ANNUAL FIRE SAFETY & SECURITY REPORT
DOHENY CAMPUS
2021
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A MESSAGE FROM THE VICE PRESIDENT

To the Mount community:

The 2019 and 2020 academic years were challenging. However, through the Getty Fire immediately followed by the COVID-19 pandemic, the Athenian spirit has undoubtedly shone through. As we move the Mount forward, we remain committed to your safety to provide a dynamic learning experience and superior education.


This report will inform you of safety and security initiatives at MSMU. This report includes information on the Department of Campus Security, policies and procedures for reporting crime, prevention and protection programs, victim assistance services, and resources to assist you in maintaining your safety and security. Campus crime and fire statistics are listed for your awareness.

Thank you for taking the time to read and learn from this report. I am grateful for the support and partnership in keeping the Mount a safe place to learn, live, and work.

Sincerely,

Debra Martin
Vice President for Administration and Finance
dmartin@msmu.edu
INTRODUCTION

About MSMU
Mount Saint Mary’s University is the only women’s university in Los Angeles and one of the most diverse in the nation. The University is known nationally for its research on gender equity, innovative health and science programs, and commitment to community service.

Mount Saint Mary’s is ranked #1 in Social Mobility on the 2020-21 US News and World Report Best Colleges list, and #3 by MONEY Magazine on the Most Transformative list nationwide, reflecting the high value of a Mount education and the impact it has on the lives of its students and families. MSMU recently received a grant for $15 million from philanthropist MacKenzie Scott, an affirmation of our mission and successes, based on the Mount’s strong leadership team and results and our focus on students who are traditionally underrepresented in higher education.

Who We Serve
MSMU serves a student population that is traditionally underrepresented in higher education. In the traditional undergraduate program, 82% of our female students are women of color, and 61% identify as Hispanic/Latina.

All of our students receive some form of financial aid. Over 60% of our undergraduates receive Pell Grants (most are awarded to students whose families make less than $30,000 annually), and 28% of our students come from families whose income falls below the US poverty line ($26,200 for a family of four). Nearly 50% of our students are first-generation college students, and more than 90% are from Southern California.

Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act
The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, or the Clery Act, is a federal statute codified at 20 US Code § 1092(f), with implementing regulations in the US Code of Federal Regulations at 34 CFR 668.46. The Clery Act requires all colleges and universities that participate in federal financial aid programs to:

1. Publish an annual fire safety and security report by October 1st that documents three calendar years of campus crime and fire statistics and certain campus security policy statements;
2. Collect, count, and disclose crime statistics information about crime on and around their campuses;
3. Maintain a public daily crime log that records all criminal incidents and alleged criminal incidents reported to Campus Security;
4. Maintain a publicly accessible fire log of all fires that occurred in on-campus residential facilities;
5. Disclose missing student notification procedures for students who reside in on-campus residential facilities;
6. Issue “timely warning” notices to the Mount community for any Clery crime that represents a serious or continuing threat to the safety of students or employees;
7. Issue an emergency notification when a significant emergency or dangerous situation involves an immediate threat to

MSMU QUICK FACTS

- Established in 1925
- Accredited by the Accrediting Commission for Senior Colleges and Universities of the Western Association of Schools and Colleges
- 3,028 students enrolled with 75% enrolled full-time
- 90% female and 10% male student population
the health or safety of students or employees on campus.

8. Disclose information about fire safety systems, fire safety tips and fire statistics.

MSMU Department of Campus Security prepares the Annual Fire Safety and Security Report (referred to as the Annual Security Report or ASR) in collaboration with various departments throughout the University, including Title IX, Emergency Management & Safety, Facilities Management, Human Resources, Student Affairs and Residence Life and Housing Services. MSMU distributes a notice of availability via email to students, faculty and staff by October 1st each year. The ASR is available online at https://www.msmu.edu/student-life/campus-security/. A paper copy of the report is available by contacting:

MSMU Department of Campus Security
campussecurity@msmu.edu
310.954.4321 or 213.477.2502

MSMU SAFETY AND SECURITY POLICIES AND PROCEDURES

Roles, Authority, and Training
The Mount Saint Mary’s University Department of Campus Security contributes to the overall successful development of students through a combination of student-centered active and passive programming uniquely designed to challenge, inform and build a sense of safety both within the Mount community and beyond. The Department’s mission extends to all members of the MSMU community, including students, faculty, and staff.

Campus Security is responsible for conducting patrols, parking enforcement, enforcing University policies, and responding to service calls. Campus Security deploys one patrol officer for each 8-hour shift. Typical patrols are carried out on foot or in a marked patrol vehicle. Campus Security is open 24 hours a day, seven days a week, 365 days per year.

All full-time and part-time officers are registered with the California Department of Consumer Affairs Bureau of Security and Investigative Services as security guards and have the same powers to arrest as those of any other private citizen. All officers possess current and valid First Aid, Cardiopulmonary Resuscitation (CPR), and Automated External Defibrillator (AED) certifications. The Department also uses a variety of electronic devices, including security cameras, fire alarms, and blue-light emergency phones, which are located throughout campus. The Mount Saint Mary’s Department of Campus Security does not have any sworn law enforcement personnel.

In the event Campus Security is notified of a crime or an emergency, the highest-ranking Campus Security staff member will assess the situation to determine the legitimacy of the situation, based on the information provided through reports from witnesses and Campus Security officers on patrol. If the incident requires the involvement of law enforcement, the highest-ranking Campus Security staff member will be responsible for notifying the Los Angeles Police Department (LAPD). As necessary, Campus Security will coordinate with the Los Angeles Police Department and the Los Angeles Fire Department (LAFD) and other local agencies depending on the nature of the event. Mount Saint Mary’s will conduct an
internal investigation, separate from the LAPD investigation if deemed appropriate.

**MSMU Partnership with Local Law Enforcement**

The geographical jurisdiction of Campus Security is limited to the MSMU campuses and properties. Any criminal incidents will be referred to the local law enforcement agencies that have jurisdiction on the campus. Campus Security maintains a professional working relationship with the LAPD West Los Angeles Division (Chalon Campus) and the Southwest Division (Doheny Campus), and MSMU is in the early stages of establishing a formal memorandum of understanding with LAPD. All crime victims and witnesses are strongly encouraged to report crimes to local law enforcement immediately (see contact information below) and Campus Security at 310.954.4321 or 213.477.2502. Prompt reporting will assure timely support to those impacted by the incident, as well as timely warning notices and disclosure of crime statistics.

In a situation in which a member of the MSMU community acts in a manner, which may reasonably be viewed as a criminal violation, the university may act independently of any civil or criminal proceedings.

**Local Law Enforcement**
Mount Saint Mary’s - Doheny Campus
Los Angeles Police Department Southwest Police Station
1546 W. Martin Luther King Jr. Blvd.
Los Angeles, CA 90062
(Station Phone) 213.485.2585
Monday through Friday 7:00 am to 11:00 pm
(Life-threatening Emergencies) 9-1-1
(LAPD Rape Hotline) 626.793.3385

**Campus Access**
All persons who enter onto property owned or leased by Mount Saint Mary’s should be able to demonstrate a legitimate reason to be present on campus. Permission to enter onto University property is revocable at any time. Persons not having a legitimate purpose of being on campus may be asked to leave by Campus Security personnel. All vehicles parking on campus must display a valid parking permit. Vehicles without permits should stop at the main entrance to show identification, sign in, inform the officer of their intended destination, and pay for a parking permit if necessary.

Faculty, staff, and students are required to carry their MountID (university identification cards) with them at all times. The MountID is necessary for library use, admittance to student-sponsored events, on-campus pre-paid meal plans, Fitness Center usage, MSMU transportation use (campus shuttle), and security purposes.

**Residence Hall Access Information**
For the safety and security of the residents, all residence hall exit doors are locked at 10:00 p.m. After 10:00 p.m. and before 10:00 a.m., it is the responsibility of residents to escort all non-residents and guests in the residence halls. Students entering Brady and Carondelet at the Chalon campus after 10:00 p.m. must use their access key on the stairwell door on the ground floor of Brady or the Carondelet access door.

Residents living in the Casa and Rossiter 1st floor at the Chalon campus must escort their guests at all times. Guests may use the telephone outside the residence hall entry or residence desk to notify resident students of their arrival.

**Key Access Policy**
Each resident student is issued a room key that also serves as the building access key. If a key is lost, it must be reported immediately to the Residence Life Office. No keys given to any resident student or University employee may be loaned or given to anyone else or copied by anyone without the prior written authorization of the University administration. It is vital that residents fully understand their sense of community responsibility concerning building access keys.
Missing Resident Student Procedures

Anyone believing that a resident student has been missing for 24 hours should submit a Missing Person’s Report to either the office of Student Affairs, Residence Life, or the Department of Campus Security. Copies of this report may be obtained in the Residence Life office, Student Affairs, Campus Security, Health Service, and/or Counseling and Psychological Services. Upon receiving a report, a copy will be immediately given to the highest-ranking Director of Campus Security for review and follow-up.

All resident students are required to complete an emergency contact form. This form contains basic information about the student and who should be contacted if it has been determined by Mount Saint Mary’s University Department of Campus Security officials that this student has been missing for 24 hours. This contact information is confidential and is only accessible to authorized campus officials. It will not be disclosed to anyone except law enforcement personnel in furtherance of a missing person investigation.

After the determination has been made that a student has been missing for 24 hours, the Assistant Vice President for Student Affairs or her designee will contact the student’s emergency contact person if that student has designated such a person.

If a resident student is under the age of 18 and not emancipated, Mount Saint Mary’s University officials are required to notify the student’s custodial parent or guardian within 24 hours of the determination by the Department of Campus Security that the student is missing. Notification will also be made to any emergency contact person designated by the student. Department of Campus Security officials will notify the Los Angeles Police Department within 24 hours after the determination has been made that the student is missing unless the Los Angeles Police Department has previously determined that the student is missing.

Weapons Policy

The possession, storage, or use of firearms, explosives of any type (including fireworks), chemicals, and weapons of any sort are not permitted on the University premises or at University-sponsored events. On-campus includes all MSMU owned and controlled property, including parking lots, parking structures, classroom buildings, libraries, etc.

Any student in possession of either an exposed or concealed firearm, or any form of weapon as stated in the above paragraph, or that uses any device as a weapon on University property or at a University-sponsored event may be expelled. MSMU is private property and does not recognize permits to carry concealed weapons (CCW) and will treat anyone in possession of a firearm in violation of the MSMU weapons policy.
Additional Department of Campus Security Services

- Coordinates emergency planning, including residence hall fire drills, campus emergency drills, and participation in the Great California ShakeOut
- Provides educational emergency preparedness and response materials
- Documents reports of vehicle accidents and damage
- Gathers, maintains and disseminates information on safety and security policies and incidents of crime on campus
- Assists with building lockouts
- Maintains lost-and-found centers
- Responds to activated intrusion, security, and fire alarms for the entire campus and other University-owned properties
- Transports students 24 hours a day/seven days a week on campus.

MSMU SAFETY AND SECURITY RESOURCES & PERSONAL SAFETY TIPS

Emergency Assistance

In a life-threatening emergency, call 9-1-1 immediately, and then report the incident to Campus Security if possible so that Campus Security can assist and expedite first response provided by the Los Angeles Police Department and/or Los Angeles Fire Department.

Life-threatening Emergency
9-1-1
Emergency Phones

Campus Security maintains emergency phones throughout campus to connect community members to Campus Security with the press of a button. A blue light is located above these phones for ease of identification.

There are ten blue-light telephones available for emergency use on Mount Saint Mary’s campus. Three of these phones are call box emergency telephones in underground parking garages and outdoor locations, which provide a direct line to Campus Security by simply pushing the red button.

To operate the emergency phone, press the button and release it to activate it. The blue light will flash, and a Campus Security officer will respond verbally. Give the security officer your location, and an officer will respond immediately. If possible, tell the officer the nature of the emergency.

<table>
<thead>
<tr>
<th>LOCATION</th>
<th>LOCATION DESCRIPTION</th>
<th>TYPE</th>
</tr>
</thead>
<tbody>
<tr>
<td>649 House</td>
<td>North of 649 House</td>
<td>Blue Pole</td>
</tr>
<tr>
<td>745 House</td>
<td>North of 745 House</td>
<td>Blue Pole</td>
</tr>
<tr>
<td>House 7 Driveway</td>
<td>East of House 7 driveway</td>
<td>Blue Pole</td>
</tr>
<tr>
<td>Ken Skinner Parking Pavillion</td>
<td>Rooftop, northeast corner</td>
<td>Call Box</td>
</tr>
<tr>
<td>Ken Skinner Parking Pavillion</td>
<td>Level 3, southeast corner near elevator</td>
<td>Call Box</td>
</tr>
<tr>
<td>Ken Skinner Parking Pavillion</td>
<td>Level 2, southeast corner near elevator</td>
<td>Call Box</td>
</tr>
<tr>
<td>Ken Skinner Parking Pavillion</td>
<td>Level 1, southeast corner near elevator</td>
<td>Call Box</td>
</tr>
<tr>
<td>Parking Pavillion Pathway</td>
<td>West of building 5</td>
<td>Blue Pole</td>
</tr>
<tr>
<td>Rose Hill Plaza Patio</td>
<td>Southeast corner of J. Thomas McCarthy Library</td>
<td>Blue Pole</td>
</tr>
</tbody>
</table>
Incident Reporting Procedures

All members of the Mount community are asked to complete an Incident Report or calling Campus Security if they believe a crime has occurred. Community members completing an Incident report can remain anonymous. Confidential crime reports may be included as statistics in the Annual Security Report.

The Department of Campus Security will investigate the report and take appropriate action if required.

On-Campus Resources

Student Health Services (SHS)
10 Chester Pl. Los Angeles, CA 90007
Building 3, 1st Floor, Room B107
213.477.2685
studenthealthservices@msmu.edu

Clinic hours are Monday, Wednesday and Friday between 8:00 am and 7:00 pm during the academic year. Students are seen by appointment only.

Counseling and Psychological Services (CPS)
10 Chester Pl. Los Angeles, CA 90007
Mcintyre Hall, 1st Floor
During business hours – 310.954.4114
24/7 Crisis – 310.954.4277

Clinic hours are Monday through Thursday between 8:30 am and 5:00 pm and Friday between 8:00 am and 4:30 pm. Students and staff can leave a voicemail message during business hours for non-emergency questions or scheduling at 310.954.4114. For mental health emergencies/students in crisis, contact the crisis on-call line at 310.954.4277. For more information, visit Counseling & Psychological Services.

Campus Ministry
10 Chester Pl. Los Angeles, CA 90007
Building 7, 1st Floor
213.477.2672
campusministry@msmu.edu

Pastoral and Professional Mental Health Counselors

Individuals can make a confidential crime report to pastoral counselors (Campus Ministry), professional counselors (Counseling and Psychological Services), Student Health Services, the Title IX Coordinator, or Title IX Deputy Coordinators.

Pastoral counselors (individuals who are associated with a religious order or denomination, are recognized by that religious order or denomination as individuals who provide confidential counseling and are functioning within the scope of that recognition as pastoral counselors) and professional counselors (individuals whose official responsibilities include providing mental health counseling to members of the institution’s community and who are functioning within the scope of their license or certification; including professional counselors who are not employees of the institution but are under contract to provide counseling at the institution) are exempt from disclosing information when acting in their role of a pastoral or professional counselor.

Safety Tips

Although the victim is never at fault, taking a few simple precautions as you go about your daily activities can reduce your risk of becoming a crime victim.

Parties and Festivals

- Go out in groups and make a plan about getting home.
- Designate a sober friend when you are drinking.
- Designate a “buddy” within the group that you can look out for.
- Organize a time and meeting place in case you get split up.
- Make sure your phone is fully charged, and carry cash for emergencies.
- Don’t accept drinks from other people, and be sure to open drink containers yourself.
• Be mindful of what you are drinking, and keep it with you and covered at all times.

When Walking
• Stay alert and be aware of your surroundings.
• Walk facing oncoming traffic and walk only in areas that are well lit.
• Walk with friends or classmates whenever possible.
• Become familiar with the locations of emergency call boxes.
• If you are uneasy about walking to your car or residence after dark, call Campus Security and request an escort.

Ride Sharing
• Confirm the driver’s identity and vehicle match what is shown on the ride-sharing app.
• Never pay with cash, even for tipping; always use your app account for payment.
• Share your trip details with a family member or friend.
• If possible, travel in a group while using ride-sharing services.
• If you’re riding alone, sit in the backseat to ensure you can safely exit the vehicle.

Campus Transportation
Mount Saint Mary’s operates a free shuttle service between campuses for the community. Students can ride the Mount shuttle to and from each campus, from the Doheny Campus to Union Station, the Los Angeles central train terminal, as well as from the Chalon Campus to popular spots across the west side of Los Angeles.

Public Transportation
• Plan your route before you leave.
• If possible, use well-lighted, busy stops.
• Travel with a friend or co-worker whenever possible.
• Know the bus or subway schedule ahead of time, so you aren’t forced to wait longer than necessary.

• Don’t sleep on the bus or subway.
• Take a seat near the driver if another passenger is bothering you.
• Watch who exits with you. If you feel uneasy, walk directly to a place where there are other people.

Preventing Theft
• Never leave your personal belongings unattended, especially while at the Library, in coffee shops, dining halls, classrooms, lounge areas, or Fitness Centers.

Vehicles
• Always lock your vehicle.
• Remove all valuables from your vehicle. Store valuables out of sight in your trunk if they must remain in your vehicle.
• Close all windows, and make sure the trunk and all doors are secured.
• Park in well-lit, busy areas, and do not leave your vehicle in unattended lots for long periods.

Computers and Other Office Equipment
• Lock your room or office every time you leave.
• Engrave or apply an owner or departmental identification marking where possible.
• Consider purchasing and installing a tracking device on your laptop

Residence Halls and Off-campus Housing
• Never prop open exterior doors to residence halls.
• Residents should always escort all guests to residence halls.
• Report strangers in your hall to Campus Security.
• Don’t answer your door unless you know the person.
• Keep residence hall room doors locked, even if you leave for only a short time.
• Carry your MountID and keys at all times.
• Do not loan your room key to anyone, even friends.
If you live on the first floor, close your blinds/curtains before you head out.
Avoid geotagging your photos that share your location, and don’t publicly announce when you’re home alone or leaving your place unattended.

Digital Safety
- Never tell your password to anyone, and make your password hard to guess.
- Think twice before clicking on emails from those you don’t know.
- Don’t send personal information like your social security number, driver’s license number, or credit card numbers via email.
- Beware of phishing emails that ask for personal information. Companies and banks never ask you to confirm your password via email.

Jogging, Bicycling, and Other Outdoor Activities
- Choose safe, well-populated routes.
- Vary your routine, including the times you perform certain activities and the routes you take to or from such activities.
- Wear light, brightly colored clothing, especially at dusk and at night.
- Avoid jogging, biking, and other outdoor activities alone at night.
- Do not wear headphones that cancel other sounds.

Bystander Intervention
Intervening can be difficult, but every person on campus, whether a student, staff, or faculty member, has a role in preventing violence or responding to it before, during, or after it happens.
- Sexual violence occurs when a culture tolerates these behaviors, and it starts with rape jokes or sexist or other oppressive language. If you hear it, remember you don’t have to laugh or participate.
- We want to promote a culture of community accountability where bystanders are actively engaged in preventing violence without causing further harm.
- If you witness a potentially sexually violent situation, step in. Intervening can be direct or indirect; the important thing is that you do something. If you don’t feel comfortable addressing the potential perpetrator directly, consider causing a distraction or getting someone else to help you. Even if you don’t know the people involved, you can still help.
- Being an active bystander might mean helping after you have learned an assault has occurred. Believe the survivor and be supportive of their choices.

SAFETY AND SECURITY EDUCATION AND DRILLS

Emergency Drills

Building Evacuation
Building evacuation drills are conducted once per semester in residence halls and conducted annually in academic and administrative buildings. All building occupants are required to participate in the drills, which reinforce training and identify areas for improvement. Documents regarding evacuation start/end times and results are available through Emergency Management & Safety. Due to COVID-19, building evacuation drills were held only in the residence halls. The 2020 drills were conducted on February 6, 2020, and October 21, 2020 (in conjunction with the shelter-on-campus drills).

Shelter-On-Campus
At the recommendation of the Los Angeles Fire Department, MSMU utilizes a shelter-on-campus model for most wildland/brush fire emergencies. Shelter-on-campus is the act of seeking safety
within a designated shelter location on campus. Shelter-on-campus does not apply to a structure/building fire emergency when evacuating to a safe location away from a building is the more appropriate and safe response. Shelter-on-campus drills are conducted annually. The 2020 drill was conducted on October 21, 2020, with residents at the Chalon campus concurrently with the building evacuation drills. (Note: Due to COVID-19, MSMU had limited occupancy. All residents were housed at the Chalon campus.)

**Basic "Shelter-on-Campus" Guidance**

Generally speaking, sheltering on campus means staying in a location during an emergency incident until deemed safe to leave. In the event of a wildland/brush fire, a MountALERT will be issued directing community members to shelter-on-campus. Grab personal belongings and follow the building evacuation procedures (proceed to the nearest exit, close doors as you exit, and use the stairs instead of the elevators). Follow the directions of MSMU Campus Security, Residence Life and Housing Services, police, or fire department personnel.

**Earthquake**

Campus Security and Emergency Management & Safety conducted the annual earthquake drill on October 15, 2020, in partnership with the USGS Great California ShakeOut. The drill was initiated using the MountALERT system through text and email instructing community members to practice their earthquake response actions (drop, cover and hold on). The drill also served as a full test of the emergency notification system (MountALERT). Community members were asked to participate regardless of whether they were on campus or at home and were encouraged to post pictures of themselves practicing drop, cover and hold on via social media using the hashtag #prepareMSMU.

**Active Shooter**

Active shooter drills are conducted by Campus Security and Emergency Management & Safety annually. During the drill, students, faculty, and staff were asked to secure-in-place. Due to COVID-19 campus closure and limited campus occupancy, an active shooter drill was not conducted in 2020.

**Annual Emergency Exercise**

Each year Emergency Management & Safety conducts a multi-departmental emergency response exercise. The 2020 exercise focused on critical response and coordination actions in a simulated civil unrest incident near the Doheny campus. The exercise was held on October 28, 2020, in a virtual tabletop format with eight departments, including Campus Security, Student Affairs, Information Technology, and Human Resources, among others.

**Crime Prevention Education and Awareness**

**Campus Residents**

Residence Life Community Advisors remind residents of safety procedures and security policies at the beginning of each semester. Residents are instructed to close and lock their doors whenever they leave their room, not leave items unattended, report all suspicious individuals and activity, report broken windows and doors, avoid propping exterior doors open, and escort guests in the residence halls. Campus Security, Facilities Management and Emergency Management & Safety are included in Community Advisor training covering their role in emergency preparedness and response and partnering with response departments on campus.

**New Student Orientation**

During New Student Orientation, which was held virtually on June 25, 2020, campus safety information was provided to new students and parents. Students were given information regarding safety on- and off-campus.

**New Hire Orientation**

Newly hired employees (faculty and staff) are presented with campus safety and emergency preparedness information as part of New Hire Orientation (NHO). Due to COVID-19, NHO transitioned to a virtual on-demand format,
where the Campus Security and Emergency Management & Safety departments pre-recorded evacuation, general campus safety and COVID-19 safety information.

**The Lotus Initiative**
The Lotus Initiative is an institution-wide education and training program that focuses on preventing and responding to sexual assault, dating violence, domestic violence, stalking, and other forms of sexual and interpersonal misconduct. Programs and events are hosted throughout the academic year and are geared towards students, faculty, and staff.

- **Student Education and Training:**
  - Sexual Assault Prevention for Undergraduates (SAPU): Through the SAPU online training, students learn strategies to recognize and take action in risky or harmful situations; how to identify healthy and unhealthy relationship practices; skills to navigate consent-focused learner attitudes and behaviors; how to access campus and community resources for support; and how to safely engage in bystander intervention.
  - AlcoholEdu: Through the AlcoholEdu online training, students learn information about alcohol and other drugs, and campus policies, bystander intervention techniques when witnessing dangerous or concerning behavior, and the emotional and physical effects of substance use.
  - First Year Seminar Empowered & Unstoppable Presentations. All incoming undergraduate students are required to enroll in First Year Seminar. As part of this course, students participate in a 90-minute workshop that reviews the definitions of and warning signs associated with sexual and interpersonal violence; bystander intervention techniques to support someone in a risky situation; and how to access campus and community resources and reporting options.

- **Student Prevention Education Workshops:** Numerous workshops for students were hosted in partnership with campus and community partners on a variety of topics, including Recognizing and Responding to Stalking, The Clothesline Project, Sexual Assault Survivor Speak Out, Film Screenings and Discussions, Sexual Harassment in Online Spaces, Dating Safely Online, Trauma and Healing, Healthy Relationships, Setting Boundaries, Safely Ending Relationships, and Immigrant Rights for Sexual Assault and Domestic Violence Survivors.

- **Staff and Faculty Education and Training:** Numerous training sessions for staff and faculty were hosted in partnership with campus and community partners on a variety of topics, including Centering the Experiences of Black and Latinx Survivors of Gender-based Violence, Trauma-Informed Approaches to Working with Sexual Assault Victims, Trauma-Informed Approaches in Higher Education, Bystander Intervention, Mandatory Reporting, Vicarious Trauma and Compassion Fatigue, and Immigrant Rights for Sexual Assault and Domestic Violence Survivors.

**Admitted Students’ Day**
During the virtual Admitted Students Day program on April 26, 2020, campus safety information was provided to prospective students and parents. Students were given information regarding safety on- and off-campus.
Sexual Harassment Prevention for Supervisors
Mount Saint Mary’s University Human Resources provided online training on Sexual Harassment Prevention. Online training was conducted through Lawroom/Everfi in August 2020 (Clery Act and Title IX) and November 2020 (Harassment Prevention).

STUDENT CONDUCT CODE

General Guidelines
The Student Conduct Code exists to provide students with information about their rights and responsibilities, about the Student Conduct Code requirements, and to provide general notice of prohibited conduct and expectations of a member of the MSMU community. Students are charged with the responsibilities of reading and abiding by the Community Standards, including the Athenians Care Social Contract. Lack of intent or awareness of the Student Conduct Code will not be accepted as an excuse or defense for violations. The Community Standards apply to individuals as well as registered organizations, clubs, teams, and club sports. Students will also be held accountable for the conduct of their Guests.

A. Interpretation of the Student Conduct Code
The Dean of Students serves as the Chief Conduct Officer and is designated to review and update the Student Conduct Code annually, or as needed, and develop policies and procedures to address student conduct cases. The Student Conduct Code is intended to be read broadly and is not designed to define misconduct in exhaustive terms. Any questions of interpretation of the Student Conduct Code will be referred to the Chief Conduct Officer or designee, whose interpretation is final.

B. Jurisdiction of the University
The Community Standards are applicable to conduct that takes place from the time a student first registers for classes, including periods thereafter during breaks between semesters or summer periods. During breaks, including summer period, a Student subject to the Community Standards includes a person who has been enrolled during the immediately preceding fall, spring or summer term and/or is eligible for continuing enrollment or graduation. Jurisdiction extends to conduct that occurs on University Premises, in Study Away programs, and at on- or off-campus University-sponsored events.

C. Inherent Authority
The University reserves the right to take necessary and appropriate action to protect the safety and well-being of the University, its reputation and good will, and the University Community. In cases where the incident is of a dangerous nature or where the behavior seriously conflicts with or contradicts the University’s mission or the Community expectations as expressed in the Community Standards, including without limitation the Student Conduct Code, the matter may be immediately referred to the Vice President for Student Affairs, the Dean of Students, or designee for action. The Vice President for Student Affairs, Dean of Students, and/or designee has the authority to take all necessary and appropriate interim action(s) prior to the matter being heard by the Conduct Officer or Conduct Hearing Board and may include an interim suspension. In cases where an interim action has been undertaken, the respondent (student or organization) will continue through the Student Conduct Process until a final merits determination has been made. Students will be notified in writing of any interim actions taken. Failure to abide by the interim action may subject the respondent to additional disciplinary action.
D. **Violation of the Law and the Student Conduct Code**

Students may be subject to Student Conduct Code proceedings for acts that constitute alleged violations of federal, state, and local laws and regulations. When an offense occurs over which the University has jurisdiction, proceedings under the Student Conduct Code may be carried out prior to, simultaneously with, or following criminal prosecution or civil litigation that may arise from the same incident.

E. **Burden of Proof**

The term “Burden of Proof” means the obligation of a party to establish by evidence a requisite degree of belief concerning the contested fact(s) in the mind of the trier of fact. Due to the nature of the student conduct process and the need to balance the rights and privileges of all members of the University community, the requisite degree of belief for decisions regarding responsibility for alleged violations of the Student Conduct Code is a preponderance of evidence. A preponderance of evidence exists when a reasonable person (s), after evaluating the evidence presented at the time of the decision, concludes that it is more likely than not that a disputed fact or facts does or does not exist. The Conduct Officer or Conduct Hearing Board shall determine alleged violations of the Student Conduct Code by a preponderance of the evidence.

F. **Limitation Period for Reporting Alleged Student Conduct Code Violation**

Any person may file a report of alleged violation of the Student Conduct Code. While prompt reporting of alleged violations is encouraged, reports of alleged violations of the Student Conduct Code will be accepted until such time as the alleged respondent is no longer a student. Reports can be submitted through this link ([bit.ly/MSMUIR](bit.ly/MSMUIR)). The Chief Conduct Officer or designee reviews the report(s) to assess whether there is sufficient evidence or cause to initiate a Student Conduct Code proceeding.

G. **Communication**

The primary form of communication is through the student’s official University e-mail account. The University, in its discretion, may also communicate with students via U.S. Mail, other generally recognized delivery service, other generally recognized electronic communications channel or personal delivery. Students are held responsible and accountable for retrieving communications from their official University e-mail account on a daily basis.

H. **Scheduling Student Hearings**

When scheduling a conduct hearing, reasonable effort will be made to schedule any meetings and/or hearing to avoid conflict with the student’s course schedule. However, notwithstanding any actual conflict with the student’s course schedule, students involved in the Student Conduct Process are required to attend all scheduled meetings and/or hearings unless their absence is previously excused. In this latter connection, students should promptly inform conduct@msmu.edu of any unexpected circumstance affecting their attendance prior to the scheduled meeting and/or hearing.

I. **Reservation of Rights**

The University expressly reserves the right to revise, supplement or withdraw any section of the Student Conduct Code or portion of a University policy as it deems necessary.

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**Prohibited Conduct**

The following is a non-exhaustive list of conduct considered to be in violation of the MSMU Student Conduct Code. Violations of University policy by Students are also violations of the Student Conduct Code and subject to Student Conduct Code proceedings.

A. **Acts of Dishonesty**

Intentional act of dishonesty including, but not limited to, furnishing false information to
any designated MSMU official or to the University, falsification of records or documents, personal misrepresentation.

B. **Controlled Substances**
   Use, possession, storage, distribution, or being under the influence or knowingly being in the presence of any controlled substance or illegal drug; misuse of prescription drug(s) or nonprescription medications; and use or possession of drug-related paraphernalia, including, but not limited to, drug pipes, bongs, roach clips, and are prohibited.

C. **Disorderly Conduct**
   Engaging in disorderly conduct, public intoxication, or lewd, indecent, obscene behavior, or physical fighting on University premises or at University-sponsored events.

D. **Falsification of Documents**
   Unauthorized use, possession, forgery, or unauthorized alteration of any government-issued or MSMU document, including but not limited to, instruments of identification, parking permits, or student employment timecard or similar records.

E. **Fireworks/Incendiary Materials**
   Use, possession or storage of fireworks, torches or other incendiary materials on, or within reasonably close proximity to MSMU premises or at MSMU sponsored activities.

F. **Harm to Community**
   MSMU is concerned about the well-being of all students and the university community. The University takes seriously any behavior on MSMU premises or at MSMU activities, including verbal statements, which demonstrate or imply that a student may harm others. Therefore, intentionally or recklessly causing harm to any person, causing reasonable apprehension of such harm, endangering others, holding someone against their will or harassing any member of the MSMU community, on or off-campus.

G. **Interfering with University Programs**
   Behavior or conduct that intentionally or recklessly interferes with normal University life and sponsored activities, including, but not limited to: studying, teaching, research, classroom instruction, University operations, conduct proceedings, study abroad or other university-sponsored travel, or fire, police, or emergency services.

H. **Non-Compliance with University Official**
   Students are expected to comply with the directives of University officials, including paraprofessional and professional staff of the University, in performance of their University duties and responsibilities.

I. **Retaliation**
   Any act of Retaliation. The term “Retaliation” refers to adverse, non-permitted action taken by an individual or third party against a person in response to that person engaging in protected activity including, but not limited to, reporting a violation of policy or participating in any manner in an investigation related to a report. Retaliation includes, but is not limited to visual or physical threats, verbal or written remarks, shunning, and reprisals focused upon interference with opportunities for learning and living in community.

J. **Tampering with University Life Safety and Fire Protection Equipment & Systems**
   Initiating a false alarm, including making a false call to the fire department or tampering with fire safety equipment, blocking emergency exit paths, disconnecting smoke detectors in rooms, stairwells, or hallways, disconnecting automatic door closures, misusing or propping open fire doors, unauthorized use/possession of a fire extinguisher or fire suppression equipment, removing exit signs, pulling out fire hoses, hanging anything on fire sprinklers, removing sprinklers and tampering with blue emergency phones.

K. **Theft**
Theft of property, funds, or the misuse or misappropriation of services or knowingly possessing stolen property.

L. Unauthorized Access
Unauthorized access, presence in or use of MSMU systems, premises, facilities, or property, including, but not limited to, life safety and fire protection systems, computer systems, buildings, labs, roofs, balconies, ledges, and trellises

M. Vandalism/Damage
Vandalism or intentionally or recklessly destroying or damaging University systems or property or the property of others, and misusing, covering or damaging University life safety, fire protection systems and equipment, doors, or signs on University premises or at University-sponsored activities.

N. Weapons
Use or possession of Weapons, including by way of example but not limitation, firearms, knives, swords, laser guns, paintball guns, water guns, or any other plastic guns or facsimiles thereof on campus (including residence halls), other University premises or at University-sponsored events. The prohibition extends to and includes all weapons, including any weapons otherwise authorized for carry by permits (e.g., concealed weapons permits “CCW”).

Possible Sanctions
When students are found in violation of the Student Conduct Code, a multitude of sanction/resolution options are considered, all while addressing the education and well-being of all students involved. Conduct outcomes are divided into three categories: status, educational/restorative, and restrictive. The sanctions/resolutions listed below may be applied separately or in combination. Other appropriate sanctions/resolutions, which would enhance the educational value of disciplinary proceedings, may be applied in any given case. Sanctions/resolutions are determined based upon severity of the violation, any aggravating or mitigating factors, and past conduct history. A Student/Student Organization conduct history and record are cumulative; therefore, increased sanctions/resolutions may be imposed to take into consideration the student’s overall record of violations of all types, not just those of a similar type.

A. Status Sanctions/Resolutions
Status sanctions/resolutions are an indication of the student’s relationship with the University. The status resolution typically escalates with each violation and is determined based upon the nature of the violation.
- Warning: A warning specifies that certain conduct or actions are in violation of University policies, rules, or procedures and that future misconduct may result in further disciplinary action. A warning has no end date.
- Non-Academic Probation: A non-academic probation specifies that repeated or severely inappropriate and unacceptable actions have occurred and that future violations may result in suspension or dismissal from the University. Probation is a status that may involve restrictions, conditions, or terms assigned for a period of time. Restrictions, conditions, or terms of probation may include but are not limited to eligibility to participate in University activities or events; required meetings with a designated member of the University staff; restrictions on access to University facilities; and change or loss of housing assignment. Failure to comply with the terms and conditions of the probation, or additional violations of the Student Conduct Code during the probationary period, may result in more serious disciplinary action.
- Suspension: The student is separated from the University for a specified period of time. During the suspension, the student shall not participate in any University-sponsored activities taking
place on- or off-campus and may be restricted from University premises. A restriction from campus can be temporarily lifted for business purposes and may be granted by the Chief Conduct Officer or designee. Suspension requires the review and approval by the Vice President of Student Affairs or designee, who may alter the resolution.

- **Dismissal**: The student is permanently separated from the University. The student is restricted from University premises, and the student’s presence at any University-sponsored activity or event is prohibited. Students who are dismissed from the University are not entitled to any refund and notification may appear on the student’s academic transcript. Dismissal requires the review and approval by the Vice President for Student Affairs or designee who may alter this resolution.

### B. Educational and Restorative Resolutions

Educational and restorative resolutions are designed to enhance the educational experience of the students participating in the Student Conduct Process. Educational and restorative resolutions frequently serve to repair harm to individuals or communities, provide additional education on a given subject, or aid students in considering their educational and personal goals and priorities.

- **Community Service**: Community work, work on campus, or other appropriate learning experiences may be assigned.
- **Completion of Alcohol Edu for Sanctions (Part 1 and/or 2)**: This online alcohol educational course is designed to teach students about the effects of alcohol on the body and mind and to assist students in making safer and healthier decisions. This online educational course is coupled with a reflection paper.
- **Completion of EverFi**: This online educational course is designed to teach students about a number of topics related to University Life. This online educational course is coupled with a reflection paper.
- **Educational Program/Project**: Research, complete a reading, prepare and present a program, attend an educational program, and/or engage in other educational activities related to the misconduct. This educational program/project is coupled with a reflection paper.
- **Meeting with a Conduct Officer**: The student will meet with a Conduct Officer to discuss their progress with assigned resolutions and/or their experience with the conduct process. In addition, this meeting will allow for any referrals to be made to support the student.
- **Reflection Paper**: The nature of each written assignment varies based on the students’ conduct history and the type of violation they are found responsible for. The topic and questions encourage students to reflect upon and provide thoughtful and genuine answers about their experience.

### C. Restrictive Sanctions/Resolutions

Restrictive sanctions/resolutions modify a student’s privileges on campus. These sanctions/resolutions are typically not the primary sanctions/resolutions used by the University. However, repeated or serious violations may warrant one or more restrictive sanctions/resolutions.

- **Fines**: A monetary fine may be assessed. The fine amount is dependent upon the circumstances of a particular case. A financial hold may be placed on a student’s account until the fine has been paid. The fine amount may also be added to the balance of a student’s account.
- **Ineligibility for Graduation Ceremonies or Honors Recognition Programs**: A student with pending Student Conduct Code charges prior to graduation or honors recognition may not participate in graduation ceremonies or honors
recognition programs until the case has been resolved and sanctions/resolutions completed.

- Loss of Privilege: Limitation on University-related activities or services for a specific period of time, consistent with the violation committed, including but not limited to:
  - eligibility to hold or run for office in a campus organization and/or participate in sport-club functions;
  - residence hall privileges;
  - restriction from using specific facilities and services;
  - restricted from specific areas in the University;
  - campus motor vehicle parking and operating privileges;
  - hold on enrollment;

- No Contact Order: The student is prohibited from having other than necessary academic contact with another member of the community. This includes but is not limited to physical, verbal, written, via third party, or electronic communication.

- Restitution: Reimbursement for damage to or misappropriation of property or cost of University resources. This may take the form of monetary, time, or material replacement, not in excess of the loss incurred.

D. University Housing Sanctions/Resolutions

University housing sanctions/resolutions are assigned when a student’s behavior also violates the terms and conditions of their housing license agreement. These sanctions/resolutions are usually in combination with other sanctions/resolutions.

- University Housing Reassignment: The student is reassigned to another University-provided housing facility. The Chief Conduct Officer or designee will decide on the reassignment details.

- University Housing Probation: The student is put on official notice that should further violations of Residence Hall or University policies occur during a specified probationary period, the student may be immediately removed from University-provided housing.

- Temporary Loss of University Housing: The student is removed from University housing for a specified period of time after which the student is eligible to return. Conditions for readmission to University housing may be specified. Under this resolution, a student is required to vacate University-provided housing within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Chief Conduct Officer or designee.

- Permanent Loss of University Housing: The student’s privilege to live in or visit any University-provided housing structure is permanently revoked. Under this resolution, a student is required to vacate University-provided housing within 24 hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Chief Conduct Officer or designee.

E. Other Sanctions/Resolutions

The Vice President of Student Affairs and the Chief Conduct Officer may exercise their discretion to modify sanctions/resolutions as they deem appropriate under the prevailing circumstances.

F. Failure to Follow Through on Conduct Sanctions/Resolutions

As members of the University community, all students are expected to comply with conduct sanctions/resolutions within the time frame specified on the conduct resolution letter. In most cases, not following through on conduct sanctions/resolutions by the due date, whether by refusal, neglect, or any other reason, may result in additional sanctions/resolutions assigned and referral to the Dean of Students.
Arrest and Referrals for Disciplinary Action
The Vice President of Student Affairs designates the Dean of Students as Chief Conduct Officer to administer, oversee, and manage the University student conduct process. The Chief Conduct Officer recruits, trains and appoints Conduct and Appeals Officers as deemed necessary in order to effectively administer the student conduct process.

The Chief Conduct Officer or designee may assemble a Conduct Hearing Board or hear the case. The membership of the Conduct Hearing Board includes University faculty and staff appointed and trained annually. The decision of whether to refer a complaint to the student Conduct Hearing Board is at the sole discretion of the Chief Conduct Officer or designee. A Conduct Hearing Board is assembled from the available pool of conduct officers, comprised of three fully trained Conduct members, who are either faculty or staff.

STUDENT ON STUDENT SEXUAL AND INTERPERSONAL MISCONDUCT POLICY AND PROTOCOL

Introduction
Mount Saint Mary’s University, Los Angeles (“MSMU”) is committed to providing a learning, working, and living free of discrimination on the basis of sex. MSMU recognizes the significant, unacceptable and nationwide existence of Sexual Harassment on college campuses. The University does not condone and will not tolerate sexual harassment from any member of the University community, and is committed to taking all appropriate steps to eliminate sexual harassment, prevents its recurrence, and address its effects. Students are responsible for conducting themselves in accordance with this Policy. The University also encourages all members of the University community to participate in the process of creating a safe, welcoming and respectful campus environment free from sexual harassment for all. Accordingly, MSMU encourages Students and University Community members to report instances of Sexual Harassment so that the University can take appropriate responsive action.

Student Title IX Policy
Title IX of the Education Amendments of 1972 (“Title IX”) is a federal law that prohibits discrimination on the basis of sex in education programs and activities. For more information regarding Title IX and the MSMU policy regarding Title IX Sexual Harassment, please see the Student Title IX Policy. This policy deals with sexual misconduct that falls outside the Title IX 2020 Regulations definition of Sexual Harassment. Sexual Misconduct under this policy includes all forms of sexual misconduct not covered under Title IX, including Sexual Assault and Sexual Exploitation and other interpersonal misconduct such as Dating Violence, Domestic Violence and Stalking.

In instances where sexual misconduct occurs that does not meet the definition of Sexual Harassment under the Title IX 2020 Regulations, the incident may be adjudicated under MSMU’s Student-on-Student Sexual and Interpersonal Misconduct Policy (“SIM Policy”). More information about the hearing process under the SIM Policy can also be found in MSMU’s Student Conduct Code.

The Division of Student Affairs has created this Title IX Policy pursuant to the Title IX 2020 Regulations to assist and respond to complaints of Student Sexual Harassment under Title IX. Students should report all forms of Sexual
Harassment and Sexual Assault (student-on-student; Student and non-student; faculty/staff-on-student), as well as Dating Violence, Domestic Violence and Stalking by filing a report with the MSMU Department of Campus Security, the Title IX Coordinator, any member of the MCARES Team, or an administrator, regardless of whether the Student believes the misconduct meets the definition of Sexual Harassment under Title IX.

Members of the Mount Community Assault Response & Education Support Team (MCARES) may speak with Students regarding incidents of sexual and interpersonal misconduct without automatically triggering a University investigation into the matter. MCARES is comprised of individuals who are trained to provide students with information and assist with obtaining information and support from available resources at the University and in the Los Angeles community. These individuals do have time and place reporting responsibilities under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) but are not obligated to report identifying information of the Complainant. If the Respondent’s name is presented to an MCARES member, they will be obligated to report that information to the Title IX Coordinator. Reports by MCARES members will not trigger a University investigation unless the Title IX Coordinator, in consultation with the Vice President for Student Affairs, or designee, determines that an investigation is necessary because of the existence of one or more of the factors described in Section IV(A).

Students should report all forms of sexual misconduct (student-on-student; student and non-student; faculty/staff-on-student) and interpersonal misconduct to a Student Affairs professional staff member, the Vice President for Student Affairs, the Title IX Coordinator or by filing a report with Campus Security (either in person, by phone, 310.954.4123/Chalon or 213.477.2502/Doheny, or through the online Reporting Form.

Title IX Coordinator:
Megan Staudenraus
213-477-2803
titleix@msmu.edu

A Student Conduct Code case for alleged student-on-student sexual or interpersonal misconduct that is not covered under the Title IX Policy will be initiated and adjudicated under the relevant provisions of the Student Conduct Code. Should a Complainant wish to move forward with the conduct process, the Complainant and Respondent will each have separate meetings with a representative from the Office of the Dean of Student Life (OSDL) prior to the hearing to review the investigative reports and address the conduct process format. Following these pre-hearing meetings, a hearing with cross-examination will be scheduled in a format utilizing video conferencing. OSDL makes every effort to adjudicate these matters promptly, usually within 120 days, assuming timely cooperation of all parties.

The Hearing Process will proceed where a Respondent fails to appear after timely notice, and a determination of the charged misconduct will be made based upon the facts and evidence submitted in support of the alleged misconduct at that hearing (failure to check one’s e-mail is not sufficient justification for not attending a scheduled hearing). A Student Complainant who fails to appear after timely notice will be deemed to have abandoned their complaint, and the charges will be dismissed unless the University is presenting the case and the facts and evidence presented in support of the charged misconduct independent of the Complainant warrants the continuation of the conduct process. Sexual or interpersonal misconduct involving a Student and any non-student in the University Community is handled under the Policy Prohibiting Unlawful Discrimination, Harassment and/or Retaliation. Should a Student report sexual or interpersonal misconduct that occurred to the Student when they were a child, MSMU is required to contact local law enforcement to report the child abuse.
All persons, including University faculty and staff, are prohibited from taking any retaliatory action against any other member of the University Community including, but not limited to, the Complainant, Respondent or Witnesses to an alleged incident of sexual or interpersonal misconduct. Any Student engaging in any retaliatory action(s) will be subject to discipline under the Student Conduct Code and appropriate sanctions that may include dismissal from the University.

Upon the declaration of a campus emergency, or in the event that campus is closed due to emergency circumstances, all student policies and procedures remain in effect. However, the Vice President for Student Affairs, or designee, may temporarily suspend and/or revise existing policies, procedures or processes for the health and safety of the campus community and to assist and support the University’s efforts during the emergency and subsequent recovery.

For additional information on sexual and interpersonal misconduct awareness, prevention and training, including bystander intervention, programming and events on campus intended to bring awareness to these issues and opportunities for you to get involved, please visit the [Title IX website](#). The Lotus Initiative is the Mount’s dedicated education, support, and training efforts to create a campus culture where students are confident and comfortable identifying, preventing, intervening, and seeking help for incidents of sexual violence, domestic violence, dating violence and stalking.

**Title IX Coordinator**
For the purpose of this policy, Title IX Coordinator is defined as MSMU’s authorized employee who coordinates the University’s efforts to comply with its responsibilities under Title IX, including, but not limited to, receiving Reports of Title IX Sexual Harassment.

To file a Report or to ask any questions about Title IX, please contact:

**MSMU Interim Title IX Coordinator**

Megan Staudenraus  
213.477.2803  
TitleIX@msmu.edu.

Deputy Title IX Coordinators include:

- Michele Starkey, Associate Provost  
mstarkey@msmu.edu  
- Rosalyn Kempf, Assistant Vice President for Student Affairs  
rkempf@msmu.edu  
- Dana Lopez, Senior Director for Human Resources  
dlopez@msmu.edu

Reports may be made at any time, including during non-business hours, by using the telephone number or electronic mail address (if applicable) or by mail to the office address listed above for the Title IX Coordinator or Campus Security. Campus Security will promptly notify the Title IX Coordinator when it receives a report of conduct that may constitute Title IX Sexual Harassment.

Once a Report is received, the Title IX Coordinator, or designee, will explain to the Complainant the process for filing a Formal Complaint, as well as discuss the availability of Supportive Measures (regardless of whether the Complainant chooses to file a Formal Complaint). A complaint becomes a Formal Complaint once the Complainant or, in some instances, the Title IX Coordinator signs the complaint.

If the Complainant chooses not to file a Formal Complaint, they may still receive Supportive Measures, and they retain the right to revisit filing a Formal Complaint at a later date. If you believe that MSMU does not respond appropriately to your allegations of Title IX Sexual Harassment as defined by Title IX after you have filed a report with the Title IX Coordinator or designee or gone through the hearing process, you have the option to file a complaint with the Office for Civil Rights.
You may file a complaint:
A. In-person: via telephone 800.421.3481;
B. Online: via e-mail: OCR@ed.gov; or
C. By mail, write a letter to:
   U.S. Department of Education
   Office for Civil Rights
   Lyndon Baines Johnson
   Department of Education Office Building
   400 Maryland Avenue, S.W.
   Washington, D.C. 20202-1100

For more information about filing a complaint, please visit the U.S. Department of Education’s OCR Complaint.

Hearing Process
Once a Formal Complaint is received, MSMU will address allegations of Title IX Sexual Harassment through the hearing process outlined below. MSMU’s Title IX hearing process strives to treat Complainants and Respondents equitably by adhering to the hearing process outlined in the 2020 Title IX Regulations.

Title IX Sexual Harassment is prohibited, unacceptable and will not be tolerated. A faculty or staff member who is found to have engaged in Title IX Sexual Harassment may be subject to disciplinary action up to, and including, dismissal from the University. The University reserves the right to take disciplinary action regarding allegations involving current students, faculty, or staff without regard to the length of time since the alleged Title IX Sexual Harassment occurred. Violation of this policy may also subject the offender to criminal prosecution or third-party civil litigation.

Formal Complaint Process and Investigations
Upon receipt of a Formal Complaint, MSMU will provide written notice to both the Complainant and Respondent of the following:

- Notice of MSMU’s hearing process
- Notice of the allegations of Title IX Sexual Harassment (including Sexual Assault, Dating Violence, Domestic Violence and Stalking) and sufficient details are known at the time;
- Notice that the Respondent is presumed not to have violated policy for the alleged conduct until a determination regarding the responsibility can be made after the hearing process;
- Notice that the Complainant is presumed to be acting in good faith in making their Formal Complaint of Title IX Sexual Harassment;
- Notice that the Complainant and Respondent may have an Advisor of their choice;
- Notice that the Complainant and Respondent may inspect and review evidence gathered during the investigation of the alleged behavior; and
- Notice of MSMU’s prohibition on knowingly making or submitting false statements during the hearing process.

If, in the course of an investigation, MSMU decides to investigate allegations about the Complainant or Respondent that are not included in the initial notice of allegations, MSMU will provide notice of the additional allegations in writing to all parties whose identities are known at the time.

Dismissal of Formal Complaint
MSMU will investigate all allegations that are included in a Formal Complaint. However, if the conduct alleged in the Formal Complaint does not constitute Title IX Sexual Harassment including Sexual Assault, Dating Violence, Domestic Violence and Stalking as defined in the 2020 Title IX Regulations, then MSMU is required under the 2020 Title IX Regulations to dismiss the Formal Complaint. Such a dismissal does not preclude pursuit of the allegations under MSMU’s Policy Prohibiting Unlawful Discrimination, Harassment, and Retaliation.

Additionally, MSMU may dismiss the Formal Complaint or any allegations therein, if at any time during the investigation or hearing:

- A Complainant notifies the Title IX Coordinator in writing that the Complainant would like to withdraw the
Formal Complaint or any allegations therein;
• The Respondent is no longer employed by MSMU; or
• MSMU is prevented from gathering sufficient evidence to reach a determination as to the Formal Complaint, including, but not limited to, a Complainant ceasing to participate in the Hearing process.

Upon dismissal of a Formal Complaint, MSMU will send written notice of the dismissal and reason(s) as to why the dismissal occurred, simultaneously to both Complainant and Respondent.

Complainants and/or Respondents can appeal the dismissal of a Formal Complaint by submitting their appeal in writing to the Title IX Coordinator or designee within seven business days of receiving a decision regarding the dismissal. Upon receipt of the appeal, the Title IX Coordinator or designee will review all applicable information reasonably in their possession and will submit a written determination to the Complainant and/or Respondent.

**Title IX Investigation of a Formal Complaint**

Once a Formal Complaint is filed, MSMU will investigate the allegations. During the investigation, the Title IX Investigator will schedule and conduct interviews with the Complainant, Respondent and any fact or expert witnesses. To ensure the hearing process is conducted in a reasonably prompt time frame, it is essential that all participants respond promptly to interview request(s).

Interview requests will be submitted in writing to participants and will give participants sufficient time to prepare to participate. The Complainant and Respondent are able to be accompanied to any related meeting or proceeding by the Advisor of their choice, subject to certain restrictions as outlined below. During the investigation, the Complainant and Respondent are encouraged to present relevant evidence.

The Complainant and Respondent are able to be accompanied to any related meeting or proceeding by the Advisor of their choice, subject to certain restrictions as outlined below.

Prior to the completion of the investigation, both the Complainant and the Respondent and their Advisors will be provided an opportunity to inspect and review any evidence obtained as part of the investigation.

The Complainant and Respondent will have seven business days to submit a written response to the evidence, which the Title IX Investigator will consider prior to completion of an investigative report.

Upon expiration of the seven business days, the Title IX Investigator(s) will create an investigative report summarizing all relevant evidence and, at least seven business days prior to a hearing, make the investigative report available to both the Complainant and the Respondent and their Advisors, for their review and written response.

All evidence subject to the participants’ inspection and review will be made available during the hearing so that both the Complainant and the Respondent have an equal opportunity to refer to such evidence during the hearing, including for purposes of cross-examination.

**Title IX Hearing Procedural Protections**

Faculty or staff alleged to have engaged in Title IX Sexual Harassment are accorded the following procedural protections:

- Written or electronic notice (generally, via the official University e-mail account) of the alleged misconduct, the location of the Faculty/Staff Title IX Policy, a scheduled pre-hearing meeting with a representative from Human Resources (“HR”) (or the instructions on how to schedule the pre-hearing meeting) and timely notice of that pre-hearing meeting;
A pre-hearing meeting at which:

- The Complainant/Respondent may ask the HR representative questions regarding the hearing process
- The HR representative will explain the hearing processes to the parties, including cross-examination processes and procedures and the parties’ rights and make available the Faculty/Staff Title IX Policy. The HR representative will also explain the private nature of the hearing process. Except for appeals, external judicial challenges or other University processes, statements made by the parties during the hearing with cross-examination will remain private. The HR representative will explain the fact that the hearing will become part of the file relating to the case.

Complainants and Respondents are required to have the assistance of an Advisor during the hearing to perform cross-examination. Complainants and Respondents who have not previously identified their Advisor during the investigation process will be required to inform the HR representative of the identity of their Advisor prior to scheduling the Title IX hearing. If a Complainant or Respondent does not have an Advisor, MSMU will appoint an Advisor to serve with the Complainant/Respondent and perform cross-examination during the Title IX hearing on the Complainant/Respondent’s behalf. The Advisor’s role is to assist a Complainant/Respondent in understanding the hearing process during the investigation and Title IX hearing process. Advisors may not represent the Complainant/Respondent during any meeting or hearing during the investigation or Title IX hearing process, outside of the Advisor’s role in the cross-examination. An Advisor may not appear instead of the Complainant/Respondent to either the pre-hearing meeting or the Title IX hearing.

A Title IX hearing (conducted via videoconferencing) during which the Hearing Panel will specify the nature of the alleged misconduct and provide the Complainant and Respondent the opportunity to again review the information and evidence gathered by the University that makes up the basis for the charge(s). Complainants/Respondents will have the opportunity to respond to the information gathered by the University, including the right to offer counter information and/or call appropriate facts and/or expert witnesses.

The Hearing Process will proceed where a Respondent fails to appear after timely notice, and a determination of the charged misconduct will be made based upon the facts and evidence submitted in support of the alleged misconduct at that hearing (failure to check one’s e-mail is not sufficient justification for not attending a scheduled hearing). A Complainant who fails to appear after timely notice will be deemed to have abandoned their complaint, and the charges will be dismissed unless the University is presenting the case and the facts and evidence presented in support of the charged misconduct independent of the Complainant warrants the continuation of the hearing process;

The Respondent’s Advisor, via videoconferencing, will be permitted the opportunity to ask questions of the Complainant, and any witnesses that appear either at the request of the Respondent, the Complainant, or the University, to assess the credibility of the information offered. The Hearing Panel Chair will review each question after it has been asked and may be permitted to disallow a question asked by the Respondent’s Advisor if the Respondent’s Advisor is unable to provide sufficient rationale for the relevancy of the question;

The Complainant’s Advisor, via videoconferencing, will be permitted the opportunity to ask questions of the Respondent, and any witnesses that appear either at the request of the Complainant, the Respondent, or the University, to assess the credibility of the information offered. The Hearing Panel Chair will review each question after it has been asked and may be permitted to disallow a question asked by the Complainant’s Advisor if the
Complainant’s Advisor is unable to provide sufficient rationale for the relevancy of the question; Both the Complainant and Respondent will be permitted the opportunity to make a closing statement after the evidentiary portion of the hearing;

If a further hearing is necessary, a supplemental hearing will be scheduled:

- Complainants, Respondents, or the Hearing Panel may submit new and or additional evidence and call appropriate fact (non-expert) witnesses at the supplemental proceeding. Complainants and Respondents will have the opportunity to respond to any new or additional evidence that is presented for the first time at the supplemental proceeding;
- Complainants and Respondents may utilize the assistance of an Advisor during the supplemental hearing;
- If it is determined that the Respondent is responsible for the violation(s) of this policy, the Respondent will be subject to employment-related disciplinary action up to, and including, dismissal from the University. If not, the charge(s) will be dismissed;
- Complaints will be promptly investigated and adjudicated following the procedures herein outlined;
- For compliance with Clery Act record retention requirements, all official records related to reports of Title IX Sexual Harassment will be retained for a minimum of seven years;
- Unless required by law, privacy laws prevent notification or disclosure to Complainants about the relevant employment-related disciplinary history, if any, of the Respondent.

**Title IX Hearing Procedural Guidelines**

The following procedural guidelines will be applicable in Title IX hearing proceedings:

- Title IX Hearings will generally be private except for the Hearing Panel, parties and Advisors. Title IX hearings will be recorded via videoconferencing software utilized by the Hearing Panel only. Recording devices (audio and/or video) of any kind are not permitted for use by the parties, witnesses, or Advisors. The recording of the hearing will be part of the file and may be accessible to both the Complainant and Respondent by contacting the Title IX Coordinator;
- The Hearing Panel will exercise control over the procedures to avoid needless consumption of time. Any person, including an Advisor, who is disruptive during the Title IX hearing, refuses to follow the rules or procedures and/or fails to adhere to the admonitions and rulings of the Hearing Panel may be excluded from the proceedings. If an Advisor is excluded during a Title IX hearing, the hearing will be halted and rescheduled at a later date to accommodate the Complainant and or Respondent procuring a different Advisor of their choice or being provided an Advisor by MSMU;
- The decision of the Hearing Panel will include an identification of the initial allegations, a brief description of the procedural steps followed by MSMU to respond to the allegations, a summary of the testimony and evidence in support of the findings, the findings, decision and applicable employment sanction(s) and additional supportive measures for the Complainant (if any). The decision will be sufficiently detailed to permit review on appeal and as authorized or required by law will be sent to both the Complainant and Respondent;
- The Hearing Panel will consist of three Hearing Panel members. Hearing Panel members receive training regarding the adjudication of Formal Complaints made under this policy. The Title IX Coordinator will appoint one of the Hearing Panel members to serve as the
Hearing Panel Chair. The Hearing Panel will consist of three members with a minimum of one faculty or staff person. Before the hearing, the Complainant/Respondent may challenge a Hearing Panel member on the grounds of personal bias. Any such challenge must be made in writing to the Title IX Coordinator, or designee, not less than two business days before the hearing. The disqualification challenge of a Hearing Panel member will be determined by the Senior Director of Human Resources. If a challenge is sustained, the Senior Director of Human Resources will appoint another Hearing Panel member;

- Witnesses will be required to affirm that their testimony is truthful and may be subject to charges of providing false information under applicable student or employment policy. If a witness refuses to participate in the hearing with a cross-examination, their prior or subsequent statements to the Title IX Investigator during the investigation will not be utilized or relied upon by the Hearing Panel in coming to a decision;

- The burden of proof will be upon MSMU, who must establish the Respondent violated this policy by a Preponderance of the Evidence;

- Except as provided herein, formal rules of evidence and discovery will not be applicable in proceedings conducted pursuant to this policy. The Hearing Panel will give effect to recognized rules of privacy (including FERPA) and privilege but will otherwise admit all matters into evidence that a reasonable person would accept as having probative value in the conduct of their affairs. Unduly repetitious or irrelevant evidence may not be considered in the decision;

- Written statements, absent testimony by the witness that is subject to cross-examination, will not be admitted into evidence nor used for any purpose.

MSMU will keep private the identity of any individual who has made a Report or complaint alleging Title IX Sexual Harassment as defined by the 2020 Title IX Regulations, as well as the name of the Complainant(s), Respondent(s), or any witnesses of the alleged behavior to the extent practicable to fulfill the requirements of the 2020 Title IX Regulations. Once a Formal Complaint has been filed, MSMU will maintain the privacy of involved individuals to the extent practicable to fulfill the hearing process outlined by the 2020 Title IX Regulations.

**Appeal Procedures**

Any decision by the Hearing Panel or disciplinary sanction assigned may be appealed by the Respondent or the Complainant to the Chief Conduct Officer or designee. Appeals are limited to one or more of the following grounds:

- The sanction is substantially disproportionate to the offense;
- The procedures provided for in the Code were not materially followed, resulting in significant prejudice to the Appellant;
- New relevant evidence is available, which in the exercise of reasonable diligence could not have been produced at the time of the hearing;
- The decision is not supported by substantial evidence; or
- The Title IX Coordinator, Investigator(s) or Conduct Officer(s) had a conflict of interest or bias for or against Complainants or Respondents generally or the individual Complainant or Respondent that affected the outcome of the matter.

All petitions for appeals shall be submitted to:

Chief Conduct Officer  
c/o The Office of the Dean of Student Life  
Chalon Campus, Humanities 200  
DeanofStudentLife@msmu.edu
Appeal petitions must be submitted by the involved Student party (Respondent or Complainant) via written statement and received by the Chief Conduct Officer c/o ODSL within seven business days from the date of the imposition of the original decision. Appeal petitions may not be submitted by Advisors or third parties (including, without limitation, lawyers) on behalf of the involved Student party. Failure to file the appeal petition within the seven-day limitations period results in the decision becoming final and conclusive.

Failure to comply with these procedures may result in the rejection of an appeal petition.

Pursuant to Section VII(A), the appeal petition must be accompanied by a written statement in support of the appeal. Upon notification of the receipt of a proper and timely appeal petition, the Chief Conduct Officer, or designee, shall convene the Appeals Committee. The non-appealing party (either Complainant or Respondent) will be notified of an appeal and be afforded the opportunity to submit a timely written statement in opposition to the appeal.

Pursuant to Section VII(A), the Appeals Committee will review the video and audio recording of the live hearing, the findings, decision and recommended sanctions (if applicable), the Respondent’s disciplinary history and the written statement of the Respondent and of the Complainant filed with the appeal petition or in response to the appeal petition.

The Appeals Committee may, but is not required to, request the Hearing Panel or the involved Student parties to submit additional information in writing. If the Hearing Panel or any Student parties is/are requested to submit additional information, the Student parties not so requested shall be entitled to reply in writing to the additional written information supplied to the Appeals Committee.

So long as supported by the evidentiary record, the Appeals Committee shall give deference to the determinations of the Hearing Panel and may make one of the following recommendations:

1. Recommended sanctions may be reduced if found to be substantially disproportionate to the offense or affirmed;
2. The case may be referred back to the Vice President for Student Affairs, or designee, for reassignment to a new Hearing Panel if bias was detected and/or if specified procedural errors in interpretation of the Code were so substantial as to effectively deny the Student a fair hearing, or for reassignment to the original Hearing Panel if significant new evidence became available, which could not have been discovered by a properly diligent Student before or during the original hearing;
3. The determination should be reversed if the decision is not supported by substantial evidence;
4. The Appeals Committee shall not alter the underlying decision of the Hearing Panel if supported by substantial evidence and reasonable inferences arising therefrom.

Both parties shall have the opportunity to submit an appeal, and absent an appeal by both parties, the non-appealing party shall have the opportunity to submit a written statement in either support or opposition to the extant appeal petition. Both parties will be notified of the results of the appeal.

Concurrent with the filing of an appeal petition, Complainants or Respondents may challenge a member of the Student Conduct Committee on the grounds of personal bias. All disqualification challenges of the Appellate Authority shall be determined by the Vice President for Student Affairs or designee. If a challenge is sustained, the proceedings will continue without the participation of the disqualified member in the
event that a quorum exists with the remaining members. If disqualification results in the lack of a quorum, a new Committee will be assembled without the previously challenged member.

Except as provided herein, formal rules of evidence and discovery shall not be applicable in these proceedings conducted pursuant to the Code. The Appellate Authority shall give effect to the recognized rules of privacy (including FERPA) and privilege but may otherwise admit matters into evidence which reasonable persons would accept as having probative value in the conduct of their affairs. Unduly repetitious or irrelevant evidence may be excluded.

The Appeals Committee may take presumptive notice of matters that would be of general knowledge to other University Students.

The Appeals Committee shall be provided copies of the Student’s disciplinary record when reference to the Student’s disciplinary history is included in the decision made by the Hearing Panel.

A quorum for the Appeals Committee shall be three members with a minimum of one faculty or staff member.

Procedural, evidentiary and final recommendations of the Appeals Committee shall be by majority vote of the members present and voting. A tie vote in an appeal proceeding will result in affirmation of the original decision. Procedural or evidentiary issues in any hearing before the Appeals Committee shall be determined by the in accordance with the Code.

Title IX Informal Resolution Process
If the Complainant and Respondent both agree to go through the informal resolution process, the Title IX office may opt to postpone initiation of the Title IX conduct process in matters deemed potentially appropriate for an informal resolution process.

The Title IX informal resolution process at MSMU is voluntary for all participants, and the appropriateness of such process must be concurred in by the University and allows a Respondent to accept responsibility for the harm caused. As part of the successful completion of the informal resolution process, the Respondent will not be charged with a violation of the Student Conduct Code. The Title IX informal resolution process is designed to redress the harm caused by the underlying conduct and prevent its recurrence in a manner that meets the needs of the Complainant and effected parties while still maintaining the safety of the overall campus community.

Upon receipt of a Formal Complaint, the Complainant may be offered the opportunity to resolve the complaint through an informal resolution process if a Complainant does not initially want to pursue the informal resolution process prior to commencement of the Title IX conduct hearing. Should a Complainant or Respondent wish to bring their complaint through the informal resolution process, they will need to let the Title IX Coordinator, or designee, know in writing. Prior to the resolution of the informal process, the Complainant and/or Respondent are permitted to request the informal resolution process end and go through the Title IX conduct process.

The initial determination of eligibility for the informal resolution process will be left to the Assistant Vice President for Student Affairs or designee, and the Assistant Vice President for Student Affairs, or designee, reserves the right to terminate the process at any time.

Prior to the process beginning, the Complainant and Respondent will need to provide their voluntary written Consent to move forward with the informal resolution process. If one party does not agree to go through the process, then the formal conduct process will commence.

Once the voluntary, written Consent is provided, the Complainant and Respondent will be provided written notice disclosing the allegations and the requirements of the informal resolution process.
If the informal resolution process is not accepted or fully completed by all parties, then the matter may be referred back to the Title IX Coordinator, or designee, and the Title IX grievance process will be initiated.

**Faculty and Staff Title IX Policy**

In instances where a faculty or staff member is reported to have engaged in sexual harassment or misconduct that does not meet the definition of Sexual Harassment under the Title IX 2020 Regulations, the incident may be adjudicated under MSMU’s Unlawful Harassment, Discrimination and Retaliation Complaint Process and policy.

The University has created this Faculty/Staff Title IX Policy pursuant to the Title IX 2020 Regulations to assist and respond to complaints of Sexual Harassment under Title IX. Students, faculty and staff should report all forms of Sexual Harassment and Sexual Assault, as well as Dating Violence, Domestic Violence and Stalking by filing a report with Campus Security, at Chalon by calling 310.954.4123 OR at Doheny by calling 213.477.2502, or with the Title IX Coordinator regardless of whether the student, faculty or staff member believes the misconduct meets the definition of Sexual Harassment under Title IX. All reports of Sexual Harassment made under this policy will be shared promptly with the Title IX Coordinator, if not directly reported to the Title IX Coordinator.

**Privacy**

MSMU identifies “responsible employees” as those who are obligated to report all details of an incident, including the identities of those involved, to Campus Security and/or the Title IX Coordinator whenever that information is brought forward to the employee. Campus Security will notify the Title IX Coordinator when a report has been filed.

Students reporting an incident of sexual or interpersonal misconduct to a responsible employee may request that their information be kept private. Students should be aware that if they request for their information to remain private, then the University’s ability to effectively investigate and adjudicate the instance(s) of sexual or interpersonal misconduct may be impaired. The University cannot guarantee privacy in this instance, and the following factors will be considered by the Title IX Coordinator in consultation with the Vice President for Student Affairs, or designee, in determining whether the privacy request can be honored or if an investigation is necessary:

The Title IX Coordinator, in consultation with the Vice President for Student Affairs or a designee, is responsible for determining whether the request of the Complainant to have information kept private can be honored. If the decision is made that confidentiality cannot be honored, then the University will only inform the necessary individuals and entities on campus required to perform a thorough investigation and adjudication of the complaint. The University will respond to any accusations of Retaliation against the Complainant or Witnesses brought upon by the investigation or adjudication of the misconduct.

Responsible employees include faculty, administrative staff and some student staff. Responsible employees do not include the following:

1. Professional, licensed counselors, such as the psychologists at Counseling and Psychological Services (CPS) 310.954.4114 (Chalon) or 213.477.2668 (Doheny), are not required to report any information regarding an alleged sexual or interpersonal misconduct, to Campus Security, the Title IX Coordinator or any other reporting body, without consent from the Student.

2. Catholic priests and women religious are not required to report any information regarding an alleged sexual or interpersonal misconduct to Campus Security, the Title IX Coordinator, or any other reporting body without Consent.
from the Student provided they receive the information in performance of their pastoral duties.

3. Student Health Services (SHS) staff, such as doctors and nurse practitioners at SHS 310.954.4110 (Chalon) or 213.477.2685 (Doheny), are not required to report any information regarding an alleged sexual or interpersonal misconduct, to Campus Security, the Title IX Coordinator or any other reporting body on campus, without Consent from the Student. SHS Staff will be required to report signs of physical or sexual abuse to law enforcement.

Retaliation

Retaliation is strictly prohibited and will not be tolerated by MSMU.

All persons, including University students, faculty and staff, are prohibited from taking any retaliatory action against any other member of the University Community, including, but not limited to, the Complainant, Respondent or witnesses to an alleged incident of Title IX Sexual Harassment. Any individual engaging in any retaliatory action(s) will be subject to discipline up to, and including, dismissal from the University.

Retaliation by non-students will be adjudicated and determined in accordance with the MSMU Policy for Unlawful Discriminatory, Harassment and Retaliation. Any Complainant, Respondent or alleged witness to an alleged incident of Title IX Sexual Harassment who believes that they have been retaliated against for having filed, or being named in, a complaint of Title IX Sexual Harassment or for having participated in the investigation of such a complaint, should promptly notify the Title IX Coordinator at TitleIX@msmu.edu.

Support Services

For the purpose of this policy, Supportive Measures is defined as non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or Respondent before or after the filing of a Formal Complaint or were no Formal Complaint has been filed. Such measures are designed to restore or preserve equal access to MSMU’s education program, activity, and employment, without unreasonably burdening the other party.

In cases of sexual and/or interpersonal misconduct that are going through the MSMU Student Conduct process, Complainants and Respondents may choose an Advisor of their choice; however, the Advisor must not be serving in any other capacity in the conduct process (i.e., Witness or Conduct Officer). Advisors will assist Students in understanding the conduct process but will not serve as representation for Students in Student Conduct Code proceedings.

When an allegation of Title IX Sexual Harassment is brought to the attention of MSMU, the Deputy Title IX Coordinator, or designee, will assign an Athenian Resource Coordinator (ARC) to both the Complainant and the Respondent. The ARC will assist a student Complainant in identifying University and external resources and facilitating Supportive Measures. Complainants will be assigned an ARC regardless of whether they file a Formal Complaint or participate in any hearing process. The ARCs will make themselves available, separately, to assist both the Complainant and Respondent in identifying University and external resources that are available to them in the context of alleged sexual or interpersonal misconduct. ARCs will also review with Complainants what supportive measures may be available to them.

Complainants will be assigned an ARC regardless of whether they provide MSMU with the name of the Respondent or willingly participate in the conduct process. The ARCs are members of the Division of Student Affairs who are trained to assist the parties in identifying University and external resources and explaining the University’s conduct process in cases of
alleged Student Conduct Code violations relating to sexual and interpersonal misconduct.

The role of the Title IX Coordinator (or designee)/ Athenian Resource Coordinator herein is to:

- Provide information in writing, as appropriate, regarding resources on- and off-campus such as Counseling and Psychological Services (“CPS”), Student Health Services (“SHS”)
- Residence Life, MSMU CARES, Employee Assistance Program, Human Resources, Campus Security, proper law enforcement authorities, Rape Treatment Center at Santa Monica-UCLA Medical Center, and Campus Ministry;
- Explain all stages of the Title IX hearing process, including potential outcomes for both Complainant and Respondent;
- Provide information, explanation and review so that the Complainant and Respondent can make an informed decision about the options available to them, including Reporting to law enforcement, filing a Formal Complaint, documenting their decisions and requesting Supportive Measures;
- Follow up with the Complainant/Respondent throughout the Title IX hearing process and thereafter to ensure that no Retaliation is taking place and to continue to provide access to the resources that the Complainant/Respondent requires.

Additional Supportive Measures include, but are not limited to:

- Referral to counseling, medical, and/or other healthcare services;
- Providing Employee Assistance Program (EAP) resources and access services;
- Referral to community-based service providers;
- Visa and immigration consultation
- Student financial aid counseling;
- Education to the institutional community or community subgroup(s);
- Altering campus housing assignment(s);
- Altering work arrangements for employees or student-employees;
- Safety planning;
- Providing campus safety escorts;
- Providing transportation accommodations;
- Implementing contact limitations (no contact orders) between the parties;
- Academic support, extensions of deadlines, or other courses/program-related adjustments;
- Timely warnings;
- Class schedule modifications, withdrawals, or leaves of absence;
- Increased security and monitoring of certain areas of the campus; and
- Any other actions deemed appropriate by the Title IX Coordinator or designee.

MCARES Team
MCARES is comprised of individuals who are trained to provide students with information and assist with obtaining information and support from available resources at the University and in the Los Angeles community. These individuals do have time and place reporting responsibilities under the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act) but are not obligated to report identifying information of the Complainant.

Complainant and Respondent
In accordance with Title IX, MSMU has instituted a hearing process that is intended to be fair and equitable to both the Complainant and Respondent. In observance of that goal of equity, both Complainants and Respondents in Title IX cases have the right to:

- Access to an Advisor, if they do not have one of their choosing, to assist with the hearing process (in particular cross-examination during a hearing). Complainants and Respondents may select the Advisor of their choice, regardless of family relationship or lack of affiliation to the University;
• Receive a written notification of available on-and off-campus counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid (where applicable) and other services available, as well as notification of the procedures for institutional disciplinary action and their rights and options as defined in Title IX Sexual Harassment cases;

• Request and receive supportive measures as approved by the Dean of Students (when students are involved) in collaboration with the Title IX Coordinator or regarding non-students as approved by management in collaboration with the Title IX Coordinator;

• File a Report with Campus Security or Title IX Coordinator;

• File a police report and take legal action separate from and/or in addition to filing a Title IX Sexual Harassment Report;

• Notice, in writing, that a Formal Complaint has been filed;

• Present material and/or expert witnesses;

• Have their Advisor cross-examine the opposing party and any witnesses during a Title IX hearing to determine the credibility of information;

• Be informed of the disciplinary finding (violation or no violation) as well as the reasoning behind the decision in writing; and

• Appeal rights as outlined in this policy.

Written Notice of Outcome
In disciplinary cases where the policy violation includes a crime of violence, MSMU will, upon written request, disclose to the alleged victim of a crime of violence (as that term is defined in section 16 of title 18, United States Code), or a non-forcible sex offense, the report on the results of any disciplinary proceeding conducted by MSMU against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of such crime or offense, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.

The Complainant may speak with the following Confidential Resources:
• Licensed professional counselors and other medical providers
• Local rape crisis counselors
• Domestic violence resources
• Local or state assistance agencies
• Clergy/Chaplains
• Attorneys who are not University employees
• Student Health Services
• Student Counseling and Psychological Services

What should you do if you experience sexual assault, sexual violence, domestic violence, dating violence, or stalking?
If you believe you have experienced Sexual Harassment, Sexual Assault, Sexual Violence, Domestic Violence or Stalking, you are encouraged to file a report with Campus Security or the Title IX Coordinator (or designee). Any person may file a report, regardless of the amount of time that has passed since the alleged misconduct.

The most important thing you can do is to get the assistance that you need by taking the following steps.
• Get to a safe place as soon as you can.
• Access appropriate campus and local community services. Supportive Measures may include but are not limited to, counseling, academic, residential, transportation and/or employment accommodations, as well as restrictions on contact between the Complaint and Respondent.
• Preserve evidence in cases of sexual violence, intimate partner violence, or stalking. It is important to preserve evidence that may assist law enforcement personnel. If possible, place each item of clothing you were wearing at the time of the assault in a
separate paper bag and do not shower, bathe, douche, wash, or clean any part of your body, including brushing your teeth, until you have had a forensic medical exam. If possible, do not clean the area or move anything around where the assault has occurred in case law enforcement and detectives need access to the area.

- Consider filing a report with the university’s Title IX Coordinator, the Los Angeles Police Department Southwest Division, and/or Campus Security. The Title IX Coordinator and Campus Security are available to help survivors file a report with the police. On-campus reports can be filed with the Title IX Coordinator, Deputy Title IX Coordinators, or Campus Security by phone, in writing or by email.

MSMU Immunity for Alcohol and Drug Violations in regards to Reports of Sexual or Interpersonal Misconduct

The University seeks to remove barriers to reporting incidents of sexual and interpersonal misconduct. An individual who has been drinking or using drugs at the time of an incident of misconduct may be hesitant to make a report or participate in an investigation because of potential consequences for his/her conduct. No student who, in good faith, reports an incident of sexual or interpersonal misconduct or participates in an investigation of such misconduct will be subject to disciplinary action for his/her consumption and possession of alcohol or other drugs related to that incident. The University may recommend educational intervention, assessment, or counseling for alcohol or other drug use when appropriate.

Definition

A. Complainant: For Reports and Formal Complaints filed under Title IX, a Complainant is an individual who is alleged to be the victim of conduct that may constitute Title IX Sexual Harassment.

B. Report: For this policy, Report is defined as an allegation of Title IX Sexual Harassment that is brought to the attention of the Title IX Coordinator by either the individual who experienced the Title IX Sexual Harassment or someone other than the person who experienced the Sexual Harassment. A Report becomes a Formal Complaint when it is signed by either the Complainant or the Title IX Coordinator.

C. Consent: For this policy, Consent is defined as the unambiguous and willing participation or cooperation in act, behavior, or attitude that is commonly understood to be consistent with the exercise of free will. It is the responsibility of each person involved in the sexual activity to ensure that she/he/they has/have the affirmative Consent of the other(s) to engage in the sexual activity. Consent requires participants who are lawful adults, fully conscious, equally free and legally competent to act, have communicated their willingness, cooperation or permission to participate in the specific sexual activity engaged in, are positive and clear about their desires and can cease ongoing consensual activity at any time. Consent is not freely given if:

- It is obtained through the use of force, through the fear of or the threat of force, through the abuse of a power position over another (such as employment status or position within an organization) or by kidnap; or
- A reasonable person, in the position of the alleged perpetrator at the time the alleged conduct occurred, should have known that the other person was unable to give consent for any of the following reasons:
  o The individual is unable to make an informed decision as a result of the use of alcohol, drugs, or other substances (including, but
not limited to, predatory drugs or prescribed medications); or
  o The individual is unable to consciously respond for whatever reason, including lack of consciousness, sleep, illness or shock; or
  o The individual is under the age of 18 and therefore legally incapable of giving consent; or
  o The individual is known because of impairment, mental condition or developmental or physical disability to be reasonably unable to Consent.
  o The individual has acted or spoken in a manner that expresses a lack of Consent or a refusal to Consent.

- The following are invalid excuses for failing to obtain affirmative consent from the Complainant: The Respondent’s belief in Affirmative consent arose from the intoxication or recklessness of the Respondent; or the Respondent did not take reasonable steps, in the circumstances known to the Respondent at the time, to ascertain whether the Complainant affirmatively consented.

D. Refusal to Consent does not have to be verbal; it can be expressed with clear gestures, body language or attitude. Lack of protest or resistance does not mean Consent, nor does silence mean Consent. The prior sexual history between the Complainant and Respondent, by itself, does not constitute continuing Consent nor consent to new or additional sexual activity, nor does consenting to sexual activity with one person imply Consent to sexual activity with another person.

E. Education Program or Activity: For Formal Complaints filed under Title IX, Education Program or Activity is defined as locations, events or circumstances over which MSMU has substantial control over both the Respondent and the context in which the Title IX Sexual Harassment occurs.

F. Sexual Assault: For this policy, Sexual Assault is defined as engaging in sexual intercourse, or any of the sexual activities listed below, with another person without that person’s Consent. Sexual Assault includes, but is not limited to, rape, sexual battery, anal intercourse, oral copulation or penetration of a body cavity by a foreign object. Sexual intercourse includes the penetration, however slight, of the vagina or anus with any object or body part and of the mouth with a body part and/or object in a sexual manner.

G. Sexual Misconduct: For this policy, sexual misconduct is defined as unwelcome conduct of a sexual nature including, but not limited to, unwelcome sexual advances, unsolicited requests for sexual favors, or physical conduct of a sexual nature, such as making contact with an intimate body part (including, but not limited to: the mouth; the sex organs; the anus; the groin; the buttocks and/or the breasts) of another person without that person’s consent, including as a result of sexual coercion.

H. Sexual Exploitation: For this policy, Sexual Exploitation is defined as sexual misconduct that occurs when a person takes unjust or abusive sexual advantage of another for their benefit or for the benefit of anyone other than the exploited party; and that behavior does not otherwise constitute Sexual Assault. Examples of Sexual Exploitation include, but are not limited to, invasion of sexual privacy, audio or video recording or photographing of a sexual nature utilizing webcam, camera, Internet exposure, etc., without knowledge and consent of all persons, going beyond the boundaries of consent (such as letting another person hide and watch you have consensual sex without the knowledge of the other party), engaging in unconsented voyeurism, coercing another against their will to expose their genitals or breasts and prostituting another person.
I. Sexual Misconduct: For this policy, Sexual Misconduct includes, but is not limited to, exposing one’s genitals in non-consensual circumstances, coercing another against their will to expose their genitals or breasts and prostituting another person.

J. Sexual Harassment: For Formal Complaints filed under Title IX, Title IX Sexual Harassment is defined as unwelcome conduct by a faculty or staff member conditioning the provision of an educational aid, benefit or service on an individual’s participation in unwelcome sexual conduct; or unwelcome conduct against a person in the United States, determined by a reasonable person to be so severe, pervasive and objectively offensive that it effectively denies a person equal access to an MSMU education program or activity or employment.

K. The course of conduct: For this definition, 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.

L. Formal Complaint: For this policy, a Formal Complaint is defined as a document filed by a Complainant or signed by the Title IX Coordinator alleging Title IX Sexual Harassment against a Respondent and requesting that MSMU investigate the allegation of Title IX Sexual Harassment. At the time of filing a Formal Complaint, a Complainant must be participating in or attempting to participate in an education program or an MSMU-sponsored activity or be employed by the University. A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, as well as through Campus Security’s online Reporting form. Campus Security will promptly notify the Title IX Coordinator when it receives a report of conduct that may constitute Title IX Sexual Harassment.

M. Document filed by a Complainant: The term “document filed by a Complainant” is defined as a document or electronic submission that contains the Complainant’s physical or digital signature or otherwise indicates that the Complainant is the person filing the Formal Complaint. Where the Title IX Coordinator signs a Formal Complaint, the Title IX Coordinator is not a Complainant or otherwise a party to the case.

N. Preponderance of Evidence: For this policy, Preponderance of the Evidence means such evidence as to when weighed with that opposed to it has more convincing force and the greater probability of truth.

O. Respondent: For Formal Complaints filed under Title IX regarding this policy, Respondent is defined as an individual who has been reported to be the perpetrator of conduct that could constitute Title IX Sexual Harassment.

P. Reasonable Prompt Time Frame: For this policy, Reasonably Prompt Time Frame is defined as the amount of time necessary for the Title IX Coordinator to file the Formal Complaint; Title IX Investigator(s) to schedule and conduct the relevant and necessary interviews, to put together a comprehensive investigative report that includes inculpatory and exculpatory evidence; the time needed to schedule and meet with the Complainant, Respondent, Witnesses, and Advisors to present the evidence and investigation report to them and explain the Title IX hearing process; to give the Complainant, Respondent, Witnesses, and Advisors seven business days to review and respond to the evidence and investigative report; to schedule and conduct the live hearing, and to write the final decision letter. The same time frame applies to the appeals process as well as the
informal resolution process. In normal circumstances and assuming timely cooperation from the parties and witnesses, University staff will use their best efforts to complete this process within 120 days.

Q. Party or Parties: For purposes of this policy, Party or Parties is defined as the singular term “Party” can refer to either the Complainant or the Respondent. The collective term “Parties” refers to both the Complainant(s) and Respondent(s) collectively.

R. Advisor: For purposes of this policy, Advisor is defined as an individual chosen by a Party or appointed by the University to accompany the Party to meetings related to the resolution process, to advise the Party on that process, and to conduct the cross-examination at any hearing.

S. Investigator: For purposes of this policy, Investigator is defined as the individual(s) assigned by the University to gather facts about an alleged violation of this Policy, assess relevance and credibility, analyze the evidence, and compile the information into an investigative report and file of directly-related evidence.

T. Hearing Panel: For purposes of this policy, Hearing Panel is defined as a group consisting of three trained members with a minimum of one faculty or one staff who has the decision-making and sanctioning authority within the University Formal Complaint Process, outlined below. The Hearing Panel is appointed by the Title IX Coordinator or Deputy Title IX Coordinator for HR designee.

U. Responsible Employee: For this policy, applies to all University employees, including staff, faculty, and student workers, except for the Confidential Resources listed below, which are considered “Responsible Employees.” Responsible Employees must immediately report actual or suspected sexual harassment under this Policy.

V. However, a Responsible Employee who is themselves a target of harassment or other misconduct under this Policy is not required to report their own experience, although they are encouraged to do so.

W. Employees must also promptly share all details of behaviors prohibited under this Policy that they observe or have knowledge of, even if not reported to them by a Complainant or third-party. Complainants and others should be aware that any information they share with non-confidential Responsible Employees must be reported under this Policy. Complainants and others cannot report information “off the record” to non-confidential Responsible Employees, and non-confidential Responsible Employees cannot honor the request of a Complainant or third-party not to report potentially prohibited behavior.

X. When Responsible Employees engage in harassment or other violations of this Policy, they must report their misconduct. The University is not on notice of a potential violation of this Title IX – Sexual Harassment Policy when an alleged harasser is also a Responsible Employee unless the alleged harasser or another person does report the misconduct. Failure of a Responsible Employee to report an incident of sexual harassment of which they become aware is a violation of University Policy and can be grounds for disciplinary action, up to and including termination.

While MSMU strives to make decisions as quickly as possible, given the sensitivity of the allegations at hand, MSMU recognizes that good cause delays may occur. Good cause delays include but are not limited to the following: absence of a party, a party’s Advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities. MSMU will communicate in writing to the Complainant,
Respondent and relevant participants if a good cause delay occurs.

**California Law**

The following excerpts are only partially explanatory of certain California laws pertaining to sexual and interpersonal misconduct. These excerpts are not intended to be an exhaustive description or list of California laws pertaining to sexual misconduct, inappropriate or criminal sexual behavior or interpersonal misconduct.

Excerpts from Sections 11165.1 and 261 of the California Penal Code: Sexual Assault includes rape, statutory rape, rape in concert, incest, sodomy, lewd or lascivious acts upon a child, oral copulation, sexual penetration, child molestation and the following:

- Penetration, however slight, of the vagina or anal opening of one person by the penis of another person, whether or not there is emission of semen.
- Sexual contact between the genitals or anal opening of one person and the mouth or tongue of another person.
- Intrusion by one person into the genitals or anal opening of another person, including the use of an object for this purpose, except that it does not include acts performed for a valid medical purpose.
- The intentional touching of the genitals or intimate parts, including the breasts, genital area, groin, inner thighs and buttocks or the clothing covering them, of a child, or of the perpetrator by a child, for purposes of sexual arousal or gratification, except that it does not include acts which may reasonably be construed to be normal caretaker responsibilities; interactions with, or demonstrations of affection for, the child; or acts performed for a valid medical purpose.
- The intentional masturbation of the perpetrator’s genitals in the presence of a child.
- Rape is an act of sexual intercourse accomplished with a person not the spouse of the perpetrator, under any of the following circumstances:
  - Where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal Consent, and this is known or reasonably should be known to the person committing the act.
  - Where it is accomplished against a person’s will by means of force, violence, duress, menace or fear of immediate and unlawful bodily injury on the person or another.
  - Where a person is prevented from resisting by any intoxicating or anesthetic substance, or any controlled substance, and this condition was known, or reasonably should have been known by the accused.
  - Where a person is at the time unconscious of the nature of the act, and this is known to the accused.

As used in this paragraph, “unconscious of the nature of the act” means incapable of resisting because the victim meets one of the following conditions:

- Was unconscious or asleep.
- Was not aware, knowing, perceiving or cognizant that the act occurred.
- Was not aware, knowing, perceiving or cognizant of the essential characteristics of the act due to the perpetrator’s fraud in fact.
- Was not aware, knowing, perceiving or cognizant of the essential characteristics of the act due to the perpetrator’s fraudulent representation that the sexual penetration served a professional purpose when it served no professional purpose.
- Where a person submits under the belief that the person committing the act is someone known to the victim other than the accused, and this belief is induced by any artifice, pretense or concealment practiced by the accused, with the intent to induce the belief.
Where the act is accomplished against the victim’s will by threatening to retaliate in the future against the victim or any other person, and there is a reasonable possibility that the perpetrator will execute the threat. As used in this paragraph, “threatening to retaliate” means a threat to kidnap or falsely imprison or to inflict extreme pain, serious bodily injury or death. Where the act is accomplished against the victim’s will by threatening to use the authority of a public official to incarcerate, arrest or deport the victim or another, and the victim has a reasonable belief that the perpetrator is a public official. The perpetrator does not actually have to be a public official.

California law also states that “The essential guilt of rape consists in the outrage to the person and feelings of the victim of the rape. Any sexual penetration, however slight, is sufficient to complete the crime” (Penal Code section 263). California law further defines both marital rape (Penal Code section 262) and “statutory rape” (Penal Code section 261.5). Though laws vary from state to state, intercourse in which Consent was not obtained or was obtained under coercive conditions will usually be considered rape.

Excerpt from Section 67386 of the California Education Code:

The governing boards of independent postsecondary institutions shall adopt a policy concerning Sexual Assault, Domestic Violence, Dating Violence and Stalking, as defined in the federal Higher Education Act of 1965, involving a Student, both on- and off-campus.
This policy shall include an affirmative Consent standard in the determination of whether Consent was given by both parties to sexual activity.

“Affirmative Consent” means affirmative, conscious and voluntary agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that they have the affirmative Consent of the other or others to engage in the sexual activity. Lack of protest or resistance does not mean Consent, nor does silence mean Consent. Affirmative Consent must be ongoing throughout a sexual activity and can be revoked at any time. The existence of a dating relationship between the persons involved, or the fact of past sexual relations between them, should never by itself be assumed to be an indicator of Consent.

Excerpts from Section 261.6 and 261.7 of the California Penal Code:

In prosecutions under Section 261, 262, 286, 287 or 289, in which Consent is at issue, “Consent” shall be defined to mean positive cooperation in act or attitude pursuant to an exercise of free will. The person must act freely and voluntarily and have knowledge of the nature of the act or transaction involved.

A current or previous dating or marital relationship shall not be sufficient to constitute Consent where Consent is at issue in a prosecution under Section 261, 262, 286, 287 or 289. Nothing in this section shall affect the admissibility of evidence or the burden of proof on the issue of Consent. In prosecutions under Section 261, 262, 286, 287 or 289, in which Consent is at issue, evidence that the victim suggested, requested or otherwise communicated to the defendant that the defendant use a condom or other birth control device, without additional evidence of Consent, is not sufficient to constitute Consent.

Excerpts from Section 646.9 of the California Penal Code:

Any person who willfully, maliciously and repeatedly follows or willfully and maliciously harasses another person and who makes a
credible threat with the intent to place that person in reasonable fear for their safety, or the safety of their immediate family is guilty of the crime of Stalking, punishable by:

1. Imprisonment in a county jail for not more than one year, or
2. By a fine of not more than $1,000, or
3. By both that fine and imprisonment, or by imprisonment in the state prison.

For the purposes of this section, “harasses” means engages in a knowing and willful course of conduct directed at a specific person that seriously alarms, annoys, torments or terrorizes the person, and that serves no legitimate purpose. For the purposes of this section, “course of conduct” means two or more acts occurring over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of “course of conduct.”

Excerpts from Section 13700 of the California Penal Code and 6211 of the California Family Code:

“Domestic Violence” means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant or person with whom the suspect has had a child or is having or has had a dating or engagement relationship, a child of a party or a child who is the subject of an action under the Uniform Parentage Act, where the presumption applies that the male parent is the father of the child to be protected or any other person related by consanguinity or affinity within the second degree.

For purposes of this subdivision, “cohabitant” means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to: terrorizes the person, and that serves no legitimate purpose. For the purposes of this section, “course of conduct” means two or more acts occurring over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of “course of conduct.”

Excerpts from Section 13700 of the California Penal Code and 6211 of the California Family Code:

“Domestic Violence” means abuse committed against an adult or a minor who is a spouse, former spouse, cohabitant, former cohabitant or person with whom the suspect has had a child or is having or has had a dating or engagement relationship, a child of a party or a child who is the subject of an action under the Uniform Parentage Act, where the presumption applies that the male parent is the father of the child to be protected or any other person related by consanguinity or affinity within the second degree.

For purposes of this subdivision, “cohabitant” means two unrelated adult persons living together for a substantial period of time, resulting in some permanency of relationship. Factors that may determine whether persons are cohabiting include, but are not limited to:

1. Sexual relations between the parties while sharing the same living quarters;
2. Sharing of income or expenses;
3. Joint use or ownership of property;
4. Whether the parties hold themselves out as spouses;
5. The continuity of the relationship; and
6. The length of the relationship.

Registered Sex Offender Information
Megan’s Law
The federal Campus Sex Crimes Prevention Act requires that institutions of higher education issue a statement advising the campus community on how to access law enforcement agency information provided by a State concerning registered sex offenders. It also requires that offenders who are required to register in a state provide notice to each institution of higher education in that state at which the person is employed carries on a vocation, or is a student. As the Department of Campus Security is not a law enforcement agency, the registration process is conducted at the Los Angeles Police Department.

In the state of California, convicted sex offenders must register with their local law enforcement agencies.

Megan’s Law allows the public to access the registry. It also authorizes local law enforcement to notify the public about high-risk and serious sex offenders who reside in, are employed in, or frequent the community. For more information, visit Megan’s Law.

**Good Samaritan & Self-Reporting Policy**

The purpose of this policy is to encourage students to promptly notify the appropriate staff and/or local emergency services in the event of such need without fear of disciplinary action for related policy violations. The well-being, health, and safety of our students is of the utmost importance at Mount Saint Mary’s University. Students or their guests in need of medical attention who are intoxicated or under the influence of alcohol, marijuana, or a controlled substance, should always seek appropriate assistance from Campus Security, Residence Life and Housing Services staff, Student Health Services or other local emergency services.

Under this policy, the University will mitigate the resulting disciplinary actions for the student(s) in crisis and provide resources and support to the student(s) calling for help. The student(s) in crisis will be referred to an educational, recovery, and/or developmental program so that they learn and grow from the situation; and, reduced or no sanctions/resolutions may be imposed. Students who do not complete the educational, recovery, and/or developmental program recommendations may be faced with disciplinary action consistent with the Student Conduct Code. Serious or repeated incidents will promote a higher degree of response and review from the Conduct Hearing Board.

This policy only applies to alcohol, marijuana and other drug violations and does not excuse behaviors which go beyond alcohol, marijuana and other drug intoxication (these may include, but are not limited to, disorderly conduct, failure to comply, physical assault, Sexual Assault, sexual violence, vandalism, property damage). Action or investigations by police or other law enforcement personnel are not covered under this policy. The Policy does not grant immunity to possession with intent to distribute drugs or other related crimes.

**Misconduct Resource Contact List**

**Campus Security**
213.477.2502

**Student Health Services (SHS)**
10 Chester Pl.
Los Angeles, CA 90007
Building 3, 1st Floor, Room B107
213.477.2685

**Counseling and Psychological Services (CPS)**
10 Chester Pl.
Los Angeles, CA 90007
McIntyre Hall, 1st Floor
During business hours – 310.954.4114
24/7 Crisis – 310.954.4277

**Residence Life & Housing Services**
10 Chester Pl.
Los Angeles, CA 90007
Hannon Hall, 1st Floor, Room 123
213.477.2661

**Campus Ministry**
10 Chester Pl.
Los Angeles, CA 90007
ALCOHOL AND OTHER DRUGS POLICY

Student Alcohol & Drug Policy
The Alcohol and Other Drug Policy describes the standards of conduct regarding the use, possession, or distribution of alcohol, controlled substances and marijuana; and sanctions enforced under University policy, local, state and federal law. Mount Saint Mary’s University encourages students to adopt responsible and healthy behaviors regarding the use of alcohol. All students may obtain confidential health care and counseling through Student Health Services. The following is the MSMU policy regarding the use of alcohol and other drugs:

In accordance with California Law,
1. Only persons 21 years of age or older may consume alcoholic beverages.
2. It is unlawful to sell, furnish, give, or cause to be sold, furnished, or given away any alcoholic beverage to any person under the age of 21 years old (Penal Code, Section 272).
3. Any person under the age of 21 years who has any alcoholic beverage in her/his possession on any street or highway or in any public place or any place open to the public is guilty of a misdemeanor (Business and Professions Code, Section 25662).

In accordance with Mount Saint Mary’s University Alcohol Policy,
1. Students of legal drinking age (21 years) have the right to possess and consume alcoholic beverages in a residence hall living space only.
2. The door to that room must remain closed at all times while alcohol is being consumed. An open door nullifies the privilege.
3. All individuals, including guests, must be 21 years of age or older.
4. No alcohol is to be consumed in the presence of an underage resident/student/guest.
5. Alcohol is not permitted in public areas of the campus, including the hallways, lounges, outside areas, pool, stairways, patios, parking lots, etc.
6. The transfer of alcohol to the rooms must be direct, and the alcohol must be unopened and in a paper bag regardless of person’s age.
7. The visual display of empty or full alcohol containers is not permitted regardless of age.
8. Drinking games are not permitted on campus at any time.
9. The Residence Life staff has the right to question the age of any student/guest who is transporting, consuming, or possessing alcohol.
10. Falsification of age, verbally or otherwise, may lead to a more severe disciplinary conduct resolution.
11. A Residence Life staff member can confiscate alcohol due to (1) underage possession, (2) opened container, (3) excessive amounts or (4) consumption of alcohol in the presence of an underage resident/student/guest.
12. Kegs are not allowed in the residence halls.
13. Alcoholic beverages may not be sold, consumed, or served at any university event sponsored by students or student organizations. More information about the MSMU Alcohol Policy can be found in the Student Conduct Policies.

Disclosure of Drug Violations
In accordance with Mount Saint Mary’s University Drug Policy,
1. Possession, use or distribution of illicit drugs (including marijuana and medical marijuana and inappropriate use of prescription medication).
2. Unlawful manufacture, distribution, dispensation, possession, or use of controlled substances.
3. Possession of unauthorized drug paraphernalia, including but not limited to water pipes, scales, needles, clips, rolling papers, bongs; any device that may be associated with unlawful drug use, regardless of whether it is purchased or handmade.

As a private institution, Mount Saint Mary’s University prohibits marijuana use, distribution or storage on its campus, premises or at university-sponsored events. Individuals found in possession of, using, or under the influence of marijuana will be subject to disciplinary action under the Student Conduct Code. More information about the MSMU Drug Policy can be found in the Student Conduct Policies.

Students who violate Federal, State and Local laws or University policy regarding the use of illegal drugs (including marijuana and medical marijuana) and/or demonstrate irresponsible or disruptive behavior associated with the use of illicit drugs are subject to University disciplinary action, which may include a recommendation for counseling, referral for alcohol/drug evaluation, removal from on-campus residence, dismissal or suspension, or police referral. University officials may confiscate and dispose of drugs (including marijuana and medical marijuana) if they are found on the University premises.

Referral Information
All students may obtain confidential healthcare and counseling through Health Services. Members of the Mount Saint Mary’s University community are encouraged to seek assistance and/or support for themselves and others through any of the following resources:

- Student Health Services
  310.954.4110 or 213.477.2685
- Counseling and Psychological Services
  310.954-4114 or 213.477.2668
- Alcoholics Anonymous
- Los Angeles Addiction Treatment Centers
  877.345.3281
EMERGENCY MANAGEMENT

In 2020, MSMU established the Department of Emergency Management & Safety to lead the University’s emergency management, business continuity and environmental health and safety programs. Emergency Management & Safety is tasked with guiding the University’s mitigation, preparedness, response and recovery efforts for natural and man-made disasters.

Evacuation Procedures
The decision to evacuate a building or campus is made at the determination of the Incident Commander or first responders from the Los Angeles Fire Department or Los Angeles Police Department that circumstances either have or may require occupants of a building or the entire campus to evacuate. Once the decision to evacuate has been made, all occupants are expected to exit the building they are in and proceed to the appropriate evacuation locations. In the event of an emergency that requires an evacuation, please do the following:

1. Evacuate to the CIRCLE area or the nearest safe open area by using the nearest or safest exit (do not use elevators).
2. In some cases, we may evacuate the community to a secondary location on campus. If this occurs, you will be told as you enter the CIRCLE area or notified by MountALERT message.
3. Follow directions of Building Monitors, Floor Monitors, and university officials.

Emergency Notification and Timely Warning
It is the policy of MSMU to provide accurate and timely information to the MSMU community during emergencies in compliance with the Jeanne Clery Act 20 U.S.C. §1092(f); 34 CFR 668.46(e) and consistent with our commitment to safety. The University’s three types of safety-related communication are MountALERT notifications, Timely Warnings, and Public Safety Advisories.

Emergency Notification
Upon confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of the MSMU community, the University will issue an emergency notification (MountALERT). (If a threat is not immediate and involves a crime, the University may initiate its timely warning procedures.)

MountALERT
MountALERT, the system used for emergency notifications, may be utilized to send messages via email, text message and/or RSS (Really Simple Syndication). The University contracts with a third-party vendor to maintain the emergency notification software used to issue a MountALERT. There is no cost to MSMU community members to sign up for the service, and standard text messaging rates will apply. MSMU community members can visit msmu.edu/alert to update their information.

MountALERT is tested at least annually. A full system test was conducted on October 15, 2020, at 10:15 am as part of MSMU’s participation in the 2020 California Great ShakeOut Drill. The test message instructed recipients to drop, cover and hold on as they would in a real earthquake.

Timely Warning
The University will develop timely warnings of Clery crimes that occur within the MSMU Clery Geography when it is determined that the incident presents a serious or continuing threat to the MSMU community. Timely warnings will be distributed if the incident is reported to the MSMU Department of Campus Security (DCS) directly or indirectly through a campus security
A timely warning notice will typically include the following unless issuing any of this information would risk compromising law enforcement efforts:

- Date and time (or timeframe) of the incident
- A brief description of the incident
- Information that will promote safety and potentially aid in preventing similar crimes (crime prevention or safety tips)
- Other information as deemed appropriate

The Clery Act requires colleges and universities to issue a “timely warning” to the campus community for all Clery Act crimes that occur within the university’s Clery geography and are reported to Campus Security authorities or local police agencies; and are considered by the institution to represent a serious or continuing threat to students and employees.

The timely warning requirement is intended to alert the campus community to potentially dangerous criminal activity on or near campus to enable people to protect themselves and prevent similar or repeat occurrences. To ensure the timeliness of the alert, a warning is issued as soon as pertinent information is available.

Any decision to issue a timely warning notice will be determined on a case-by-case basis, depending on the facts of the case and information known at the time of the initial report.

Additionally, if in the professional judgment of the local law enforcement authorities, issuing a timely warning would compromise efforts to address the crime, the notification may be delayed. In such cases, the Director of Campus Security or designee would be notified that a timely warning would compromise law enforcement efforts.

After learning that an incident has occurred, the Director of Campus Security, Vice President for Administration and Finance, Title IX Coordinator or their designees will determine if the incident merits a timely warning. If it is determined a timely warning is necessary, the Director of Campus Security and/or campus designee will decide the content and best delivery method(s) of the warning. Timely warnings are primarily distributed via the MSMU email system but may also be distributed via text messages.

Public Safety Advisory
If a situation does not rise to the level of causing a serious or continuing threat to the MSMU community or occurs outside the University’s Clery geographic boundaries, a Public Safety Advisory may be issued to the community. Public Safety Advisory emails promote safety and provide information for incidents that are not required by the Clery Act.
CAMPUS FIRE SAFETY

In accordance with the Higher Education Opportunity Act (Public Law 110-315) of 2008, MSMU is providing mandatory fire safety information as part of this Annual Security Report.

Reporting Campus Fires
If a fire occurs in an MSMU building, community members should immediately notify Campus Security. MSMU Campus Security will initiate a response. If a member of the MSMU community finds evidence of a fire that has been extinguished, and the person is not sure whether MSMU Campus Security has already responded, the community member should immediately notify Campus Security so it can investigate and document the incident. When calling, please provide as much information as possible about the location, date, time, and cause of the fire.

MSMU Department of Campus Security
campussecurity@msmu.edu
310.954.4321 or 213.477.2502

Reporting fire emergencies on the Doheny campus must be reported to campus officials in a timely fashion. The department below should be notified of fire emergencies.

- Emergency Management & Safety
  213.477.2940
- Facilities Management
  310.954.4352
- Residence Life and Housing Services
  213.477.2652
- Campus Security
  310.954.4321 or 213.477.2502

Daily Fire Log
The Daily Fire Log records the type, location, date and time of each fire reported to the Department of Campus Security for both the Chalon and Doheny campuses and is available for review by the public. Upon request to the Department of Campus Security, the Daily Fire Log for the most recent 60 days is available for review by the public during regular business hours (8:00 am – 4:00 pm), and any portion of the log older than 60 days is available within two business days of a request.

MSMU Department of Campus Security
campussecurity@msmu.edu
310.954.4321 or 213.477.2502

Fire Safety Tips

Fire Alarm
- Feel the door with the back of your hand.
- If the door is warm or hot:
  - Do not open the door.
  - Wedge a wet towel or cloth item at the base of the door and on air vents.
  - Close as many doors as possible between you and the fire, and stay near the floor.
  - Call 9-1-1.
  - Wave a piece of cloth (e.g., sweater, jacket) out the window to notify rescuers of your location. If there is no window, tap on the wall at regular intervals to alert rescue crews.
- If the door is normal temperature:
  - Open the door slowly.
  - Leave and close the door.
  - Stay close to the ground if there is smoke.
  - Evacuate and convene at the safe refuge area.
  - Do not use the elevators.
  - When safe to do so, always help those who need assistance.

Fire or Smoke in Your Immediate Vicinity
- Only if it is safe should you try to put out the fire yourself using a fire extinguisher.
- Call 9-1-1.
- Activate the nearest fire alarm pull station if safe to do so.
• If smoke is present, evacuate by crawling to the nearest exit. Do not use elevators.
• Close the door as you leave to contain the fire (if applicable).
• When safe to do so, always help those who need assistance.

Once Outside the Building
• Report to the designated evacuation area, and position yourself at least 50 feet away from the affected building(s).
• Do not re-enter the building until you are authorized to do so by the Los Angeles Fire Department or Campus Security.
Fire Statistics

All reports of fires and fire alarms are maintained with the Department of Campus Security. Data collected includes, but is not limited to, the building name; time and date of the fire, the numbers and cause of each fire; and all injuries.

Note: The ground floor of Carondelet Hall is known as Casa Hall. However, both residences share the same fire system.

A. Fire Statistics 2018

The following sets forth information about all fires that occurred in on-campus residential buildings during the period of January 1, 2018 to December 31, 2018.

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<tr>
<th>MSMU Residence Hall</th>
<th>Total Number of Fires in Building</th>
<th>Fire Number</th>
<th>Date &amp; Time of Fire</th>
<th>Cause of Fire</th>
<th>No. of Injures Need Treatment</th>
<th>Value of Property Damage Causes</th>
<th>No. of Fire Drills</th>
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</table>
B. **Fire Statistics 2019**
The following sets forth information about all fires that occurred in on-campus residential buildings during the period of January 1, 2019 to December 31, 2019.

<table>
<thead>
<tr>
<th>MSMU Residence Hall</th>
<th>Total Number of Fires in Building</th>
<th>Fire Number</th>
<th>Date &amp; Time of Fire</th>
<th>Cause of Fire</th>
<th>No. of Injuries Need Treatment</th>
<th>Value of Property Damage Causes</th>
<th>No. of Fire Drills</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building 7</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
<td>Building 8 1/2</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Hannon Hall</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>2</td>
</tr>
<tr>
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<td>0</td>
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<td>0</td>
<td>0</td>
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<tr>
<td>House 22</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0**</td>
</tr>
<tr>
<td>McIntyre Hall</td>
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<td>0</td>
<td>0</td>
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<td>2</td>
</tr>
</tbody>
</table>
C. **Fire Statistics 2020**

The following sets forth information about all fires that occurred in on-campus residential buildings during the period of January 1, 2020 to December 31, 2020.

<table>
<thead>
<tr>
<th>MSMU Residence Hall</th>
<th>Total Number of Fires in Building</th>
<th>Fire Number</th>
<th>Date &amp; Time of Fire</th>
<th>Cause of Fire</th>
<th>No. of Injures Need Treatment</th>
<th>Value of Property Damage Causes</th>
<th>No. of Fire Drills*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building 7</td>
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<td>0</td>
<td>0</td>
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<td>0</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
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<td>1*</td>
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<tr>
<td>Hannon Hall</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1*</td>
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<td>0</td>
<td>0</td>
<td>0</td>
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<td>1*</td>
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<tr>
<td>House 22</td>
<td>0</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0**</td>
</tr>
<tr>
<td>McIntyre Hall</td>
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<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>1*</td>
</tr>
</tbody>
</table>

*In Fall 2020, there were no student residents on the Doheny campus.

**Fire Drills were not conducted in House 22.
Student Housing Fire Systems
Residence halls are equipped with smoke alarms, fire extinguishers, and emergency exit doors. One of the six residence halls is equipped with a sprinkler system and fire alarm system monitored by D&S Security.

<table>
<thead>
<tr>
<th>Location</th>
<th>Building Fire Alarm</th>
<th>Fire Panel Location</th>
<th>Local Room Smoke Detection (Detectors Hand-Wired)</th>
<th>Local room Smoke Detection (Batteries)</th>
<th>Sprinkler System</th>
<th>Monitor Service</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building 7</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Hardwire and battery backup</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>Building 8 1/2</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Hardwire and battery backup</td>
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<tr>
<td>Hannon Hall</td>
<td>Yes</td>
<td>Outside Electrical room, northwest corner</td>
<td>Yes</td>
<td>Hardwire and battery backup</td>
<td>Yes</td>
<td>D&amp;S Security</td>
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<tr>
<td>House 20</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Hardwire and battery backup</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>House 22</td>
<td>No</td>
<td>No</td>
<td>Yes</td>
<td>Hardwire and battery backup</td>
<td>No</td>
<td>No</td>
</tr>
<tr>
<td>McIntyre Hall</td>
<td>Yes</td>
<td>Storage inside Donohue Center</td>
<td>Yes</td>
<td>Hardwire and battery backup</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>

Fire Safety & Training
Fire safety education and training programs are held once per semester and are led by Campus Security. Community members are provided information on fire prevention, responding to fire emergencies, and identifying hazards in their residence hall, workplace, or classroom. Community members are provided the opportunity to learn how to safely operate a fire extinguisher using the BullEx fire extinguisher training system. Since the majority of the community was remote in 2020, in addition to on-campus fire drills, fire safety at home was promoted via a MountALERT message where community members were encouraged to host an evacuation drill or discussion at home with families.

Fire Drills for Administrative and Academic Buildings
Fire drills are conducted minimally two times per academic year in residence halls. Residence Life conducts one evening drill each fall and spring semester. Academic buildings are conducted once annually. These drills test the community’s building fire and evacuation knowledge and the overall effectiveness of the University’s emergency response plan.
Smoking on Campus

Mount Saint Mary’s University is committed to providing a safe and healthy environment for its employees, students and visitors. In light of the U.S. Surgeon General’s findings that exposure to secondhand tobacco smoke and tobacco use are significant health hazards, it is the intent of this policy to establish a smoke-free environment. Consequently, use, distribution, or sale of tobacco, including any smoking device, or carrying any lighted smoking instrument, in University buildings or on University premises, at events on University premises, or in University vehicles, is prohibited.

Mount Saint Mary’s University strives to be a smoke-free campus. Smoking, including smoking e-cigarettes, is prohibited throughout all of the University’s facilities, except in designated outdoor locations. All employees, vendors, and visitors must adhere to this policy.

For those individuals who must smoke, the outdoor designated location at Doheny Campus is behind the Doheny Mansion. While cigarettes are permitted at this single location, no other smoking material or device is permitted anywhere on campus.

Examples of prohibited items include cigars, pipes, hookahs, clove cigarettes, e-cigarettes, other smoking products, and smokeless or spit tobacco.

The Student Life Policy Board shall, with the approval of the President’s Cabinet, set and approve penalties for violations of these rules and shall provide adequate means for the enforcement of the policy and of penalties for violation of the policy.

Procedures will be developed to offer or promote prevention and education initiatives that actively support non-use and address the risks of all forms of tobacco use. Procedures will also be developed to offer or promote programs and services that include practical, evidence-based approaches to end tobacco use for students and employees who want to quit.

Fire Safety in Residence Halls and on Campus

The safety of students living in the residence halls begins with an awareness of fire regulations and procedures for the safety and concern of all resident students. Open flames, including candles of any size or type (candle with or without the wick as well as candle holders), incense (including incense holders), lanterns, propane lighter fluid, barbecues, etc., are prohibited in all residence hall spaces. Plastic battery-operated “candles” (flameless candles) are allowed.

Residence Hall fire safety, policies on portable electrical appliances and prevention information is found in the Residence Hall section of the Student Handbook. Smoking, including smoking e-cigarettes, is only permitted in the designated outdoor location in the Circle.
ANNUAL DISCLOSURE OF CLERY ACT CRIME STATISTICS

The Jeanne Clery Disclosure of Campus Safety Policy and Campus Crime Statistics Act (20 USC § 1092(f)) requires colleges and universities to disclose information about crime on or within its Clery Geography in the Annual Fire Safety and Security Report. Crimes that may have occurred on off-campus locations are not included in the University’s statistics. The definition of each crime may differ from the definition of comparable crimes under the California Penal Code or University discipline policies.

Crime statistics for three years are published in the Annual Fire Safety and Security Report by October 1 of each year and submitted annually to the U.S. Department of Education. Crimes are reported in the following categories:

Definitions

A. Murder/Non-Negligent Manslaughter: The willful (non-negligent) killing of one human being by another.

B. Negligent Manslaughter: The killing of another person through gross negligence.

C. 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 of immediate harm.

D. 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.

E. Burglary: The unlawful entry of a structure to commit a felony or a theft.

F. Motor Vehicle Theft: The theft or attempted theft of a motor vehicle.

G. 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, or personal property of another.

H. 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 consent of the victim.

I. Fondling: The touching of the private body parts of another person for the purposes 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.

J. Incest: Non-forcible sexual intercourse between persons who are related to each other within the degree wherein marriage is prohibited by law.

K. Statutory Rape: Non-forcible sexual intercourse with a person who is under the statutory age of consent.

L. 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.

M. Dating Violence: Violence committed by a person:
   a. Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
   b. Where the existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the following factors:
      c. The length of the relationship.
      d. The type of relationship.
      e. The frequency of interaction between the persons involved in the relationship.

N. Stalking: Stalking means engaging in a course of conduct directed at a specific person(s) that would cause a reasonable person, under similar circumstances and with similar identities to the Complainant, to fear for his or her safety, or the safety of others or suffer substantial emotional distress.
   1. For the purposes of this definition, 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.
   2. For the purposes of this definition, substantial emotional distress means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

O. A hate crime is a criminal offense committed against a person or property which is motivated, in whole or in part, by the offender’s bias. Bias is a preformed negative opinion or attitude towards a group of persons based on their race, gender, religion, disability, sexual orientation, ethnicity, national origin, or gender identity.

For Clery purposes, hate crimes include any of the above offenses (minus non-negligent manslaughter) and the addition of the categories below.

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

Q. Simple Assault: The 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 lacerations, or loss of consciousness.

R. Destruction/Damage/Vandalism of Property: To willfully or maliciously destroy, damage, deface, or otherwise injure real or personal property without the consent of the owner or person having custody or control of it.

S. 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.

Unfounded Crimes
For Clery Act purposes, a reported crime can only be designated unfounded if, after a full investigation by sworn or commissioned law enforcement personnel, make a formal determination that the report is false or baseless. The Mount Saint Mary’s Department of Campus Security does not currently have any sworn law enforcement and therefore does not have the ability to unfound crime reports.

Clery Act Geography
A. Campus: Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution’s educational purposes, including residence
halls; and (ii) any building or property that is within or reasonably contiguous to the area identified in paragraph (i) of this definition, that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

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

C. Public Property: All public property that is within the same reasonably contiguous geographic area of the institution, such as a sidewalk, a street, other thoroughfare, or parking facility, and is adjacent to a facility owned or controlled by the institution if the facilities is used by the institution in direct support of, or in a manner related to the institution’s educational purposes.

D. SUNSET GOWER STUDIOS - (Off-Campus Graduate Program)
Located in Hollywood at the Sunset Gower Studios, the Master of Fine Arts in Film, Television & Photography Program at Mount Saint Mary’s University provides students with the essential skills and opportunities to create and produce professional media, building a body of work that demonstrates their abilities in every aspect of the creative and technical process. Sunset Gower Studios is a 16-acre creative media production campus located in the heart of Hollywood. It includes 12 sound stage facilities as well as 368,000 square feet of office and support space for productions of all shapes and sizes.

Sunset Gower Studios has 24/7 private security and on-site parking. Students, faculty and staff accessing the MSMU portion of the studio can only enter by studio-provided access cards. Sunset Gower Studio facilities management manages access cards and systems, and only those persons approved by the MFA program are provided access cards. MSMU Student Affairs and Campus Security maintain a regular presence at the studio for student support.
Crime Statistics: Clery Data Reported to Campus Security – Sunset Gower Studios
Criminal Offenses

A. 2018 Clery Crime Statistics – Sunset Gower Studios (Off-Campus Graduate Program)

<table>
<thead>
<tr>
<th>Offense</th>
<th>On Campus</th>
<th>Residence Hall</th>
<th>Public Property</th>
<th>Non-Campus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/ and Non negligent Manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Manslaughter by Negligence</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Rape</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Fondling</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td>Incest</td>
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<tr>
<td>Statutory Rape</td>
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<td>Robbery</td>
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<tr>
<td>Aggravated Assault</td>
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<tr>
<td>Motor Vehicle Theft</td>
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<td>Arson</td>
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<tr>
<td>Domestic Violence</td>
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<td>0</td>
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<td>0</td>
</tr>
<tr>
<td>Dating Violence</td>
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<tr>
<td>Stalking</td>
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<table>
<thead>
<tr>
<th>Arrests</th>
</tr>
</thead>
<tbody>
<tr>
<td>Weapons</td>
</tr>
<tr>
<td>Drug Abuse Violations</td>
</tr>
<tr>
<td>Liquor Law Violations</td>
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</table>

<table>
<thead>
<tr>
<th>Referred for Disciplinary Action</th>
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</thead>
<tbody>
<tr>
<td>Weapons</td>
</tr>
<tr>
<td>Drug Abuse Violations</td>
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### B. 2019 Clery Crime Statistics - Sunset Gower Studios (Off-Campus Graduate Program)

<table>
<thead>
<tr>
<th>Offense</th>
<th>On Campus</th>
<th>Residence Hall</th>
<th>Public Property</th>
<th>Non-Campus</th>
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<tbody>
<tr>
<td>Murder/ and Non negligent Manslaughter</td>
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<tr>
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<td>Arson</td>
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<tr>
<td>Stalking</td>
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<table>
<thead>
<tr>
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C. **2020 Clery Crime Statistics - Sunset Gower Studios (Off-Campus Graduate Program)**

<table>
<thead>
<tr>
<th>Offense</th>
<th>On Campus</th>
<th>Residence Hall</th>
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<tbody>
<tr>
<td>Murder/ and Non negligent Manslaughter</td>
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<td>Weapons</td>
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<td></td>
<td></td>
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</tr>
<tr>
<td>Drug Abuse Violations</td>
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<td></td>
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<tr>
<td>Liquor Law Violations</td>
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<table>
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<tr>
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<th></th>
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</thead>
<tbody>
<tr>
<td>Weapons</td>
<td>0</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Drug Abuse Violations</td>
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<td></td>
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</tr>
<tr>
<td>Liquor Law Violations</td>
<td>0</td>
<td></td>
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</tr>
</tbody>
</table>

**Public Property Crime Data**
MSMU contacted the Hollywood Division of the Los Angeles Police Department requesting statistics regarding Clery crimes on public property immediately adjacent to the Sunset Gower Studios. However, such statistics were not available.
Crime Statistics: Clery Data Reported to Campus Security – Doheny

Criminal Offenses

A. **2018 Clery Crime Statistics – Doheny Campus**

<table>
<thead>
<tr>
<th>Offense</th>
<th>On Campus</th>
<th>Residence Hall</th>
<th>Public Property</th>
<th>Non-Campus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/ and Non-negligent Manslaughter</td>
<td>0</td>
<td>0</td>
<td>0</td>
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</tr>
<tr>
<td>Manslaughter by Negligence</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Rape</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Fondling</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Incest</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Statutory Rape</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Robbery</td>
<td>0</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Aggravated Assault</td>
<td>0</td>
<td>0</td>
<td>0</td>
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</tr>
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<td>Burglary</td>
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</tr>
<tr>
<td>Motor Vehicle Theft</td>
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<tr>
<td>Domestic Violence</td>
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<tr>
<td>Dating Violence</td>
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<td>0</td>
<td>0</td>
<td>0</td>
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<tr>
<td>Stalking</td>
<td>0</td>
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</tbody>
</table>

**Arrests**

- **Weapons**: 0
- **Drug Abuse Violations**: 0
- **Liquor Law Violations**: 0

**Referred for Disciplinary Action**

- **Weapons**: 0
- **Drug Abuse Violations**: 1
- **Liquor Law Violations**: 5
B. **2019 Clery Crime Statistics – Doheny Campus**

<table>
<thead>
<tr>
<th>Offense</th>
<th>On Campus</th>
<th>Residence Hall</th>
<th>Public Property</th>
<th>Non-Campus</th>
</tr>
</thead>
<tbody>
<tr>
<td>Murder/ and Nonnegligent Manslaughter</td>
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<td>Manslaughter by Negligence</td>
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<tr>
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<tr>
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</tr>
<tr>
<td>Motor Vehicle Theft</td>
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<td>Stalking</td>
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**Arrests**

<table>
<thead>
<tr>
<th>Offense</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
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</tr>
<tr>
<td>Drug Abuse Violations</td>
<td>0</td>
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</table>

**Referred for Disciplinary Action**

<table>
<thead>
<tr>
<th>Offense</th>
<th>Count</th>
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<tbody>
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<td>Drug Abuse Violations</td>
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<td>Liquor Law Violations</td>
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### 2020 Clery Crime Statistics – Doheny Campus

<table>
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<th>Offense</th>
<th>On Campus</th>
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<td>Murder/ and Non negligent Manslaughter</td>
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**Public Property Crime Data**

MSMU contacted the Southwest Division of the Los Angeles Police Department requesting statistics regarding Clery crimes on public property immediately adjacent to the Doheny campus. However, such statistics were not available.
**Hate Crimes**

2018: Not hate crimes were reported in 2018.

2019: Not hate crimes were reported in 2019.

2020: Not hate crimes were reported in 2020.

**Daily Crime Log**

The Daily Crime Log is a record of all crimes (and alleged crimes) reported to the Department of Campus Security with the campus Clery geography. This log identifies the type, location, date and time of each criminal incident reported to the Department for both the Chalon and Doheny Campus campuses. Upon request to the Department of Campus Security, the Daily Fire Log for the most recent 60 days is available for review by the public during regular business hours (8:00 am – 4:00 pm), and any portion of the log older than 60 days is available within two business days of a request.

MSMU Department of Campus Security

campussecurity@msmu.edu

310.954.4321 or 213.477.2502
EMERGENCY CONTACT INFORMATION

Life-threatening Emergencies
9-1-1

**Campus Security – Doheny**
213.477.2502
campussecurity@msmu.edu

**Student Health Services (SHS)**
213.477.2685
studenthealthservices@msmu.edu

**Counseling and Psychological Services (CPS)**
310.954.4114
24/7 Crisis 310.954.4277

**Residence Life & Housing Services**
213.477.2661
dohenyresidence@msmu.edu

**Campus Ministry**
213.477.2672
campusministry@msmu.edu

**Community Resources**
Rape Treatment Center at Santa Monica
UCLA Medical Center
1250 16th Street
Santa Monica, CA 90404
424.259.7208
uclahealth.org/santa-monica/rape-treatment

**U.S. Department of Education**
Office of Civil Rights
Lyndon Baines Johnson
Dept of Education Building
400 Maryland Ave., S.W.
Washington D.C. 20202-1100
800.421.3481
OCR@ed.gov

**Title IX Coordinator**
Megan Staudenraus
213.477.2803
TitleIX@msmu.edu

**Los Angeles Police Department Southwest Division**
1546 W. Martin Luther King Jr. Blvd.
Los Angeles, CA 90066
(Station Phone) 213.485.2582
Monday through Friday 7:00 am to 11:00 pm
LAPD Rape Hotline - 626.793.3385

**Los Angeles Fire Department**
West Bureau
1800 N. Bronson Ave.
Los Angeles, CA 90028
323.957.4121