parts (breast,



- buttocks, groin, and genitalia) or touching another person intentionally with these body parts. It is also using force (physical force, violence, threat, intimidation, coercion) to cause a person to touch their or another person's intimate body parts, or any intentional bodily contact in a sexual manner.
6. Sexual Intercourse is penetration (oral, anal or vaginal) by a tongue, mouth, penis, finger or an object.
  7. Complainant refers to the individuals who identify themselves as having experienced possible sexual misconduct and who makes a report of sexual misconduct under this policy. A complainant can also be a person who reports their knowledge of an incident of possible sexual misconduct but is not the person who experienced the alleged sexual misconduct, such as another student, staff member, faculty, teacher, or administrator.
  8. Respondent refers to the individual whose conduct is at issue under this policy. A respondent may be a current or former university student, staff member, faculty, teacher, administrator, visitor, alumni, contractor, or any other person.
  9. Witness refers to any individual who either witnessed an incident or who has relevant information regarding a case that is being investigated under this policy.
  10. Advisor or support person is someone who provides emotional support to a complainant or respondent and who may be present in a non-participating role to provide moral support during any meeting or proceeding under this policy. The advisor or support person may be a currently enrolled student, family member of the student, or a PAU faculty or staff member. Non-participating means that the advisor or support person is silent and does not speak or present information during the meeting or proceeding under this policy. Attorneys are not permitted to participate in any campus meeting or proceeding under this policy, absent advance written consent of the Title IX Coordinator, subject to specific conditions.

## **VI. REPORTING INCIDENTS THAT MAY BE SEXUAL MISCONDUCT**

1. The university encourages all individuals to seek assistance from a medical provider and/or law enforcement as soon as possible after an incident that may be sexual misconduct. Prompt reporting is the best option to ensure preservation of evidence and for the identification and location of witnesses.

The university also encourages all individuals to make a report of the incident(s) to the university and to do so to the university's designated officers as described below. Making a report means telling someone in authority what is known or

believed to have happened, either in person, by telephone or in writing (including by email). Individuals should make reports of the incident(s) as soon as the incident(s) of sexual misconduct become known.

The university will promptly review and thoroughly consider all reports of alleged sexual misconduct under this policy, including any misconduct alleged to have occurred by PAU students, faculty, staff, or visitors, or by any student, faculty, staff or visitor of another entity that is affiliated with PAU through one of its programs. Instructions for how to report these types of incidents are explained more fully below. The university will take action to correct and discipline behavior that is found to violate this policy, where appropriate, in the judgment of the university.

The filing of a report under this policy is independent of any criminal investigation or proceedings that may take place, and both university and criminal investigations may be pursued simultaneously.

2. Reporting Procedures: If you are a person who believes there has been an incident of possible sexual misconduct against a PAU student by another student, faculty or staff member, or visitor of PAU, or by a student, faculty, staff or visitor of a PAU affiliated school or program, you should report such conduct as follows:
  - a. Emergency and external reporting options (non-university):
    - i. Emergencies: 9-1-1
    - ii. City of Palo Alto Police Department: emergency (650) 321-4433 or non-emergency (650) 329-2413
    - iii. Rape Trauma Services 24-Hour Helpline: (650) 692-7273
    - iv. National Domestic Violence Hotline: 1-800-799-SAFE (7233)
    - v. Center for Domestic Violence and Prevention: (650) 312-8515
    - vi. Community Overcoming Relationship Abuse (CORA) 24-hour hotline: 1-800- 300-1080
    - vii. National Sexual Assault Hotline: 1-800-656-HOPE (4673)
    - viii. Stanford Emergency Department: 900 Quarry Road Extension, Stanford, CA 94304; (650) 723-5111
    - ix. Stanford Health Care: (650) 498-3333

Note: The Title IX Coordinator, or their designee, will assist individuals who wish to make a report to law enforcement authorities in doing so if the person so chooses. Complainants may also chose to decline to notify law enforcement authorities; however, as explained below, the university is required by law to report

incidents that involve violence, hate violence, or sexual assault, to law enforcement authorities, including those incidents that occur on-campus and off- campus. Except if required by governmental agencies, the university will not disclose a complainant's identity unless the complainant consents to being identified after being informed of their right to have identifying information withheld. If a complainant does not consent to disclosing their identity, the alleged perpetrator's identity will not be disclosed either, unless required by governmental authorities.

Regardless of whether a person consents to the disclosure of their identifying information, under state and federal law, a complainant has the right to:

- A sexual assault forensic medical examination at no cost to the complainant/patient;
- Participate or not participate with local law enforcement agencies or the criminal justice system, either prior to the examination, or at any other time, and;
- Engage with local law enforcement and participate in the investigation and prosecution using a pseudonym (i.e., Jane or John Doe) instead of their true name.

b) Reporting Options at the University:

- Reports can be submitted by using the online reporting form available on PAU's webpage, available at this link: [https://paloaltou.co1.qualtrics.com/jfe/form/SV\\_3Faq3d6Kp5Ik1Y9](https://paloaltou.co1.qualtrics.com/jfe/form/SV_3Faq3d6Kp5Ik1Y9), or;
- By submitting a written complaint by email to the Title IX Coordinator, Dean Thom Shepard at [tshepard@paloaltou.edu](mailto:tshepard@paloaltou.edu).

All reports of alleged violations of this sexual misconduct policy not directly reported by the complainant to the Title IX Coordinator are required to be reported to the Title IX Coordinator by those who receive the report.

3) Specific information regarding incidents occurring at or in regards to PAU students at external clinical practice and internship sites, and at affiliated schools and programs: In addition to PAU operated campuses in Palo Alto (PAU-Allen Calvin Campus) and Los Altos (PAU Los Altos, including the Gronowski Clinic), PAU students conduct their clinical training at many external practicum sites and non-PAU training sites that are not operated by PAU. PAU also partners with other educational institutions to offer locations for its degree programs and class offerings.

The reporting procedures for students at all of these external sites and locations is the same as the reporting procedures outlined in sections a and b above. The university will do everything feasible to address and prevent

recurrence of any misconduct committed by members of another college, university or entity (such as a student, faculty or staff member), however the university may be limited in what actions it can take.

The university will consider all reported incidents and will take interim measures and corrective action, as deemed appropriate by the university, for any sexual misconduct found to be in violation of this policy, including such measures as no-contact orders, changes in employment or practicum assignments, temporary leaves of absence, or termination of practicum assignments, to name a few. In addition, the university may work in conjunction with another college, university or entity in investigating and resolving reported incidents and will so notify the student if it does so on a case-by-case basis.

Reported incidents of possible sexual misconduct involving students, employees or visitors of another college, university or entity, may be handled under this policy, may be handled by PAU in conjunction with another college, university or entity, or the matter may be handled under the policies and procedures of the other college, university or entity.

The following is a list of affiliated schools or programs of PAU, and their external locations for study:

- PGSP-Stanford Psy.D. Consortium-Stanford University School of Medicine, Department of Psychiatry and Behavioral Medicine, 401 Quarry Road, Palo Alto, CA 94304
- Bachelor's of Science Degrees
  - Cupertino: De Anza College, 21250 Stevens Creek Blvd., Cupertino, CA 95014
- For a list of current practicum and training sites, please check with the Office of Academic Affairs.

- 4) Anonymous Reporting: Anonymous reports, or reporting without disclosing the reporter's name, can be made, but anonymous reporting is not the preferred way. Depending on the information received, the university's ability to respond to an anonymous report will likely be limited. The Title IX Coordinator, or their designee, will review anonymous reports received by the university and determine whether an investigation and response is appropriate.
- 5) Alcohol, Drugs and/or Other Misconduct: The university encourages the

reporting of all conduct prohibited under this policy. An individual who reports sexual misconduct, either as a complainant or a third-party witness, will not be subject to disciplinary action by the university for their own personal consumption of alcohol or drugs, or other non-sexual misconduct, that happened at or near the time of the incident, unless the university finds the violation(s) to be 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.

- 6) **Prohibition Against Retaliation:** It is a violation of university policy to retaliate against any person making a report of possible sexual misconduct, or against any person cooperating in the investigation of any report of possible sexual misconduct. Retaliation against any member of the PAU community may result in disciplinary action, including termination of employment or expulsion from the university.
- 7) **Possible Disclosure By the University of Information Pertaining to Reports of Possible Sexual Misconduct:** The university is committed to assisting students throughout the processes outlined in this policy. Efforts will be made to respect the privacy of all individuals involved in this process in a manner consistent with the need for a thorough review of the report and carrying out the processes.

This means that the information related to a report under this policy will only be shared with a limited circle of individuals who, in the university's judgment, have a "need to know" basis in order to assist the university and/or its designees in its investigation and response and to prevent the recurrence of any such conduct found to have been committed.

If there is a request that the names remain confidential, the university will take steps to investigate and respond to the report in a manner that is consistent with that request. However, the university's ability to fully respond to the incident may be limited and the university thereby cannot guarantee complete confidentiality.

The university is required by law to report certain types of reported sexual misconduct in its annual crime statistics report. Neither names, nor other identifying details of the incident, will be made public in the annual crime report.

The University also may report any incident that might be classified as a violent crime, hate crime, or sexual assault to law enforcement and/or as required by law. However, it is up to the complainant on whether or not to

separately file their own report with the police and/or to contact Rape Trauma Services.

- 8) **Discussing An Incident(s) of Possible Sexual Misconduct, Without Making a Report or Record of the Incident:** If a person would like to discuss the details of an incident of possible sexual misconduct, without making a report or record of the incident, or in an otherwise confidential manner, the person should speak with someone who does not have a legal responsibility to report such incidents. This includes such people as physicians, mental health therapists, priest, chaplain, etc. For the sake of Title IX, these people are considered “confidential” individuals. They are generally allowed to maintain confidentiality if they are acting in their capacity as your physician, mental health therapist, priest, or chaplain, except in extreme cases of immediacy of threat or danger, or abuse of a minor.

Generally speaking, the faculty, staff, and administrators of Palo Alto University are considered “responsible” individuals. This means they have a legal requirement to report anything they are told about a potential Title IX violation to the Title IX Coordinator. Even if they are licensed mental health therapists or psychologists, generally speaking, they are not acting in their capacity as a clinician, and do not have such a relationship with university students. Thus, they are required under federal law and this policy to promptly forward all reports of possible sexual misconduct to the Title IX Coordinator for consideration and response.

## **VII. INTAKE MEETINGS BY THE UNIVERSITY**

- 1) **Intake Meeting With Complainant:** Upon receipt of a report of an incident, the Title IX coordinator, or their designee, will promptly schedule a meeting with the complainant to take place as soon as possible to go over this policy and to identify possible forms of support for the student (see the Resources section below).

At this meeting, the Title IX Coordinator, or their designee, will discuss whether there are any interim measures (see Interim Measures section below) that may be implemented at the discretion of the University, taking into consideration the preferences of the complainant and the respondent.

At the intake meeting with the complainant, the Intake Officer will also discuss the following:

- (a) A student’s right to report the incident(s) to local law enforcement

agencies;

- (b) A student's right to seek medical treatment and the importance of preservation of evidence;
- (c) Requests for confidentiality, if any;
- (d) The university's obligation to consider all reports of incidents and the inability of the university to guarantee complete confidentiality;
- (e) The university's policy against retaliation of any person making a report or participating in the investigation or adjudication of an incident under this policy;
- (f) The possibility of an investigation by an outside impartial and neutral fact-finder selected by the university;
- (g) The possibility of a live hearing, as determined by the University;
- (h) The possibility for sanctions;
- (i) The role of an advisor or support person; and

(j) The university's obligation to report crime statistics.

- 2) Intake Meeting with Respondent: If the respondent is a student of PAU, the Title IX Coordinator, or their designee, will also meet with the respondent after receiving the report of the incident. If the respondent is a faculty or staff member of PAU, either the Title IX Coordinator or another designee of the university will meet with the respondent.

At this meeting, the Title IX Coordinator, or their designee, will go over this policy and also discuss whether there are any interim measures that may be implemented at the discretion of the university during the investigation and resolution of the report. The preferences of the complainant and the respondent on such measures may be stated.

At the intake meeting with the respondent, the Title IX Coordinator, or their designee, will also discuss the following:

- a) The complainant's right to report the incident(s) to local law enforcement agencies;
- b) The complainant's right to seek medical treatment and the importance of preservation of evidence;
- c) Requests for confidentiality, if any;
- d) The university's obligation to consider all reports of incidents and the inability of the university to guarantee complete confidentiality;
- e) The university's policy against retaliation of any person making a report or participating in the investigation or adjudication of an incident;
- f) The possibility of an investigation by an outside impartial and neutral fact-finder selected by the university;
- g) The possibility of a live hearing, as determined by the University;

- h) The possibility for sanctions;
  - i) The role of an advisor or support person; and
  - j) The University's obligation to report crime statistics into its daily crime log.
- 3) Initial Witness Interviews: The Title IX Coordinator may also collect additional information or speak with anyone they think may have relevant information concerning a reported incident, in an effort to gather preliminary information to make an initial assessment of the matter. The preferences of the complainant and the respondent on witnesses to be interviewed may be stated.
- 4) Initial Assessment By The Title IX Coordinator: The Title IX Coordinator will then consider the nature of the report, the safety of the individuals involved and of the PAU community, and the complainant and respondent's expressed preferences for resolution, to determine whether the matter can be resolved informally, or whether to refer the matter for external investigation. Sexual assault cases will not be resolved through mediation.

The Title IX Coordinator will make the final decision on whether to refer the matter for external investigation. If the matter is resolved informally, the matter will be deemed closed, and the decisions final and binding, with no further rights of appeal. If the matter is referred for external investigation, the matter will follow the procedures for investigation and resolution described below.

- 5) Possible Interim or Support Measures: Interim or Support measures will be considered and implemented at the discretion of the university, at any point in this process. Interim or Support measures, which may be applied to the complainant and/or the respondent, include such things as:
- a) Issuance of a "no-contact" order or directive that restricts contact with anyone involved in the investigation, either in person or through electronic means;
  - b) Change in class schedule;
  - c) Change in student-related employment;
  - d) Rescheduling of exams or assignments (in conjunction with appropriate faculty);
  - e) Voluntary leave of absence;
  - f) Providing escort services for movement between classes and university activities;
  - g) Interim suspension or university-imposed leave;
  - h) Administrative hold on student accounts, including a hold on the release of transcripts while an investigation is pending;
  - i) Denial of access to campus, campus facilities and/or university activities;
  - j) Other measures deemed appropriate by the university.



## **VIII. EXTERNAL INVESTIGATIONS INITIATED BY THE UNIVERSITY**

Following the initial assessment, the Title IX Coordinator shall decide whether to refer the matter for investigation, and if so, will designate an impartial investigator who has specific training and experience with sexual misconduct investigations. The external investigator will be engaged to assist the university in fact gathering. The university retains the right to designate an external investigator of its own choice at all times.

The role of the investigator is to be a neutral fact-finder. The investigator may also designate another trained colleague to assist in interviewing parties, identifying and locating witnesses, and in gathering other facts and evidence. The investigator will conduct an investigation in a manner deemed appropriate in light of the circumstances of the case and will cooperate with law enforcement authorities to the extent necessary.

A typical investigation will include interviews with the complainant, the respondent and third-party witnesses, and of the collection of available physical, documentary and other evidence. Photographs may be taken. The complainant, the respondent and any third party witnesses may present witnesses or other evidence to the investigator for consideration. Information collected during the initial intake and assessment will be forwarded to the investigator. If any law enforcement agency is also investigating the incident, the university investigator may defer to the police department for the collection and preservation of evidence.

The investigator will compile the details of the investigation into an investigative report, which will contain summaries of the interviews, photographs (if available) and other related evidence or duty logs and also a detailed analysis of the events. Before finalizing a witnesses' statement, the investigator may send a draft of the statement to the individual to allow them a chance to add to it or make any suggested changes to their statement.

The investigative report will be prefaced with a summary of findings and recommended actions. In this summary the investigator will:

- a) State the initial complaint;
- b) Outline the details of the investigation;
- c) State, whether, using a preponderance of the evidence standard, it is more likely than not that policy violation(s) occurred; and
- d) If requested by the Title IX Coordinator, include any recommended sanctions or corrective actions to be taken.

If requested by the Title IX Coordinator to make a recommendation, the investigator may recommend that the university impose certain sanctions or take certain corrective action. However, the decision to select and implement appropriate sanctions or corrective action, if any, remains at all times within the authority of the university.

The completed investigative report normally will be submitted to the university within thirty (30) days of the intake. However, depending on the complexity of the case, additional time may be needed to complete the investigation.

The investigative report will be forwarded to the Title IX Coordinator of the university, who will review the fact-finding determination by the impartial investigator and take any recommendations for sanctions or corrective action into consideration.

The Title IX Coordinator will decide whether the matter requires further proceedings; whether to accept the recommendations for sanctions/corrective action (if any); whether to issue different or alternative sanctions/corrective action; or whether to refer the matter to the university's Student Evaluation Committee (SEC) for input on a recommended sanction/corrective action. The SEC is a committee that considers, among other things, a student's progress within a PAU program, including such things as academic course work and progress, professional behavior, and conduct of research. Note: In some cases, there is no need for further proceedings.

If the matter of sanctions has been referred to the SEC, the SEC will review all of the information pertaining to the matter, including the summary of the investigative report, and shall issue a written recommendation as to an appropriate sanction or corrective action to the Title IX Coordinator. The Title IX Coordinator will then decide the appropriate sanction(s) or corrective action(s) to be taken.

## **IX. FURTHER PROCEEDINGS AS DETERMINED BY THE UNIVERSITY ON A CASE-BY-CASE BASIS – A LIVE HEARING**

In cases where a student accused of sexual misconduct is found responsible and will face severe disciplinary sanction, and the credibility of a witness or witnesses is central to the determination by the fact-finder, and in other cases where the Title IX Coordinator deems it appropriate, the matter will proceed after investigation to a live hearing process as described below.

"Severe disciplinary sanction" includes such action as suspension, dismissal, expulsion, termination from employment or internship, or where there is an extended probation that results in a major restriction of a student or employee's engagement in the programs and activities of the University.

The credibility of a witness is deemed central to the determination of the fact-finder when there is a conflict in evidence that is material to the determination of the allegation and of

which the fact-finder would like to hear and consider testimony from a witness in order to determine believability of such testimony before making a determination under the Policy.

Whether the matter will proceed to the hearing process is determined on a case-by-case basis by the Title IX Coordinator of PAU. A matter may be referred to the hearing process even where severe disciplinary action is not a likely outcome if the Title IX Coordinator believes that a hearing is appropriate. The Title IX Coordinator will inform the Complainant and Respondent in writing as to any next steps in the process.

If the matter is referred to the hearing process, procedures will be described in a separate written memorandum to the parties. Students who have questions about the hearing process may direct them to the Title IX Coordinator.

## **X. RESOLUTION**

All reports under this Policy will result in an Outcome Letter.

If the matter is not referred for investigation or the hearing process, the Title IX Coordinator will inform the Complainant and the Respondent of the outcome in a written Outcome Letter, including any sanctions or remedies to be imposed, along with notification of any rights to appeal.

If the matter is referred for investigation and/or the hearing process, the Title IX Coordinator will inform the Complainant and the Respondent in writing of the results of the investigation and in some cases, the results of the Hearing Panel, and including any sanctions or remedies to be imposed, along with notification of any rights to appeal.

The Outcome Letter will be transmitted within ten (10) business days of the decision.

The Title IX Coordinator can issue any sanction(s) they believe appropriate based on the results of the investigation, including but not limited to, warnings, censure, disciplinary probation, suspension, expulsion, revocation of admission and/or degree, or withholding a degree.

However, if the Title IX Coordinator decides that dismissal is the appropriate action, a recommendation from the Title IX Coordinator will be forwarded to the president of the university. The president will make a final determination. The decision is final and binding, with no right of appeal, except as described in sections X and XI below.

Evidentiary Standard: A preponderance of the evidence standard will be used under this policy. This means, was it more likely than not that the conduct prohibited under the policy occurred. All proceedings under this policy will be prompt, fair, impartial, and conducted by those who are adequately trained.

Past violations of the responsible student may be considered in the determination of an appropriate resolution. The University will also consider whether the action will bring an end to the violation in question, whether it will reasonably prevent a recurrence of a similar violation and/or whether it will mediate any effects the violation had on the complainant and the university community.

Within ten (10) business days of the decision, both the complainant and the respondent will be notified in writing of the results of the investigation, including any sanctions or remedies imposed, and with notification that the decision is final and binding with no right of appeal, except as described in section X below.

The Title IX Coordinator, or their designee, may also meet separately with the complainant and/or the respondent to discuss the results of the investigation and explain any resolution action that will be taken or imposed. The summary of the investigative report will be available for review by both the complainant and the respondent, if so requested.

Any sanctions under this policy are effective immediately.

## **XI. APPEALS**

A student may appeal a resolution resulting in academic probation, dismissal or suspension under the auspices of the Institutional Grievance and Appeals Policies Procedure, as stated in the respective student handbooks for their program of study. Students must do so within the quarter following notification of a final decision of probation, suspension, or dismissal.

Resolutions that do not involve academic probation, suspension, or dismissal will not be appealed, except as described in section XII below.

Procedures for Initiating Grievances: Students may submit a written grievance to the PAU Provost within the quarter following notification of a final decision of probation, suspension, or dismissal.

All grievances will be heard by the Institutional Appeals Committee, unless informally resolved, which is composed of faculty and staff members selected by the president, with consultation and recommendations of the faculty senate and staff council. The Institutional Appeals Committee shall hear the complaint and receive testimony and information from such witnesses, as it deems appropriate in order to evaluate the complaint. After the hearing is complete, the committee will forward its findings and

recommendations to the university president and to the parties. The committee will do this within 14 days of the committee's conclusion of hearings. Either party may forward to the president their comments on the findings and recommendations of the committee. Such comments must be submitted within seven days following receipt of the committee's recommendations. The president will make a final decision within 14 days of receipt of the committee's recommendations and findings.

## **XII. ARBITRATION**

If either the complainant or the respondent is not satisfied with the final university resolution, they may request review by an impartial arbitrator under the Rules of the American Arbitration Association by submitting a request in writing to the president of the university, no later than forty-five (45) calendar days after issuance of the final university outcome.

The request shall consist of a plain, concise and complete written statement outlining the grounds for disagreement with the outcome and all relevant information to substantiate the basis for doing so.

The president of the university will then decide whether the case is suitable for arbitration; if so, under written agreement between the university and the party seeking arbitration review, providing as a final and binding alternative to civil litigation, an arbitrator will be mutually selected between the parties, and the costs of the arbitrator's fees shall be agreed to in writing by an authorized representative of the parties.

Any matter submitted to binding arbitration under this policy shall be submitted in accordance with the Rules of the American Arbitration Association. Attorneys or advisors of the party's choice may be present at and participate in the binding arbitration review process. This binding arbitration review process is the exclusive method of external review and is final and binding on both PAU and the student. The arbiter's decision may be entered in any state or federal court having jurisdiction.

## **XIII. PRIVACY OF RECORDS**

The Title IX Coordinator will retain records of all reports and complaints, regardless of whether the matter is resolved informally or after an external investigation. In addition, records relating to reports of alleged sexual misconduct under this policy may become a part of a students' academic record.

Documents prepared in anticipation of the investigation and resolution of the matter, including the investigative report and any other documents, will not be disclosed outside of the review process, except as required by law.

The final outcome letter will be issued concurrently to both the complainant and the respondent. The university neither encourages nor discourages the further disclosure of

the final outcome letter by either the complainant or the respondent. The university acknowledges that sharing the final outcome letter with others may be an important part of a student's healing process.

#### **XIV. DISSEMINATION OF POLICY, TRAINING AND PREVENTION**

As a part of the university's commitment to maintaining its campuses and programs free from sexual misconduct, this policy shall be disseminated widely to the university community through publications, websites, student orientations, and other appropriate channels of communication.

The Title IX Coordinator is responsible for overseeing the university's efforts at training, prevention and education as it relates under this policy. The Title IX Coordinator will receive appropriate training for the intake and handling of reports of sexual misconduct under this policy, including those that are complainant-centered and trauma informed.

The university will also provide all other employees with online training relating to this policy every two years.

In addition, in an effort to prevent all forms of sexual misconduct from occurring on PAU campuses or within the PAU community, the university will provide all incoming students and faculty, at the start of the academic year, with a copy of this policy, and may also provide additional materials designed to educate students on sexual misconduct and how to prevent it from occurring. Education programs shall promote the awareness of rape, acquaintance rape, domestic violence, dating violence, sexual assault, and stalking, and shall be designed to prevent all misconduct prohibited under this policy from occurring, to identify safe and positive options for bystander intervention, and to help recognize warning signs of abusive behavior and how to avoid potential attacks.

Students, faculty and staff are all encouraged to take part in the university's trainings and educational programs, designed to prevent sexual misconduct.

#### **XV. RESOURCES**

Getting Help: The university encourages all members of the PAU community who believe they have been subjected to sexual misconduct to report these incidents to local law enforcement authorities and to seek medical attention where appropriate.

The university also encourages all members of the PAU community to report any incident(s) of possible sexual misconduct to the Title IX Coordinator, and to get help from as many resources as possible.

#### For Emergency Needs:

- 911 – Police
- City of Palo Alto Police Department: Emergency (650) 321-4433
- Rape Trauma Services 24-hour Helpline: 650-692-7273
- National Domestic Violence Hotline: 1-800-799-SAFE (7233)
- At Stanford University, Stanford University Department of Public Safety (SUDPS): 650- 329-2413, or 9-1-1.
- At De Anza College, De-Anza Police Department: from campus phones, dial 9-1-1 or from cell phones (408) 924-8000; for non-emergencies, call 650-949-7313 or dial extension 7-3-1-3 from campus phones.

#### For Medical Needs:

- Stanford Emergency Department: 900 Quarry Road Extension, Stanford, CA 94304; (650) 723-5111
- Stanford Health Care: (650) 498-3333

#### Other Off-Campus Resources:

- Stanford Medical Social Work: (650) 723-5091
- City of Palo Alto Police Department: Non-Emergency (650) 329-2413
- Rape Trauma Services Center 1860 El Camino Real, Suite 406, Burlingame, CA 94010
- Center for Domestic Violence Prevention: (650) 312-8515
- Community Overcoming Relationship Abuse (CORA) 24-hour hotline: 1-800-300-1080
- National Sexual Assault hotline: 1-800-656-HOPE

#### PAU Campus Services:

- Title IX Coordinator: Thom Shepard, Dean of Students, Allen Calvin Campus, Building 1, Room 106, 1791 Arastradero Road, Palo Alto, California 94304; Phone: (650) 433-3814; Email: [tshepard@paloinc.edu](mailto:tshepard@paloinc.edu)
- Counseling Services for Students: Each person experiences trauma differently. You may experience any or all of the following: anger, embarrassment, anxiety, panic or worry, fear of being alone, being harmed or not being believed, guilt or self-blame, loss of trust or vulnerability sadness, depression or hopelessness, an urge to use alcohol or other drugs and symptoms of post-traumatic stress
  - For assistance with locating mental health services, students should contact or visit the Dean of Students at [tshepard@paloinc.edu](mailto:tshepard@paloinc.edu). A student will be referred to an external counselor.
- Academic Support or Other Student Services: Students may wish to explore the possibility of extra academic support, flexibility, accommodations or other student services. To do so, please contact the Title IX Coordinator and Dean of

Students at 650-433-3818 or the Associate Director of Student Services at 650-433-3836.

**TEMPORARY SUPPLEMENT TO SEXUAL MISCONDUCT POLICY**  
**August 2020**

**Overview:** This temporary policy supplement is an extension of the existing Title IX Sexual Misconduct Policy. It implements the DOE August 2020 Rules. If the Title IX Coordinator considers a report to be of a **very serious** asserted violation of the PAU Sexual Misconduct Policy, use this temporary supplement along with the Policy.

**Very serious** reports are those that upon completion of the intake, the Title IX Coordinator believes that if true, the case reasonably may lead to sanctions of expulsion, suspension of matriculation or of co-curricular activities and/or a permanent adverse finding of sexual misconduct on record with the University.

**Notice:** Very serious reports require more detailed written notice. The Title IX Coordinator will provide written notice to the parties who are known, including a statement of the allegations and details known at the time, such as names of those involved, the alleged conduct, the date, time and location of the incident; a statement of the policies and standard of evidence that will apply; a statement that the Respondent is presumed not responsible for the alleged conduct until a final determination is made by the appointed fact-finder(s); and a reminder that both parties will have the opportunity to review the investigative report and evidence prior to the hearing and an opportunity to bring an advisor of their choice to the hearing. Both parties are sent a copy of the PAU Sexual Misconduct Policy and this supplement.

**Live Hearing:** Very serious reports require a live hearing if the report is not resolved by an agreement that is approved by the Title IX Coordinator, unless both the Complainant and the Respondent do not want a live hearing.

The hearing will take place in real-time, however, participants may be located in separate rooms using audio and/or video technology that allows simultaneous viewing and listening. The hearing fact-finder(s) shall decide who is allowed at the hearing and the order of the proceedings. The University may retain an external person to be the neutral fact-finder.

The live hearing is held by the fact-finder(s) who is appointed by the Title IX Coordinator and who is not otherwise involved in the case. The person will be appropriately trained. The fact-finder(s) will not have a conflict of interest or any bias for one side or the other.

All parties will receive 20 days or more notice of the date, time and location for the hearing, and a reminder of the equal opportunity for bringing an advisor/support person to the hearing.

At least ten (10) days before the hearing takes place, both the Complainant and the Respondent will



have equal opportunity to review the investigative file subject to any parameters set by the Title IX Coordinator. This information will also be available at the hearing.

Each party's advisor will be permitted an opportunity to ask the other party and any witness who testifies, relevant questions and follow-up questions, including those challenging credibility, but only upon the advance approval by the fact-finder(s), and subject to their guidelines, if any. Direct questioning of any witness by a party is not permitted. If a party does not have an advisor, they may inform the Title IX Coordinator in advance of the hearing, who will determine how to proceed. The fact-finder(s) will decide questions of relevance at the hearing.

Complainants and Respondents will be treated equitably. All relevant evidence at the hearing and in the hearing file will be objectively evaluated, including both inculpatory and exculpatory evidence. A determination will not be based on a party's status as a Complainant, a Respondent, or a witness, or any preconceived notions or biases.

Within ten (10) business days of the live hearing, with extension as permitted by the Title IX Coordinator, the fact-finder(s) will provide a written determination to the Title IX Coordinator of whether or not the Respondent is found responsible under this Policy, and may also include a recommendation for sanctions or remedies.

The Title IX Coordinator will thereafter send the parties (simultaneously) a written Outcome Letter as stated in the PAU Sexual Misconduct Policy. The range of possible disciplinary sanctions or remedies that may follow a determination of responsibility are stated in the PAU Sexual Misconduct Policy

**Records:** An audio or audiovisual recording or transcript of the live hearing will be created. The Title IX Coordinator will receive and retain records of the case including the interim and the supportive measures, if any. If no such measures were provided, the University will document the reasons why. The Office of the Title IX Coordinator will also maintain materials used to train any staff of the University who are appointed to serve as investigator(s), fact-finder(s) or in any other role related to this Policy. Requests for inspection of such records may be directed to the University's designated Title IX Coordinator.

## Public Information about Registered Sex Offenders

### 34 CFR 668.46(b)(12)

In 1947 California implemented a sex offender registration program to help keep track of persons convicted of certain sex crimes. Then in 1996, California enacted Megan's Law, which provides the public with photographs and descriptions of convicted sex offenders who have registered their whereabouts with local law enforcement. Pursuant to Section 290 of the California Penal Code convicted sex offenders are required by law to register within 5 days of changing residence locations (every 60 days if they do not have a permanent residence), starting school, employment at a school, or within 5 days of each birthday. If there are requests about registered sex offenders, contact the California Department of Justice Sex Offender Identification Line: 900-463-0400 (\$10.00 charge) or Website: (<http://oag.ca.gov/>); or Megan's Law Information on Registered Sex Offenders: <http://www.meganslaw.ca.gov> .

## Campus Crime Statistics

Every year, PAU is required to provide statistical data on Clery reportable crimes if they occur on (1) on campus, (2) on public property within or immediately adjacent to the campus, and (3) in or on non-campus buildings or property that PAU owns or controls. This is also known as the University's "Clery geography."

Clery crimes that do not occur within the University's Clery geography are not included in the data even if students or employees of PAU are involved.

## How Data is Gathered

The University collects statistical crime data for Clery-defined crimes that occur on PAU's main campus and on all public property that is immediately adjacent to and assessable from the campus.

The University also collects statistical crime data for Clery-defined crimes that occur at off-campus locations, if they occur in any building of property owned or controlled by PAU that is used in direct support of, or in relation to, the educational purposes of PAU, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

Statistical data for crimes is collected from the Palo Alto Police Department, the Los Altos Police Department, and other agencies as needed. In addition, the PAU community is directed to refer all reports to the Business Office (Human Resources Department) of PAU. The Business Office then reviews the report to identify the classification of the crime, if any.

Campus crime, arrest and referral statistics include those reported to designated campus officials (including but not limited to administrators, directors, deans, department heads, advisors, and facilities personnel) and local law enforcement agencies.

**ALLEN CALVIN CAMPUS – On Campus**

<b>Criminal Offense</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory rape	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	0	0	0
Motor Vehicle theft	0	0	0
Arson	0	0	0
<b>Arrests</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>

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

<b>Referrals for Disciplinary Action</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

**ALLEN CALVIN CAMPUS – Public Property That is Immediately Adjacent to and Accessible from this campus**

<b>Criminal Offense</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory rape	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	0
Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	0	0	0
Motor Vehicle theft	0	0	0
Arson	0	0	0

<b>Arrests</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

<b>Referrals for Disciplinary Action</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

### **OFF-CAMPUS Locations of the University**

<b>Criminal Offense</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Murder/Non-negligent manslaughter	0	0	0
Negligent manslaughter	0	0	0
Rape	0	0	0
Fondling	0	0	0
Incest	0	0	0
Statutory rape	0	0	0
Domestic Violence	0	0	0
Dating Violence	0	0	0
Stalking	0	0	1

Robbery	0	0	0
Aggravated assault	0	0	0
Burglary	0	0	0
Motor Vehicle theft	0	0	0
Arson	0	0	0

<b>Arrests</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

<b>Referrals for Disciplinary Action</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>
Liquor Law Violations	0	0	0
Drug Law Violations	0	0	0
Illegal Weapons Possession	0	0	0

## Hate Crimes Statistics

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Current legislation requires the reporting of crimes listed in the tables above, plus the crimes of larceny/theft, simple assault, intimidation, destruction/damage/vandalism of property, if they are also a Hate Crime. A Hate Crime is a criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator’s bias against the victim based on their actual or perceived race, religion, gender, gender identity, sexual orientation, ethnicity, national origin, or disability.

No crimes motivated by hate were reported to PAU in 2017, 2018, and 2019 for on campus, non-campus locations, or public property adjacent to the University.

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## Unfounded Crimes

Current legislation, beginning in 2015, requires the reporting of unfounded crimes. An

“unfounded crime” is a reported crime that upon investigation by law enforcement authorities is found to be false or baseless. Only sworn or commissioned law enforcement personnel may

“unfound” a crime. Crime reports can be properly determined to be false only if the evidence from a complete and thorough investigation establishes that the crime reported was not, in fact, completed or attempted in any manner.

The University has no reports of unfounded crimes in 2017, 2018, or 2019 for on campus, non-campus locations, or public property adjacent to the University.



## APPENDIX A

### Palo Alto University Emergency Plan

*Prepared by the Emergency Planning Committee:*

*Christine Kidd, Chair*

*Leonard Beckum*

*Jim Cramer*

*Scott Hines*

*Dave Leavitt*

*Jeanna Spannring*

*Approved by the Executive Council on June 1, 2010*

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14. **Emergency Status Report Form**
15. **Building-Specific Emergency Information (location of first aid kits, exits, etc.)**

**The Palo Alto University  
Emergency Management Plan**

**Mission is:**

**to protect life and health,  
minimize property and economic damage,  
and to maximize restoration of normal activities  
for the campus community.**

**The normal chain of command during an emergency may be temporarily  
suspended. Utilization of emergency management systems will provide for  
efficient, effective return to normal conditions.**

## **EARTHQUAKE**

### **Before:**

1. Attach all bookcases, cabinets, and other furnishings to a wall or to the floor.
2. Store all heavy items below head level.

### **Outside:**

Get to an open area away from trees, buildings, and power lines.

### **Vehicle:**

1. Pull to the side of the road away from underpasses, bridges and buildings.
2. Remain in the vehicle until the shaking stops. Do not leave the vehicle if a power line has fallen on or near it.

### **Inside:**

1. Stay away from windows and get under a desk or a table.
2. Duck, cover and hold.
3. In a hallway, sit against the wall and protect your head with your arms.
4. Wait inside until the shaking stops, then evacuate the building and go to the Emergency Assembly area.
5. Do not use elevators for evacuation.
6. Designated personnel should assist individuals with mobility disabilities to a safe location, e.g., an enclosed stairwell landing with a ground level exit to the exterior or, if obstructed, an office space with a door.
8. Report to your Department Safety Representatives (DSR). The DSR will complete a department status report and transmit it to the campus Emergency Operations Center (EOC).
9. Do not re-enter the building until authorized to do so by emergency response personnel.

## **FIRE**

1. Know the location of fire extinguishers in your area and know how to use them. Fire extinguisher training is available for departments by request at 433-3853.
2. For a minor fire that appears to be controllable, immediately call 650-329-2413 from your cell phone (or 9-911 from a campus phone). Then use the appropriate fire extinguisher to control the flames. Get help if necessary.
3. For a larger fire that is not easily controllable, close all doors to confine the fire and reduce oxygen, then immediately call 650-329-2413 (or 9-911 from a campus phone). Give all information requested (your name, exact location, size and progress of the fire, etc.).
4. Notify your supervisor or instructor, then evacuate the building by quickly walking to the nearest exit, alerting people as you go, and assisting those with disabilities as necessary. Do not use elevators for evacuation.
5. Once outside, move to a clear area at least 50 feet away from the affected building. Keep the walkways and vehicle access clear for emergency vehicles. Utilize the designated building Emergency Assembly Point if it is free of smoke, and wait for instructions.
6. **6. DO NOT RETURN TO THE AFFECTED BUILDING UNTIL TOLD IT IS SAFE BY A CAMPUS FIRE OFFICIAL.**
7. Report all fires, regardless of size to Facilities at 408-482-7885 (Jim Cramer) or 650-740-8968 (June Klein.)
8. Report any fire extinguisher that has been discharged, has lost pressure, or is out-of-date to Facilities at 650-433-3853 for service.

## **MEDICAL EMERGENCY**

### **All Personnel**

- Call 650-329-2413 (or 9-911 from a campus phone), if the condition requires immediate medical attention.
- If poisoning is suspected, contact the Poison Control Center at 1-800-222-1222.

### **Staff and Faculty Work Related Injuries**

- It is important that all work related injuries be reported immediately. During regular business hours, contact June Klein at 650-433-3849(W) to report injuries and to obtain an authorization for initial medical treatment.

If a work-related injury occurs outside of normal work hours, contact June Klein at 650-433-3849 within one business day.

- If an employee is hospitalized for 24 hours or more (other than for observation), or has an injury that results in a partial or full loss of limb (amputation), or loss of life, contact June Klein at 650-650-740- 8968(C) immediately. The campus must report these injuries to OSHA within 8 hours of the event.

### **Student Injuries**

- If the victim needs immediate medical assistance call 650-329-2413 (or 9-911 from a campus phone). There is no charge for having the paramedics (9-911 from a campus phone) come out and evaluate the victim. All injuries that occur on campus must be reported to June Klein within one business day.

## **ACTIVE SHOOTER**

In response to a report of a shooting, the following is recommended:

1. Get everyone to lie down away from windows. Lock doors and secure in place.
2. Do not evacuate rooms or buildings if you are safely secured unless told to do so by Police or unless it is absolutely clear that it is safe to do so.
3. If you must flee the immediate area of gunfire, run in a zigzag pattern and try to utilize any obstructions between you and the gunfire. Try not to run down a long hallway.
4. Call 650-329-2413 (or 9-911 from a campus phone). Try to remain calm.
5. If you are in an open area, move swiftly away from the sound of gunfire and find a safe cover position. Try to get inside or behind a building.
6. Wait and listen for directions from Police.

## **VIOLENCE/CRIME IN PROGRESS**

1. Do not put yourself at risk.
2. Do not interfere with persons committing the crime or creating the disturbance.
3. If you are the victim of, are involved in, or witness any on-campus violation of the law such as assault, robbery, theft, overt sexual behavior, call Police at 650-329-2413 (or 9-911 from a campus phone) immediately with the following information:
  - Nature of incident
  - Location of incident
  - Description of person(s) involved
  - Location of person(s) involved
  - Your name, location, department and phone number
4. If personal safety allows, try to get a good description of the criminal. Note height, weight, sex, color, approximate age, clothing, method and direction of travel, and name if known.
5. Remain where you are until a police officer arrives.



## **UTILITY FAILURE**

### **Gas:**

1. If you smell gas, and if personal safety allows, turn off the source (?) and evacuate the immediate area.
2. The human nose is extremely sensitive to the odorant placed into natural gas and so it is detectable far below any fire/explosion levels. Therefore, for low-level smells, immediately contact 650-329-2413 (or 9-911 from a campus phone).
3. If gas odor is strong, evacuate the building using the fire alarm pull station and call 650-329-2413 (or 9-911 from a campus phone). Evacuate to your building Emergency Assembly Point.
4. Do not turn on/off any electrical equipment or light switches.

### **Electrical Outage:**

1. Unplug sensitive equipment, if not connected to a surge protector.
2. Check elevators for trapped individuals and call 650-329-2413 (or 9-911 from a campus phone).
3. Stay away from downed power lines.
4. Emergency exit lighting may only stay on for a short time.
5. During an extended power outage, you may have to leave the building and go to your building Emergency Assembly Point.
7. In order to maximize the emergency generator run time and efficiency, please turn off power to non-essential areas (departmental kitchen, copier room, etc.) and equipment (printers, coffee machines, etc.).

### **Plumbing/Flooding:**

1. If personal safety allows, shut off electrical equipment and evacuate area. Do not enter area where live electrical circuits are in contact with water.
2. Do not drink water from any campus system after an earthquake or a flood.
3. Report plumbing breaks to Facilities Management at 650-433-3853, or after business hours to June Klein at 650-740-8968

### **Heating and Ventilation:**

Report air conditioning or heating problems to Facilities at 650-433-3853, or after business hours to Fernando Galeano at 650-417-2033

## **BOMB THREATS**

Bomb threats usually come by telephone and generally are made by individuals who want to create an atmosphere of general anxiety or panic. All bomb threats should be taken seriously.

### **By Telephone:**

1. Take the caller seriously, but remain calm.
2. Ask a lot of questions. Use the checklist below as a guide.
3. Take notes on everything said and on your observations about background noise, voice characteristics.
4. If possible, get someone to call Police while you continue talking to the caller.
5. Call Police at 650-329-2413 (or 9-911 from a campus phone) immediately after the call.
6. Notify your supervisor/department head.
7. Campus Police will determine if evacuation is necessary. If you do evacuate, move to your building Emergency Assembly Point.
8. Do not re-enter the area until instructed to do so.

### **BOMB THREAT REPORT • Questions to Ask**

1. When is the bomb going to explode?
2. What will cause it to explode?
3. Where is it right now?
4. Did you place the bomb?
5. What does it look like?
6. What is your name?
7. What kind of bomb is it?
8. What is your address?

### **Exact wording of the threat:**

Caller's Voice:

• Calm • Nasal • Slow • Raspy • Loud • Angry • Stutter • Excited • Rapid • Deep • Soft • Clearing Throat • Laughter • Normal • Disguised • Distinct • Deep Breathing • Crying • Accent • Slurred • Lisp • Ragged • Cracked Voice • Familiar

### **If voice is familiar, who did it sound like?**

Sex of caller: Age: Length of Call:

Accent: Local, Foreign, Regional (describe)

Number at which call was received:

Time: Date: //

**Background Sounds:**

- Street Noises • Factory Machinery • Animal Noises • Voices • PA System • Static • Local
- Music • Long Distance • House • Noises • Booth • Motor • Office Machinery
- Other

**Threat Language:**

- Well Spoken (Educated) • Incoherent • Taped • Foul • Message Read by Threat Maker • Irrational

## **RATTLESNAKE BITE**

### **Symptoms**

- One or two puncture marks
- Pain, tingling or burning at the area of the bite
- Swelling at the area of the bite
- Bruising and discoloration at the site of the bite
- Numbness
- Nausea, weakness and lightheadedness.
- Difficulty breathing

### **First Aid for Snakebites**

(This first aid for snakebites information was provided by the U.S. Food & Drug Administration (FDA) and the American Red Cross)

According to the American Red Cross, these steps should be taken:

1. Wash the bite with clean water and soap.
2. Immobilize the bitten area and keep it lower than the heart.
3. If the bite is on the hand or arm remove any rings, watches or tight clothing.
4. Get medical help immediately.

Most bites don't occur in isolated situations where the victim may be a long distance from medical help. Some medical professionals, along with the American Red Cross, **cautiously** recommend two other measures:

5. If a victim is unable to reach medical care within 30 minutes, a bandage, wrapped two to four inches above the bite, may help slow venom. The bandage should not cut off blood flow from a vein or artery. A good rule of thumb is to make the band loose enough that a finger can slip under it.
6. A suction device may be placed over the bite to help draw venom out of the wound without making cuts. Suction instruments often are included in commercial snakebite kits.

### **How NOT to Treat a Snakebite**

Snakebite first aid methods are not always agreed upon by U.S. medical professionals, but they are nearly unanimous in their views of what NOT to do.

- NO ice or any other type of cooling on the bite. Research has shown this to be potentially harmful.
- NO tourniquets. This cuts blood flow completely and may result in loss of the affected

limb.

- NO electric shock. This method is under study and has yet to be proven effective. It could harm the victim.

- NO incisions in the wound. Such measures have not been proven useful and may cause further injury.

**Treatment of venomous snakebites is often controversial, even within the medical profession. In all cases contact medical help immediately if treatment is needed.** If you need help with a venomous bite or if you have a poisoning emergency, call your Poison Center immediately. **If the victim has collapsed or is not breathing, call 911.** Poison Centers across the country now have a new national emergency phone number - **1-800-222-1222**

## APPENDIX B

### Crime Statistics-Categories

Crimes are reported in the following 4 major categories, with several sub-categories:

1. **Criminal Offenses** – Criminal Homicide including:
  - a. Murder and Non-negligent Manslaughter
  - b. Negligent Manslaughter
  - c. Sexual Assault (including rape)
  - d. Fondling
  - e. Incest
  - f. Statutory RapeRobbery
- g. Aggravated Assaults
- h. Burglary
  - i. Motor Vehicle Theft and
  - j. Arson

#### 2. Arrests or referrals for disciplinary action:

1. Liquor Law Violations
2. Drug Abuse Violations
3. Weapons- Carrying, Possession, Etc. Law

If both an arrest and a referral are made only the arrest is counted. The statistics are also broken down geographically into “on campus,” “residential facilities for students on campus,” “non - campus buildings,” or “on public property” such as streets and sidewalks.

#### 3. VAWA Offenses::

1. Domestic Violence
2. Dating Violence
3. Stalking

#### 4. Hate Crimes:

The reports must also indicate if any of the reported incidents were a “hate crime.” An institution must report, by category of prejudice, crimes reported to local police agencies or to a campus security authority that manifest evidence that the victim was intentionally, selected because of the victim’s actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability:

1. Larceny-theft
2. Simple Assault

3. Intimidation
4. Destruction/damage/vandalism of property
5. Any of the above-mentioned offenses that were motivated by bias





## APPENDIX C

### Crime Definitions

#### Federal Bureau of Investigation Uniform Crime Reporting/National Incident - Based Reporting System Crime Definitions

Excerpted from the Implementing Regulations of the "Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act" (originally the Campus Security Act) originally published in the Federal Register on April 29, 1994 (Vol. 59, No. 82) and November 1, 1999 (Vol. 64, No. 210).

The following definitions are to be used for reporting the crimes listed in 34 CFR sec. 668.46 and 34 Appendix A to Subpart D of Part 668, in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting (UCR) Program. The definitions for *murder, rape, robbery, aggravated assault, burglary, motor vehicle theft, weapon law violations, drug abuse violations* and *liquor law violations* are excerpted from the Summary Reporting System (SRS) User Manual" from the FBI's UCR Program . The definitions of fondling, incest, and statutory rape are excerpted from the "National Incident-Based Reporting System (NIBRS) User Manual" from the FBI's UCR Program. The definitions of *larceny-theft (except motor vehicle theft), simple assault, intimidation, and destruction/damage/vandalism of property* are from the "Hate Crime Data Collection Guidelines and Training Manual" from the FBI's UCR Program.

#### CRIME DEFINITIONS FROM THE SUMMARY REPORTING SYSTEM (SRS) USER MANUAL FROM THE FBI'S UCR PROGRAM

##### *Arson*

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

##### *Criminal Homicide-Manslaughter by Negligence*

The killing of another person through gross negligence.

##### *Criminal Homicide-Murder and Non-negligent Manslaughter*

The willful (non-negligent) killing of one human being by another.

##### *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.

##### *Robbery*

The taking or attempting to take anything of value from the care, custody, or control of a person

or persons by force or threat of force or violence and/or by putting the victim in fear.

*Aggravated Assault*

An unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a weapon or by means likely to produce death or great bodily harm. (It is not necessary that injury result from an aggravated assault when a gun, knife, or other weapon is used which could and probably would result in serious personal injury if the crime were successfully completed.)

*Burglary*

The unlawful entry of a structure to commit a felony or a theft. For reporting purposes this definition now includes three conditions: (1) there must be evidence of unlawful entry (trespass). (2) The unlawful entry must occur within a structure, which is defined as having four walls, a

roof, and a door. (3) The unlawful entry into a structure must show evidence that the entry was made in order to commit a felony or theft. If the intent was not to commit a felony or theft, or if the intent cannot be determined, the proper classification is Larceny.

#### *Motor Vehicle Theft*

The theft or attempted theft of a motor vehicle. (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned including joyriding.)

#### *Weapons: Carrying, Possessing, Etc.*

The violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices, or other deadly weapons.

#### *Drug Abuse Violations*

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

#### *Liquor Law Violations*

The violation of State or local laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, or use of alcoholic beverages, not including driving under the influence and drunkenness.

### CRIME DEFINITIONS FROM THE NATIONAL INCIDENT-BASED REPORTING SYSTEM (NIBRS) USER MANUAL FROM THE FBI'S UCR PROGRAM

#### *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.

- A. *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.
- B. *Incest* – Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.

C. *Statutory Rape* – Sexual intercourse with a person who is under the statutory age of consent.

Violence Against Women Act of 1994 (VAWA), 34 CFR 668.46(a):

*Domestic Violence*

A felony or misdemeanor crime of violence committed –

- (A) By a current or former spouse or intimate partner of the victim;
- (B) By a person with whom the victim shares a child in common;
- (C) By a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner;
- (D) 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
- (E) 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.

- (i) 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.
- (ii) For the purposes of this definition-
  - (A) Dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse.
  - (B) Dating violence does not include acts covered under the definition of domestic violence.

*Stalking*

- (i) Engaging in a course of conduct directed at a specific person that would cause a reasonable person to –
  - (A) Fear for the person's safety or the safety of others; or
  - (B) Suffer substantial emotional distress.
- (ii) For the purposes of this definition –
  - (A) *Course of conduct* means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
  - (B) *Reasonable person* means a reasonable person under similar circumstances and with similar identities to the victim.
  - (C) *Substantial emotional distress* means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

*Hate Crimes:*

*Larceny-theft*

The unlawful taking, carrying, leading, or riding away of property from the possession or constructive possession of another.

*Simple Assault*

An unlawful physical attack by one person upon another where neither the offender displays a weapon, nor the victim suffers obvious severe or aggravated bodily injury involving apparent broken bones, loss of teeth, possible internal injury, severe laceration, or loss of consciousness.

*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.

*Destruction, damage, or Vandalism of property*

To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

*Source: Federal Register, April 29, 1994, Vol. 59, No. 82; Federal Register, November 1, 1999, Vol. 64, No. 210.*

## APPENDIX D

### Partnering Colleges and Universities

- Stanford University, Stanford University Department of Public Safety (SUDPS): 650- 329-2413, or 9-1-1; <http://web.stanford.edu/group/SUDPS/>
- De Anza College, De-Anza Police Department: from campus phones, dial 9-1-1 or from cell phones (408) 924-8000; for non-emergencies, call 650-949-7313 or dial extension 7- 3-1-3 from campus phones; <http://www.deanza.edu/emergency/>
- Golden Gate University, Security Officer: from campus phones, dial “O” and from all other locations, dial 9-1-1; <http://www.ggu.edu/about-ggu/campus-safety-and-security/>