

LMU Public Safety Annual Fire Safety & Security Report

2020 - 2021

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A MESSAGE FROM THE VICE PRESIDENT FOR CAMPUS SAFETY AND SECURITY

The core mission of the LMU Department of Public Safety (“DPS” or “Public Safety”) is to create a safe campus and prepared community for all who work, live, learn, and visit LMU. It is our department guiding principle that we create an environment where everyone feels safe, supported, and respected in their interactions with our officers, investigators, dispatchers, and administrative staff.

Safeguarding our campus and supporting an environment in which students, faculty, and staff are free to learn, live, and work, is an undertaking that we take very seriously. Our ongoing commitment to campus safety and security is reflected in the range of services that we provide: proactive patrol, 24/7 dispatch, emergency response, investigations, emergency management and disaster preparedness, security technology and access control, and environmental health and safety.

In 2020, most of our community was away from campus learning and working remotely due to COVID-19. Through the pandemic, Public Safety continued to provide our core services by coordinating COVID response and recovery with our university partners and with L.A. County Department of Public Health; closing campus gates and managing campus access in support of the community’s health safety; and continuing to provide 24/7 services to protect the campus and serve those who continued to live, work, and learn on our campus.

We strive to empower every Lion with the information they need to prepare and protect themselves. To that end, in addition to safety and preparedness campaigns, trainings, and drills, it is our wish that the Annual Fire Safety and Security Report serves as a valuable resource.

On behalf of myself and my colleagues within the Department of Public Safety, thank you for taking an interest in the shared well-being of our community. We look forward to continuing to serve you in the year ahead.

Go Lions!

A handwritten signature in black ink that reads "Devra Schwartz". The signature is written in a cursive, flowing style.

Devra Schwartz
Vice President for Campus Safety and Security

EXECUTIVE SUMMARY

LMU Public Safety compiles and publishes the Annual Security and Fire Safety Report (referred to as the Annual Security Report or ASR) in accordance with the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

The goal of the Clery Act is “to ensure students, prospective students, parents, and employees have access to accurate information about crimes committed on campus as well as campus security procedures.” To that end, this Annual Security Report provides the following information:

- LMU policies and procedures regarding campus safety and security, including those that address timely warnings and emergency notifications; options for survivors of sexual assault, domestic violence, dating violence, and stalking; and campus crime reporting processes
- Personal safety tips and on-campus, LMU resources
- LMU’s prevention, preparedness, and awareness campaigns and programs
- Student Conduct Code Guidelines, Procedures, and Sanctions
- Student-On-Student Sexual and Interpersonal Misconduct Policies, Procedures, and Resources
- Alcohol and Other Drug Use Policies and Resources
- Statistics of Clery crimes reported in the last three years, which occurred on LMU campus geography (on campus, in certain off-campus buildings, and on property owned or controlled by LMU)
- Information on campus fire life safety systems, fire safety tips, and statistics for the last three years

Public Safety is committed to providing a safe and secure environment for the LMU community. To ensure transparency and provide a comprehensive report for current and prospective students, parents, and employees, Public Safety partnered with the following LMU departments and external agencies to compile this report:

- Academic Affairs
- Title IX Coordinator/EEO Specialist
- Student Affairs
- Student Housing
- Office of Student Conduct & Community Responsibility
- LMU CARES
- Internal Auditing
- Law enforcement agencies near our campus or at locations that are owned or controlled by LMU, including but not limited to the Los Angeles Police Department and the Los Angeles County Sherriff’s Department.

The full text of the Annual Security Report can be located at publicsafety.lmu.edu/incidents/logs. You may request a copy be sent to you by calling Public Safety at 310.338.2893 or you may request a copy in person at LMU Public Safety, 1 LMU Drive, Foley Annex Suite #100, Los Angeles, California, 90045.

NON-DISCRIMINATION STATEMENT

Loyola Marymount University is dedicated to fostering the education of the whole person and strives to provide an environment that encourages the search for truth and freedom of inquiry. The University recognizes the important contribution a diverse community of students, faculty, and staff makes towards the advancement of its goals and ideals. The University is committed to providing an environment that is free of discrimination and harassment as defined by federal, state, and local law, as well as under this policy. Any violations of this policy will be treated as serious misconduct and result in appropriate disciplinary action up to and including dismissal from the University.

This policy applies to all students, faculty, and staff, including but not limited to trainees, unpaid interns, volunteers, non-supervisory staff, supervisors, managers, directors, and leadership. It is also the policy of the University to protect its students, faculty and staff from unlawful harassment by vendors, guests, and other visitors to the University. It is the responsibility of every student, faculty, and staff member to follow this policy conscientiously.

The University seeks to ensure a positive living, learning and working environment for all LMU community members. Specifically, this policy prohibits unwelcome, harassing conduct on the basis of race, religious creed (including religious dress and grooming practices), color, national origin (including language and language use restrictions), ancestry, disability (mental and physical) including HIV and AIDS, legally protected medical condition (cancer-related or genetic characteristics), denial of Family and Medical Care Leave, marital status, sex (including pregnancy, childbirth, breastfeeding or related medical condition), gender, gender identity, gender expression, age 40 or over, military or veteran status, sexual orientation, genetic information or any other bases protected by federal (including but not limited to Title VI and Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990), state or local law. The University does not discriminate on these bases, or any other basis protected by law, in the administration of any of its education or admissions policies, scholarship or loan programs, athletics, and other school-administered policies and programs, or in its employment policies and practices. All University policies, practices, and procedures are administered in a manner consistent with LMU's Jesuit identity and character.

Section 504 of the Rehabilitation Act of 1973 of the U.S. Department of Health and Human Services regulations implementing the act states that, "no otherwise qualified disabled individual . . . shall, solely by reason of his [or her] disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance," such as Financial Aid. Section 504 administration and compliance are coordinated through Academic Affairs, Disability Support Services for students, and through Human Resources for faculty and staff. The University provides reasonable accommodation of qualified individuals with mental and/or physical disabilities whose needs are made known. A student seeking an accommodation should contact the student's academic advisor or Disability Support Services. A faculty or staff member seeking an accommodation should contact the faculty or staff member's supervisor or Human Resources. Hate Crimes and Bias-Motivated Incidents The University will not tolerate hate crimes or bias-motivated incidents and will respond to them with appropriate sanctions which may include for students expulsion, suspension, or exclusion from the campus and for faculty and staff disciplinary action up to and including termination. Students, faculty, or staff who experience or witness any form of hate crime or bias-motivated incident

should immediately report the incident to the Department of Public Safety at 310.338.2893 [x82893 on campus]/ (Westchester)/Campus Safety & Security at 213.736.1121 (Law School).

Written information respecting services available on and off campus for victims of sexual or interpersonal misconduct, accommodation options and reporting procedures is available for faculty and staff through the Title IX Coordinator and LMU Human Resources; and for students through the Division of Student Affairs. For more information, see LMU's Discriminatory Harassment and Complaint Process and the following references:

LMU Statement of Non-Discrimination: admin.lmu.edu/media/admin/hr/policiesamprocedures-secure/Statement-of-Non-Discrimination-08-14-2020.pdf

LMU Discriminatory, Harassment and Complaint Process: admin.lmu.edu/media/admin/hr/policiesamprocedures-secure/Discriminatory-Harassment-and-Complaint-Process-08-14-2020.pdf

LMU Bias Incident Response Team: resources.lmu.edu/dei/reportdiscriminationbiasincidents/biasincidentresponseteam/birt

LMU Diversity Equity & Inclusion: resources.lmu.edu/dei

LMU Student-On-Student Sexual and Interpersonal Misconduct Policy and Protocol: resources.lmu.edu/media/studentaffairs/osccr/documents/2021-22-Student-on-Student-Sexual-and-Interpersonal-Misconduct-Policy-and-Protocol.pdf

Please note, new Title IX regulations became effective August 14, 2020. The Title IX policies effective August 14, 2020 are linked below.

LMU Student Title IX Policy: lmu.app.box.com/s/8srnsswbcpebdkw1se8c3zcyhlf4ukl

LMU Faculty and Staff Title IX Policy: lmu.app.box.com/s/efm5999cti3313syo9sd99z58ihopnkt

INTRODUCTION

I. **Loyola Marymount University**

Loyola Marymount University offers rigorous undergraduate, graduate, and professional programs to academically ambitious students committed to lives of meaning and purpose. We benefit from our location in Los Angeles, a dynamic city that brings into sharp focus the issues of our time and provides an ideal context for study, research, creative work, and active engagement. By intention and philosophy, we invite men and women diverse in talents, interests, and cultural backgrounds to enrich our educational community and advance our mission:

- The encouragement of learning
- The education of the whole person
- The service of faith and the promotion of justice

The University is institutionally committed to Roman Catholicism and takes its fundamental inspiration from the combined heritage of the Jesuits, the Marymount Sisters, and the Sisters of St. Joseph of Orange. This Catholic identity and religious heritage distinguish LMU from other universities and provide touchstones for understanding our threefold mission.

II. **Quick Facts about LMU**

- 8,433 students are enrolled at LMU (6,564 undergraduate students and 1,869 graduate students).
- Approximately 3,200 students live in on-campus residence halls.
- LMU employs over 2,000 faculty and staff.
- The LMU Children's Center, which is located on campus enrolls approximately 100 children ages six weeks to five years, and employs a total of 26 full time staff.

III. **Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act**

The Jeanne Clery Act is a consumer protection legislation enacted in 1990. The goal of the Clery Act is “to ensure students, prospective students, parents, and employees have access to accurate information about crimes committed on campus as well as campus security procedures.” This law requires all colleges and universities that receive federal funding to share information about crimes that occur on campus as well as information regarding the college or University's efforts to improve campus safety. (For more information, please visit the [Clery Center](#))

IV. **About the Annual Security Report**

The Loyola Marymount University Department of Public Safety (Public Safety) compiles and publishes this Annual Security and Fire Safety Report (referred to as the Annual Security Report or ASR) in accordance with the Jeanne Clery Act.

This Annual Security Report is organized in eight sections:

1. Personal safety tips and on-campus, LMU resources
2. LMU policies and procedures regarding campus safety and security, including those that address timely warnings and emergency notifications; options for survivors of sexual assault, domestic violence, dating violence, and stalking; and campus crime reporting processes
3. LMU's prevention, preparedness, and awareness campaigns and programs
4. Student Conduct Code Guidelines, Procedures, and Sanctions
5. Student-On-Student Sexual and Interpersonal Misconduct Policies, Procedures, and Resources

6. Alcohol and Other Drug Use Policies and Resources
7. Statistics of Clery crimes reported in the last three years, which occurred on LMU campus geography (on campus, in certain off-campus buildings, and on property owned or controlled by LMU)
8. Information on campus fire life safety systems, fire safety tips, and statistics for the last three years.

The Annual Security Report provides information for the previous calendar year; this Annual Security Report reflects 2020 information. Public Safety publishes the Annual Security Report annually at publicsafety.lmu.edu/incidents/logs by October 1, as required by the Clery Act.

You may access it online, request a copy be sent to you by calling Public Safety at 310.338.2893, or request a copy in person at LMU Department of Public Safety, 1 LMU Drive, Foley Annex Suite #100, Los Angeles, California, 90045.

Public Safety issues an email notification to all enrolled students, current faculty and staff notifying the LMU community that the Annual Security Report is available and provides directions on how to access it online or obtain a hard copy. LMU Undergraduate and Graduate Admissions are provided with this information with the intent of making the Annual Security Report readily available to prospective students and parents and prospective faculty and staff, respectively.

LMU SAFETY AND SECURITY POLICIES AND PROCEDURES

V. Public Safety Security Authority

Public Safety's mission is to champion an environment where members of the Loyola Marymount University community feel safe and respected on our campus. The department's mission extends to all members of the LMU Community, including students, faculty, staff and guests. Public Safety consists of three units: Patrol Operations, Investigations, and Emergency Management & Administration, and the department is open 24 hours a day, 7 days a week, 365 days per year.

Public Safety responds to, investigates and documents known dangerous incidents or those that may cause a significant emergency. To facilitate this, Public Safety supervisors, in addition to leaders throughout campus, have been trained in the Incident Command System. When a significant emergency or dangerous incident is reported to Public Safety, Public Safety personnel will respond to the location (if safe to do so) and will relay facts observed in-person and using cameras, through the radio communication system, the department Microsoft Teams communication thread, and cellular phone communications both with the dispatch team, who in turn will notify Public Safety chain of command. If it is unsafe for Public Safety personnel to respond to the scene, as in the case of an active shooter on campus, the highest-ranking Public Safety staff member will assess if a legitimate emergency or dangerous situation exists based on information provided through reports from witnesses, cameras, and reports from Public Safety officers on patrol. As necessary, Public Safety coordinates its response with the Los Angeles Police Department and the Los Angeles Fire Department in addition to other local agencies depending on the nature of the event.

The highest-ranking Public Safety staff member who is on campus will be notified of the facts gathered from field personnel (and outside agencies, if applicable). This individual will initiate an internal notification process, beginning with the Vice President of Campus Safety and Security or designee. If necessary, Public Safety may convene department representatives and/or outside agencies that may have a role in confirming the incident, responding to it, and/or managing the recovery. When he/she has enough information to verify that a legitimate emergency or dangerous situation exists, he/she will immediately initiate the emergency notification/timely warning process.

Public Safety officers have the authority to ask persons for identification and to determine whether individuals have lawful business at LMU. See the campus access policy at lmu.edu/publicsafety for further information. Public Safety officers are non-sworn and thus do not possess arrest authority.

The geographical jurisdiction of Public Safety officers is limited to the core campus area. Any criminal incidents will be referred to the local law enforcement agencies that have jurisdiction on the campus. Public Safety maintains a highly professional working relationship with the Pacific Division of the Los Angeles Police Department. LMU and LAPD have entered into a written Memorandum of Understanding (MOU) establishing the respective duties of LMU and LAPD relating to the investigation and reporting of crimes on and around the LMU Campus. Additionally, LMU Public Safety, LAPD and the Rape Treatment Center at Santa Monica-UCLA Medical Center have entered into a written MOU for purposes of addressing Sexual and Interpersonal Misconduct incidents. All crime victims and witnesses are strongly encouraged to immediately report crimes to local law enforcement and Public Safety. Prompt reporting will assure timely support to those impacted by the incident as well as timely warning notices and disclosure of crime statistics.

Emergency management, including: preparedness, response, recovery, mitigation and protection are priorities on our campus. Public Safety is responsible for leading and coordinating the emergency management program with significant guidance from the LMU Emergency Management Committee, a group of approximately 40 representatives from across campus departments, colleges, and schools.

LMU maintains a comprehensive Emergency Operations Plan, which is coordinated and maintained by Public Safety with significant input from Academic Affairs, Student Affairs, Administration, Business and Finance, and University Relations. The plan includes the expectations of departments during an emergency; department operational responsibilities; the process for establishing incident priorities; Incident Command Structure for field response; and Emergency Operations Center (EOC) procedures and protocols. The University practices and tests the Emergency Operations Plan and response procedures through numerous drills, tabletop, functional exercises and tests of the emergency notification system.

VI. LMU Partnership with Local Law Enforcement

LAPD Pacific Division
12312 Culver Blvd
Los Angeles, CA 90066
310.482.6334

LASD Marina del Rey Station
13851 Fiji Way
Marina del Rey, CA 90292
310.823.7762

Public Safety liaises with local law enforcement agencies on an ongoing basis, including cooperating in crime prevention strategies and, in accordance with LMU's law enforcement MOU, exchanging information. The police also help to maintain a safer campus by providing extra campus patrols for special events that attract large crowds. Additionally, Public Safety relies on its close working relationships with LAPD and LASD to receive information about incidents involving students or any member of the LMU Community, and will actively investigate crime information it receives concerning or involving a member of the campus community. If Public Safety is notified of a situation in which a campus community member is the victim of a crime, the department may issue a Campus Safety Alert, detailing the incident and providing tips so that other community members may avoid similar incidents.

Public Safety regularly confers with the captain(s) of the local division(s) regarding any police activity on and around campus. Public Safety seeks cooperation of local law enforcement agencies in collecting crime statistics pursuant to the federal Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act).

In addition, a list of registered sex offenders in California is available at the Los Angeles Police Department and Los Angeles County Sheriff's Department, or online at meganslaw.ca.gov.

VII. Campus Access

During the reporting period of this Annual Security and Fire Safety Report, LMU maintained a closed campus for the majority of the year, as a result of the COVID-19 related campus closure. When the campus is open, students, faculty and staff have access to academic, recreational and administrative facilities on

campus. Access to the residence halls is limited to resident students and their guests, in accordance with University policy as stated in the Student Housing Policies. Access to the residence halls by University employees is limited to an “as-needed” basis. Please respect the safety concerns for all who live in the residence halls. Do not attempt to prop open any exit doors as they are alarmed and this is a serious violation of University policy.

Typically, the general public may attend educational, cultural and recreational events at specified locations on the LMU campus. The campus library permits public access with certain restrictions on the use of library materials and resources. Computer lab use is restricted to use by LMU students, faculty and staff personnel only.

Public or commercial access to any campus location must be cleared in advance with the appropriate campus official(s).

Campus Parking on LMU’s campus is restricted and controlled 24 hours a day. LMU charges for parking Monday through Friday, 8am until 8pm. Permits may be obtained by visiting lmu.edu/parking or paying as you go through any Pay Station or ParkMobile. For further information on parking regulations, please refer to the Department of Parking and Transportation website at lmu.edu/parking.

VIII. LMU OneCard

All LMU community members are required to have an LMU OneCard, which is the official University ID card. The OneCard must be carried at all times while on campus. If for any reason a University official requests that you present your OneCard for identification, you must do so. Your OneCard is the only readily positive means of identifying you as a member of the LMU community.

IX. Buildings and Grounds

Facilities Management Department
310.338.2761

Facilities Management maintains University buildings and grounds with a concern for safety and security. Public Safety and the Residence Hall Association, through patrols of buildings and grounds, informs Facilities Management of potential safety and security hazards, such as broken windows and locks and poorly lit areas.

X. Missing Resident Student Procedures

While many missing resident student reports at universities are the result of a student changing their normal routine and neglecting to inform their roommates, friends, and/or family of their whereabouts, Loyola Marymount University takes reports of missing resident students seriously. The University handles missing resident student reports pursuant to the following procedures.

The University defines a missing resident student as any currently enrolled resident student who has not been in contact with roommates, friends, family, faculty or staff for a reasonable period of time (usually a period of 24 hours) and whose whereabouts have been questioned and brought to the attention of a University official.

Any member of the University community who has reason to believe a student residing in on-campus

housing has been missing for 24 hours should immediately contact Public Safety at 310.338.2893.

In addition to registering a general emergency contact, students residing in on-campus housing have the option to identify confidentially one or more individuals to be contacted by the University in the event he/she is determined to be missing for 24 hours, or is otherwise determined to be missing (“Confidential Contact”). A student who wishes to designate a Confidential Contact may do so at the same time he/she provides general emergency contact information or by contacting Student Housing. The Confidential Contact will remain until revoked or changed by the student. Additionally, the contact information provided by the resident student will be accessible only to authorized University officials and law enforcement in furtherance of a missing person investigation.

When Public Safety receives a missing student report, it will promptly initiate an investigation and notify the Dean of Students Office of the investigation. If a student has designated a Confidential Contact(s), the Dean of Students Office will notify the Confidential Contact(s) within 24 hours of the determination that the student is missing. In the event that the missing resident student is a minor (under the age of 18 years) and is not emancipated, the parent or legal guardian, if different than the designated Confidential Contact, will also be notified within 24 hours of the determination that the student is missing. Public Safety will notify the local law enforcement agencies, regardless of whether the student has identified a contact person, is above the age of 18, or is an emancipated minor, within 24 hours of the determination that the student is missing.

XI. Emergency Notification and Timely Warning

When a violent crime or crime listed in the Clery Act is reported, it is the consistent practice of LMU to notify the campus community as soon as pertinent information about an incident is available, and is considered to represent a serious or continuing threat to campus. The decision to issue an emergency notification or timely warning shall be made on a case-by-case basis after consideration of the available facts, including but not limited to the nature of the crime, the continuing danger or risk to the campus community, and the possible risk of compromising the efforts of law enforcement or fire department officials. Such notifications shall be provided to students, faculty, staff and guests in a manner that is timely, that withholds as confidential the names and other identifying information of victims and that will aid in the prevention of similar occurrences.

In the event of an emergency, the following process for the issuance of a timely warning will be followed:

1. When it is confirmed that there is a legitimate emergency or dangerous situation (even if all pertinent details are unknown or unavailable), the highest ranking Public Safety staff on campus or their designee, without delay and taking into account the safety of the community, will determine the content of the notification and initiate the emergency notification/timely warning process, unless notification will, in the professional judgment of responsible authorities, compromise efforts to assist victims or to contain, respond to, or otherwise mitigate the emergency.
2. LMU will notify the entire campus community if there is a potential that the whole Campus or a significant portion of the community may be threatened by an incident. LMU may also choose to notify only a segment of the population if the nature of the incident and/or the potential impact is confined.
3. At times, significant incidents may occur that may have a direct or indirect impact on the

neighborhood surrounding LMU. Examples of significant incidents include a fire, chemical or hazardous waste spill or a gas leak. Department of Public Safety and/or Facilities Management will communicate these (reported) issues directly to the local authority. Public Safety will confer with Marketing & Communications, Community Relations and local authorities to understand the potential impact on the neighborhood when considering disseminating an informational message or safety bulletin to the larger community. The decision to send out informational messaging to the larger community will be made by the PIO and the EOC Director/Incident Commander (Public Safety) with input from the Director of Community Relations (or designee). Note that any action items for the neighborhood (e.g. evacuation orders) will be wholly coordinated by the City of Los Angeles.

XII. Methods for Delivering Emergency Notifications and Timely Warnings

A. Emergency Notification System

B. The university has overlapping means of communication for use during emergency situations, including LMU Alert (automated email, text messages, phone calls, social media, push notifications and university website status) and public address announcements through all campus VOIP phones, bullhorns. Since Spring 2012, all registered students are required to enroll in LMU Alert, which includes the automated email, text message, and phone calls to personal devices. All faculty and staff automatically receive LMU Alert email messages at their LMU.edu email and phone calls on LMU-issued cellphones. Faculty, staff, members of on-campus religious communities, and Children's Center parents are encouraged to register their personal phone number and additional email addresses to ensure that they receive to alert notifications and can find information on how to register or update their LMU Alert contact information at lmu.edu/alert. LMU students, faculty and staff can also download the Rave Guardian Mobile App to receive push notification messages and report incidents and information directly to Public Safety. Community members, parents and visitors are able to opt-in to SMS alerts by texting LMUions to 226-787.

C. Paper Bulletins and Bullhorns

A designated Public Safety staff member may opt to post bulletins in Residence Halls and other high traffic areas throughout campus and/or may use bullhorns as a way of communicating information provided in Emergency Notifications, Timely Warnings or Safety Bulletins. Public Safety will strive to consult with appropriate departments depending on the nature, location of, and content of the bulletins and bullhorn announcements, however, in the event of an imminent threat to campus, Public Safety may post or make announcements without consultation from other departments to maximize timeliness.

D. University Website and Social Media

Notifications via the University website and the official University social media accounts are the responsibility of the Vice President of Marketing & Communications or designee. A designated Public Safety staff member will assign someone to notify the Vice President of Marketing & Communications about the incident and the messaging that will be issued through LMU Alert and InformaCast, so they may maintain consistent messaging on the website and social media.

E. Notification to the LMU Community about an Immediate Threat

The Department of Public Safety is responsible for issuing the primary notification to the campus community through LMU Alert and/or the Public Address system; the Shift leader on campus may delegate the notification task(s) to qualified, trained Public Safety representative(s), and will inform the representative(s) of the message to be sent, and any additional changes to the message and/or recipients

required.

To be designated an approved user for LMU Alert (Rave Alert and/or InformaCast), individuals must:

- Be approved by the Vice President of Campus Safety & Security, Chief of Public Safety or designee;
- Complete an initial training and any and all ongoing trainings required by Public Safety;
- Have a personal user ID and password (Informacast), and access to university single sign on for Rave Alert;
- Participate in regular tests and/or training for the respective systems as deemed appropriate by the Director of Emergency Management.

The list below designates the LMU staff members who are approved users and administrators for each system.

Approved Blackboard Connect Users

Department of Public Safety:

- Vice President of Campus Safety & Security
- Chief of Public Safety
- Director of Emergency Management
- Director of Campus Safety & Compliance
- Director of Security Technology & Access Control
- Patrol Captains
- Watch Commanders
- Shift Supervisors
- Public Safety Dispatchers
- Public Safety Coordinators
- Investigators
- Senior Administrative Coordinators
- Administrative Specialists
- Administrative Coordinators

Approved InformaCast Users

Department of Public Safety:

- Vice President of Campus Safety & Security
- Chief of Public Safety
- Director of Emergency Management
- Director of Campus Safety & Compliance
- Director of Security Technology & Access Control
- Patrol Captains
- Watch Commanders
- Shift Supervisors
- Public Safety Dispatchers
- Public Safety Coordinators
- Investigators
- Senior Administrative Coordinators
- Administrative Specialists
- Administrative Coordinators

LMU SAFETY AND SECURITY RESOURCES & PERSONAL SAFETY TIPS

XIII. Emergency Assistance

Public Safety: 310.338.2893

Campus phones: Ext. 222

Los Angeles Police Department: 9-1-1

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

For all other urgent matters including suspicious activity or individuals, Public Safety can be contacted by phone (310.338.2893 or x222), via a campus emergency phone, or in-person in the Public Safety office located in Foley Annex or University Hall.

XIV. Emergency Phones

Public Safety maintains emergency phones (call boxes) located in areas where cell phone reception may be unreliable, including underground parking garages and the basement of a building if it includes offices, learning spaces, or rooms utilized for other purposes. An emergency phone is also available on the pool deck and the Children's Center Yard as individuals may not have a cell phone available. To enhance visibility, a blue light may be affixed to each emergency phone. To operate the emergency phone, press the button and release it to activate it. The blue light will flash and a Public Safety officer will respond verbally. Give the dispatcher your location, and an officer will respond immediately. If possible, tell the dispatcher the nature of the emergency.

The following are the locations of the emergency phones on campus:

Location	Location Description	Type
Burns Rec Center	Pool Deck	Box
Drollinger Lower Level	Elevator #1 / Box #3	Box
Children's Center	Older Yard	Box
Comm Arts	Basement	Box
Drollinger Lower Level	Elevator #2 / Box #6	Box
Drollinger Upper Level	Elevator #U1 / Box #4	Box
Drollinger Upper Level	Elevator #U2 / Box #5	Box
Drollinger Upper Level	U-3 / Box #13	Box
Drollinger Upper Level	U-6 / Box #14	Box
Drollinger Upper Level	U-9 / Box #15	Box
LSB P1 #1	Parking Garage	Box
LSB P1 #2	Parking Garage	Box
LSB P2 #1	Parking Garage	Box
LSB P2 #2	Parking Garage	Box
LSB P3 #1	Parking Garage	Box

Location	Location Description	Type
LSB P3 #2	Parking Garage	Box
St. Roberts	Basement	Box
University Hall P1 #1	Parking Garage	Box
University Hall P1 #2	Parking Garage	Box
University Hall P1 #3	Parking Garage	Box
University Hall P1 #4	Parking Garage	Box
University Hall P2 #1	Parking Garage	Box
University Hall P2 #2	Parking Garage	Box
University Hall P2 #3	Parking Garage	Box
University Hall P2 #4	Parking Garage	Box
University Hall P3 #1	Parking Garage	Box
University Hall P3 #2	Parking Garage	Box
University Hall P3 #3	Parking Garage	Box
University Hall P3 #4	Parking Garage	Box

XV. Incident Reporting Procedures

A. Reporting an Incident to Public Safety

Public Safety provides the LMU community with five modes for reporting an incident:

- Online form found at publicsafety.lmu.edu/incidents
- By phone at 310.338.2893; or extension 222 from a campus phone (may also be used for anonymous reporting)
- Via email at public.safety@lmu.edu
- In Person at the Department of Public Safety in Foley Annex (Suite 100) or in University Hall (Elevator Lobby #1).
- Through the University's RAVE Guardian mobile app.

Any individual wishing to submit an anonymous report of an incident or other emergency occurring on campus, may do so by calling Public Safety at 310.338.2893, by utilizing the [online incident report form](#) (and selecting "Anonymous" on the first page of the incident report form), or by two-way chatting with Public Safety on the Rave Guardian mobile app.

As set forth in LMU's Violence-Free Campus Policy, confidentiality of complaints and parties will be preserved to the greatest extent possible, understanding that the University may have an obligation to take some action even if the Complainant is reluctant to proceed. The University encourages accurate and prompt reporting of all crimes to Public Safety and the appropriate law enforcement agencies, when the victim of a crime elects to, or is unable to, make such a report. University pastoral and professional counselors, if and when they deem it appropriate, inform persons they are counseling to report crimes on a voluntary, confidential basis. For further information on this, or to see the policy in its entirety, please visit: studentaffairs.lmu.edu/media/studentaffairs/osccr/documents/2021-22-Violence-Free-Campus-Policy%20.pdf

Public Safety will respond to and investigate all reports of on-campus criminal incidents. If appropriate, incidents will subsequently be assessed and shared with key administrators, Human Resources, University

B. Additional On-Campus Reporting Resources

Incidents may also be reported to the following individuals on campus:

Title	Contact Information
Assoc. Dean of Students/Chief Conduct Officer	310.338.8121 Malone 355
Assist. Director for Care and Conduct Management	310.338.2963 Leavey 6, Suite 101
Director of Student Psychological Services	310.338.2868 Burns Rec Center 206
Director of Student Health Services	310.338.2881 Burns Rec Center
Vice President for Human Resources	310.338.5118 University Hall 1900
Director of Student Housing	310.338.2963 Leavey 6, Suite 101
Assistant Director for Residence Life	310.338.2963 Leavey 6, Suite 101
Director, Off Campus Student Life	310.338.5252 Malone, Suite 301
Title IX Coordinator	310.568.6105 University Hall 1900

C. Campus Security Authorities

Public Safety includes all reported incidents in the University's Clery crime statistics. Typically, incidents are reported to Public Safety by the complainant or a witness. However, the federal government anticipates that some incidents will go unreported to Public Safety. Instead, individuals may share information about a crime with trusted faculty, staff, or student employees. To close the gap and ensure that Public Safety can provide accurate information about crimes committed on campus, the Clery Act requires that certain faculty, staff, or student employees report any information they receive pertaining to a crime—whether in progress or in the past—to Public Safety. Those faculty, staff, and students are referred to as Campus Security Authorities or CSAs.

The Clery Act provides four sets of criteria for universities to identify CSAs:

- A campus police department or a campus security department of an institution.
- Any individual or individuals who have responsibility for campus security but who do not constitute a campus police department or a campus security department as explained in definition number one such as an individual who is responsible for monitoring entrance into institutional property.
- Any individual or organization specified in an institution's statement of campus security policy as an individual or organization to which students and employees should report criminal offenses. This includes LMU's Title IX Coordinator.
- An official of an institution who has significant responsibility for student and campus activities, including, but not limited to, student housing, student discipline, and campus conduct proceedings. If such an official is a pastoral or professional counselor, the official is not considered a campus security authority when acting strictly in the capacity as a pastoral or professional counselor. 34 C.F.R. 668.46(a)

LMU has identified over 600 CSAs, all of whom have completed an online LMU CSA training and certification indicating that they have reported to Public Safety all incidents which have been disclosed to them. LMU CSAs are identified, verified and certified annually.

XVI. On Campus Resources

- A. Student Health Services (SHS)
Burns Recreation Center
North Side, First Floor
310.338.2881

Student Health Services (SHS) is located on the first floor of the Fritz Burns Center (located on the north side of the Burns Recreation Center). Office hours are Monday through Friday 8 a.m. to 5 p.m. with extended hours until 7 p.m. on Wednesdays during the academic year. Students are seen by appointment only. To make a same-day appointment, students are advised to call before 9 a.m.

- B. LMU Emergency Medical Service
Public Safety
Foley Annex
310.338.2893

LMU Emergency Medical Service (EMS) is a student-run volunteer organization comprised of students who are Emergency Medical Technicians (EMTs). EMTs respond to campus emergencies and provide basic first-aid services. If the incident is more serious, the Student Health Center staff and/or 9-1-1 are called to respond.

- C. Student Psychological Services (SPS)
Burns Recreation Center
North Side, Second Floor
310.338.2868

Student Psychological Services (SPS) is located on the North side of Burns Recreation Center, second floor. Office hours are Monday through Friday 8 a.m. to 5 p.m. with extended hours until 7 p.m. on Wednesdays during the academic year. Students are seen by appointment. A therapist is available without an appointment during the day for urgent concerns. After-hours, an on-call therapist is available by accessing the SPS telephone line.

- D. Safety Escort Service
Public Safety
Foley Annex
310.338.2893

Public Safety provides a Safety Escort Service 24 hours a day, 7 days a week, 365 days per year. If any person on the LMU campus feels unsafe or prefers a Safety Escort, contact Public Safety at 310-338-2893 or x222 from a campus phone.

- E. Lost and Found
Public Safety
Foley Annex
310.338.2893

Public Safety manages lost and found on campus, and strives to return lost property on campus to its rightful owner. Public Safety secures found property in accordance with the California Civil Code, Sections 2080-2080.10. In particular, Loyola Marymount University shall comply with Civil Code Section 2080.8. You can access the found item list online at lmu.edu/publicsafety to determine whether your lost item(s) have been turned in to Public Safety. You may also use this website to report your lost item(s). Found property of value such as wallets or purses with money, credit cards, cell phones, valuable jewelry, valuable jewelry, prescription eyeglasses, etc., will be processed by a designated Public Safety staff member, and held for a 90-day period. If your LMU OneCard is missing, report the loss to the OneCard Office and Public Safety as soon as possible.

F. RAVE Guardian Mobile Application

LMU's Rave Guardian App, downloadable through the Apple App Store or Google Play Store, is an application that allows LMU students, faculty, and staff the ability to receive LMU Alerts, communicate with Public Safety by text, report suspicious activity or safety-related incidents, and access important campus phone numbers, maps, and other on and off campus resources. Once you download the app and enter your phone number, a verification code directs users to a customized LMU dashboard.

Filing a Public Safety report is typically done either in person, via email, or over the phone. The reporting capabilities of the app allows for someone to communicate to the on-duty Public Safety Dispatcher in real-time, allowing the Dispatcher to assess the appropriate response. It also allows for anonymous reporting.

XVII. Safety Tips

A. General Safety Tips

The only person responsible for sexual or interpersonal misconduct is the perpetrator, but it is understandable that we all want to do what we can to protect ourselves.

There are several precautions you can take in your apartment, room or suite to help ensure your safety.

- Remember, Public Safety and local law enforcement agencies are here to protect you. If you feel threatened in any situation, contact them right away.
- Have your OneCard and/or keys ready as you approach your building and/or vehicle.
- If you come home and it looks as if someone has entered your room or apartment in your absence, do not go inside. If on campus, call Public Safety. If off campus, call local law enforcement or dial 9-1-1. If someone is loitering outside or inside your building, or if you think you have been followed home, call Public Safety or the local law enforcement agency. It is better to be careful than to take an unnecessary risk.
- If a stranger knocks at your door, do not let them into your room. In residence halls, call Public Safety for assistance. Always ask to see identification before admitting anyone you do not know.
- Use only your last name and first initial on your door and mailbox. List your phone number the same way.
- It is recommended you do not give your personal information through public forums such social media.
- Draw all curtains and blinds after dark and never dress or undress in front of the window.
- The public areas of your building should be well lit. Notify Public Safety or your landlord if they are not.
- Check to see who is inside the elevator before entering. Wait for an empty or a crowded elevator rather than riding alone with a stranger. Stand near the control panel. If you are threatened, press

the emergency button or as many floor buttons as possible.

- Personal safety tips can be found online at www.lmu.edu/emergency. Additionally, throughout the year, this information is provided through training sessions, events, activities, student media, and a number of other outreach efforts.

B. On the Street

- Try not to walk alone after dark. Take the Lion Express or use the LMU Escort Service. If walking alone, always be aware of your surroundings. Walk in well-lit areas, and avoid quiet side-streets or alleys.
- Do not carry more cash than you need. If you must carry a purse, keep it close to your body and do not resist if it is snatched. If your wallet is stolen, cancel your credit cards and your checking account at once, and report the incident to local law enforcement.
- Los Angeles maintains beautiful parks. When entering remote areas in parks, be alert and avoid potentially dangerous situations.
- If someone is following you on foot, remain alert. Look behind you, cross the street and ask for help. If you are being followed by car, turn around and walk in the opposite direction. Try to get the license plate number and call the police.
- If a driver stops to ask directions, do not approach his or her car. Do not worry about appearing rude.
- When using automatic bank teller machines (ATMs), always be aware of the people around you. Be especially careful if the ATMs are located directly on the street. Try to use ATMs during daylight hours. If you are suspicious of any person near the ATM, do not continue the transaction. Try to have a friend accompany you to ATMs.

C. Public Transportation

- If you are traveling by public transportation, have your payment ready before you go to the stop.
- Try to stay near people at all times and pick a bus that is occupied by other passengers.
- If you are suspicious of anyone, notify the driver.
- Plan your route before you leave.
- Taxis are the safest — though most expensive — way to travel at night. If possible, agree on a price with the driver before you begin the trip. When you are dropped off at your destination, ask the driver to wait for you to enter your building.

D. Preventing Theft

- LMU has a program to deter theft by permanently identifying valuables.
- Contact Public Safety for assistance with an engraver to mark all of your valuable property.
- Keep a good photograph of anything you cannot engrave. You should also keep an up-to-date property inventory that includes detailed descriptions of the property, including model and serial numbers.

E. Precautions in Residence Halls and Off-campus Housing

- The University OneCard security system controls access to residence halls via card readers. An extra security feature for residents includes a 4-Digit PIN Code when accessing these card readers. There are certain precautions you should take to prevent burglary whether you live on or off campus:
- Keep your apartment, room or suite door locked at all times.

- Secure any valuables left inside, and never leave cash in your room.
- When you go out, lock your doors and windows.
- Always keep your keys and OneCard with you. Do not leave them under a mat or in your mailbox.
- Make sure your name, address and phone numbers are not on your key ring. If your keys or On eCard are lost or stolen, inform Public Safety at once. If you live off campus and your keys are lost, change your locks immediately.
- Change all of the locks when you move into an off-campus apartment.
- Do not leave any indications that you are not at home when leaving.
- Do not let anyone you do not know into your lobby. If you are suspicious of any person in a public area of your building, notify the residence staff or Public Safety at once. Do not confront the suspicious person.
- If you receive an obscene or harassing phone call, hang up immediately. If the caller persists, contact Public Safety.
- Bear in mind your own safety is worth much more than your property. Never take any personal risk that you can avoid. At the same time, however, it may be a good idea to obtain personal property insurance. This insurance may cover breakage and other damage to your property, as well as theft.

F. Precautions in Libraries and Common Areas

- Never leave your belongings unattended.
- Make sure you keep your bag, laptop or purse where you can see it, not on the floor by your feet or on the back of your chair.
- Do not keep valuable items in your coat pocket. Report any suspicious persons to Public Safety immediately.

G. Protecting your Vehicle or Bicycle

- Park your car in well-lit and busy areas.
- If you park in a commercial lot or garage with valet attendants, leave only the ignition key with the attendant. Always lock your car, even when you leave it briefly.
- Do not leave luggage, packages or other valuables inside that might tempt a thief.
- If your vehicle is equipped with an alarm system, use it. If it does not, consider purchasing one.
- Always lock your bicycle. A key operated, steel U-shaped lock is recommended. Be sure to use your lock to secure at least your back wheel and frame to a bicycle rack or similar immobile object.
- On campus, use only authorized bicycle racks.
- Never lock your bicycle by the front or back wheel alone.
- Also, lock your bicycle in a well-lit area where pedestrian traffic will discourage theft.

H. Physical Security for Computers

- Help prevent computer theft by securing your computer via your preferred method.
- Universal notebook security cables and computer recovery software is recommended.

I. Digital Security

- Always protect your digital information located on your computer or mobile device by using a strong password that only you know.
- Never share your password with anyone. Immediately delete all suspicious emails.
- No legitimate business or government agency will ever ask for personal information via email or

phone unless you initiate the contact.

J. Solicitors on Campus

- If you are approached by an unknown solicitor, politely, and firmly decline the request or product that is presented. If you are approached by an unknown solicitor anywhere on campus, contact Public Safety immediately.

K. Sexual and Interpersonal Misconduct - Safety Tips

The only person responsible for sexual or interpersonal misconduct is the perpetrator, but it is understandable that we all want to do what we can to protect ourselves.

- If possible, do not walk alone at night. Any time you feel unsafe while moving about campus, call Public Safety for an escort at (310) 338-2893 or 222 from a campus phone.
- Always remain alert and aware of your surroundings. Scan parking lots, sidewalks and streets for suspicious persons and activity.
- Look confident and purposeful when you walk.
- Don't accept drinks from other people, and open drink containers yourself.
- Be aware of what you are drinking; do not drink from large open containers like punch bowls.
- Keep your drink with you at all times. Cover it with your hand when you are not drinking it to prevent somebody from pouring in other contents.
- If you feel like the effect of the alcohol you are consuming is stronger than usual, stop drinking and get help right away. Designate a sober friend when you are drinking.
- Be cognizant of the "party bus" culture. Although the idea is that a bus is a safe method of transportation to and from local bars, it should not be an opportunity to engage in risky behavior.
- Report suspicious activity or persons to Public Safety at (310) 338-2893 or 222 from a campus phone, or call 9-1-1.
- If you think you have been the victim of a sexual assault, go to a safe place and get medical assistance right away. For more information about sexual assault, consent and how to get help, visit LMU CARES at studentaffairs.lmu.edu/wellness/lmucares.

SAFETY, SECURITY, AND AWARENESS DRILLS, CAMPAIGNS, AND PROGRAMS

XVIII. Emergency Drills

A. Evacuation Drills

LMU tests emergency response and evacuation procedures in housing and non-housing buildings every year to educate and train building occupants on evacuation procedures, emergency exits, the sound of the fire alarm and the location of the safe refuge area; test the operation of fire systems; and practice response procedures.

Through Student Affairs, all Residence Halls participate in an evacuation drill one time per semester (twice per academic year). In concert with the Building Captain and Emergency Response Team program, the Public Safety coordinates and conducts evacuation drills of office suites and non-housing buildings throughout the year, monthly drills for the Children's Center, and summer drills for conference/event guests.

Most evacuation drills are unannounced and are conducted by Public Safety in coordination with Residence Life or the Building Captain, with support from Facilities Management and Parking and Transportation.

Public Safety and Residence Hall staffs or the Emergency Response Team Member(s) (as applicable), evaluate and document egress and behavioral patterns during each drill, when possible. The LMU fire systems are managed and maintained by the Facilities Management Department.

Following all drills, participants are convened at the Safe Refuge Area to debrief and/or receive additional tips and information. Different methods are used depending on the nature of the building and the size of the group. Public Safety, with input from the Residence Hall staff or Emergency Response Team Member(s) evaluates each drill and determines necessary corrective actions.

Every emergency drill and exercise is documented, including the date, time, description, whether it was announced or unannounced, a count of the target population, and the location. All drill and exercise records are retained by Public Safety.

B. Annual Earthquake Drill

Public Safety conducted the annual LMU earthquake drill on October 15, 2020 in partnership with the USGS Great California Great Shakeout. The drill tested individual preparedness for an emergency and provided classes, offices, dining facilities, William H. Hannon Library, Burns Recreation Center and other areas on campus with an opportunity to practice, test, and learn about potential safety and preparedness actions. The exercise also allowed Public Safety to test the LMU Alert systems and the public address system.

Typically, following the testing of the LMU Alert system, the University will host a preparedness fair. However, given that the campus was closed as a result of the ongoing COVID-19 pandemic, the preparedness fair was canceled.

C. Annual Active Shooter/Shelter In-Place Drill

Every year, LMU Public Safety, in collaboration with the Los Angeles Police Department and the Los Angeles Fire Department, conducts an all-campus active shooter/shelter-in-place drill. During the drill,

students, faculty, and staff were asked to either physically shelter-in-place or participate in a discussion regarding active shooter/shelter-in-place tactics and strategies. Given the campus closure as a result of the ongoing COVID-19 pandemic, this exercise was not held during the 2020-2021 academic year.

D. Annual Emergency Exercise

Public Safety also conducts one emergency response exercise annually. The Continuity of Business Operations Tabletop Follow-Up Exercise includes 14 participants from multiple LMU departments, including Administration Division, Office of the Provost, Information Technology Services, Controller’s Office, Public Safety, Marketing & Communications, Athletics, Student Affairs and Enrollment Management. Critical actions are discussed including the development of a plan to ensure business continuity in the event of an incident, managing the impact of such disruption, and best practices for the campus community at large. A follow-up to this exercise was planned but given the closure due to the ongoing pandemic, this exercise was not held. In lieu of this, the University leveraged its annual earthquake exercise for the few on-campus individuals, and remotely for the remainder of the campus community.

XIX. Crime Prevention Education and Awareness

Crime prevention is a high priority at LMU. Living in a large city requires students, faculty and staff to practice sound crime prevention techniques when walking at night, riding public transportation, safeguarding property or the like. A Public Safety manager or investigator follows up on all reports of criminal activity by contacting the complainant to ensure that a thorough investigation is conducted. Where appropriate, local law enforcement referrals are made.

Crime prevention lectures concerning personal property and safety are presented to various groups and campus organizations. During orientation week, the University begins this educational process by sharing crime prevention information with incoming students. Throughout the year, Public Safety offers a variety of programs on specific ways to safeguard one’s property and person. Safety and security information and training are continually provided to students, staff and faculty through bulletins and crime alerts.

The University educates the campus community about sexual and interpersonal misconduct through orientations and educational programming throughout the year. Additional information is available through the LMU CARES Program. For more information on the LMU CARES program, please visit lmuedu/lmucares.

Useful tips on crime prevention are available from LMU’s Public Safety via informal lectures that can be scheduled for any size group.

A. Crime Prevention and Awareness Programming

Name of Program	Date Held	Audience	Issues Addressed
Student Conduct Committee Training	October 16, 2020	New and Returning Student Conduct Committee Members	A presentation to incoming students for the spring semester regarding what LMU CARES is, what education they will receive regarding sexual and interpersonal misconduct prevention, and what University support resources are available to students who experience misconduct.

B. Programming for LMU Professional Staff

The University offered the following Sexual and Interpersonal Misconduct Trainings, Programs and Resources for Professional Staff.

Name of Program	Date Held	Audience	Issues Addressed
Student Affairs Resource Administrator Training	September 10, 2020	Student Affairs Professional Staff	An online training pertaining to the updates to the role of a Student Affairs Resource Administrator and how the new 2020 Title IX regulations impact the role as well as the updates to both LMU's Student Title IX Policy and Student-on-Student Sexual and Interpersonal Misconduct policies.
Conduct Officer Training: Title IX and Sexual and Interpersonal Misconduct Policy Updates	September 11, 2020	Returning Conduct Officers	An online training for returning conduct officers that included an overview of the updates to LMU's Student Title IX Policy and Student-on-Student Sexual and Interpersonal Misconduct policies.
Sexual and Interpersonal Misconduct Team Meeting: Title IX and Sexual and Interpersonal Misconduct Policy Updates	September 13, 2020	Student Affairs Professional Staff	An online presentation facilitated by the Associate Director for Sexual and Interpersonal Misconduct regarding updates in Federal Law as they pertain to Title IX and reviewing how the 2020 laws changed LMU's Student Title IX Policy and Student-on-Student Sexual and Interpersonal Misconduct policies.
Title IX and Sexual and Interpersonal Misconduct Policy Updates	October 27, 2020	Student Affairs Professional Staff	An online presentation facilitated by the Associate Director for Sexual and Interpersonal Misconduct regarding updates in Federal Law as they pertain to Title IX and reviewing how the 2020 laws changed LMU's Student Title IX Policy and Student-on-Student Sexual and Interpersonal Misconduct policies.
Title IX and Sexual and Interpersonal Misconduct Policy Updates	December 15, 2020	Student Affairs Professional Staff	An online presentation facilitated by the Associate Director for Sexual and Interpersonal Misconduct regarding updates in Federal Law as they pertain to Title IX and reviewing how the 2020 laws changed LMU's Student Title IX Policy and Student-on-Student Sexual and Interpersonal Misconduct policies.

C. LMU Emergency Management

One of the goals of LMU Emergency Management is to empower our community to protect themselves during and immediately following an emergency. To that end, LMU Public Safety conducts an annual Emergency Preparedness Campaign, dedicating each month of the academic year to one of the following preparedness themes: active shooter, earthquake, fire, flu/communicable disease, tsunami, power outage

and general preparedness. Through this campaign, information is made available to the LMU community through innovative programming and public information messaging.

Public Safety conducts specific Emergency Preparedness training on an ongoing basis. The training is open to the entire University community and covers prevention, preparedness and safety tips related to fire, earthquake, power outage and active shooter, along with other resources available at lmu.edu/emergency.

STUDENT CONDUCT CODE

LMU provides its students with an academic environment conducive to the pursuit of knowledge. This academic environment is based upon accountability, integrity, respect and trust among all members of the University Community.

XX. Office of Student Conduct & Community Responsibility Mission Statement

Operating within the context of the University's mission, the Office of Student Conduct & Community Responsibility seeks to maintain the University's academic environment by educating and upholding community standards. The Office of Student Conduct & Community Responsibility supports the educational mission of the University by administering the Student Conduct Code ("the Code" or "Student Conduct Code") in a manner that educates Students, holds them accountable for Student Conduct Code violations and helps them grow into more responsible and community-minded persons.

XXI. General Guidelines

The Student Conduct Code clarifies the standards of behavior essential to the University's educational mission and its community life. Excepting Loyola Law School students ("Law School Students") who are subject to the Law School's disciplinary code, the Student Conduct Code is applicable to all LMU Students—undergraduate, graduate and continuing education/Extension. Students are also responsible, and will be held accountable, for the conduct of their Guests.

A. Interpretations of the Student Conduct Code

Student Conduct Code regulations are set forth in writing in order to give Students general notice of prohibited conduct. The Code and its regulations are intended to be read broadly and are not designed to define misconduct in exhaustive terms. Attempts to commit acts prohibited by this Code shall be handled and remedied in the same manner and to the same extent as completed violations.

B. Jurisdiction of the University

Jurisdiction extends to conduct that occurs on University Premises, in Study Abroad programs and/or at on and off campus University events, programs or activities, as well as to other off-campus misconduct that adversely affects the University, Students, the University's reputation or good will and/or the pursuit of the University's mission, goals and objectives.

C. Inherent Authority

The University reserves the right to take necessary and appropriate action to protect the safety and well-being of the University, including its reputation and good will, and the University Community. The University reserves the right to take necessary and appropriate action as a result of Student incidents off campus that may adversely affect the well-being, reputation or good will of the University, University Community, University Community members and/or the pursuit of the University's mission, goals or objectives.

D. Code as Superseding Authority

This Code shall supersede any and all regulations and/or decisions made by Registered Student Organizations and their affiliates including, but not limited to, the Associated Students of Loyola Marymount University (ASLMU), Graduate Students of LMU (GSLMU), United Greek Council (UGC), Collegiate Panhellenic Council (CPC), InterFraternity Council (IFC), Residence Hall Association (RHA), and

the Service Organization Council.

E. Student Participation

Students are asked to assume positions of responsibility in connection with the enforcement of the Student Conduct Code so that they might contribute their skills and insights toward the resolution of Student Conduct Code matters. However, final authority in Student Conduct Code matters is vested in the University administration and primarily with the Senior Vice President for Student Affairs.

F. Focus of the Proceedings

The primary focus of the inquiry in all Student Conduct Code proceedings shall be to determine if the subject Student is responsible for the alleged violation of the Student Conduct Code and, if the Student is found to be responsible for a violation, to provide the appropriate remedy. Proceedings shall be prompt, fair and impartial.

In keeping with the mission of the OSCCR and the purpose of the Code, Student Conduct Code proceedings (including those that provide for cross examination) are not intended to materially emulate judicial processes or proceedings in the criminal justice system. This is because Student Conduct Code proceedings are intended to be educational, less formal, less adversarial and less complex than criminal justice processes and procedures, while still seeking the truth in a fundamentally fair manner. Formal rules of evidence shall not be applicable nor shall deviations from prescribed procedures necessarily invalidate a Student Conduct Code decision or proceeding.

G. Violations of Law and the Student Conduct Code

Students may be subject to criminal, civil and University proceedings for acts that constitute violations of federal, state or local law and of the Student Conduct Code. Because of the need to efficiently, effectively and promptly protect the academic environment, University life and operations, Student Conduct Code proceedings are independent and will normally proceed without regard to the pendency or potential pendency of criminal or civil proceedings.

Students subject to potential or actual criminal charges relating to conduct alleged in pending Student Conduct Code proceedings may assert their Fifth Amendment privilege against self-incrimination during Student Conduct Code proceedings. While no inference of responsibility for Student Conduct Code violations will be drawn because of the assertion of the Fifth Amendment privilege, the Conduct Officer(s) will nonetheless evaluate all available information, testimony and evidence in making their determination.

H. Burden of Proof

Depending upon the nature of the claim and proponent of the Student Conduct Code complaint, the burden of proof shall be upon the proponent of the complaint, as the case maybe, the Complainant or the University, who must establish the responsibility of the Respondent for the alleged Student Conduct Code violation(s) by a Preponderance of the Evidence.

I. Limitations Period

Claims should be brought within a reasonable period of time which, in all cases, shall be not less than the period of time during which the putative Respondent is a Student and subject to the Student Conduct Code.

J. Communication

Students should expect that OSCCR's primary and often exclusive medium of communication will be through the Student's official University e-mail account. OSCCR may also, at its discretion, communicate to Students via any one or more of the following methods: U.S. Mail or parcel delivery (e.g. FedEx) to the Student's permanent address on file, and/or personal hand delivery. Students are held responsible and accountable for retrieving communications from their official University e-mail account on a daily basis. Failure to do so is not an acceptable excuse for avoiding or delaying the Student Conduct Code processes.

K. Registered Student Organizations

Registered Student Organizations may be charged with the violation of any section of the Code or violation of any published University policies and procedures. A Registered Student Organization and its officers may be held collectively and individually responsible when those associated with the Registered Student Organization violate the Code, particularly when those involved have received the tacit or overt consent or encouragement of the organization, its leaders, officers or spokespersons. The officer(s), leader(s) or any identifiable spokesperson(s) for a Registered Student Organization may be directed by the Dean of Students, or designee, to take appropriate action designed to prevent or end violations of the Code by the Registered Student Organization. Sanctions for organizational misconduct may include revocation of recognition or denial of registration as well as any other appropriate sanctions, pursuant to Section XXIII of the Annual Security Report.

OSCCR may notify any and all necessary University officials who act in a liaison or advisory capacity for the subject Registered Student Organization(s) of alleged violations of the Code by the Registered Student Organization(s) and the outcome of proceedings regarding alleged violations by Registered Student Organization(s). Registered Student Organizations with a national governing body may be permitted to substitute one Advisor outside of the LMU community if an on-campus Advisor is not reasonably available to assist, but that outside Advisor may not be a lawyer or law student.

L. Scheduling Student Hearings

In scheduling hearings, pre-hearing meetings and other proceedings, OSCCR will reasonably attempt to avoid conflicts with class and academic schedules for those involved but may not be able to do so. Individuals involved in the Student Conduct Code processes are required to attend scheduled hearings, pre-hearing meetings and other proceedings notwithstanding class or academic conflicts.

M. Reservation of Rights

The University expressly reserves the right to revise, supplement or withdraw any Code section, University policy or portion of a University policy periodically as it deems necessary. Upon the declaration of a campus emergency, all student policies and procedures remain in effect. However, the Senior 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.

N. Knowledge and Awareness of Policies and Code

Students are expected to know and understand University policies. Ignorance is not an acceptable justification or defense for committing violations of University policies or the Code. Lack of intent or awareness of such policies or Code will not be accepted as an excuse or defense for violations, and will generally subject the Respondent to the same consequences as deliberate violations. The Student Conduct

Code is available at studentaffairs.lmu.edu/media/studentaffairs/osccr/documents/2021-22-Student-Conduct-Code.pdf.

XXII. Prohibited Conduct

The following is a non-exhaustive list of conduct that is considered to be in violation of the Code. Participation in any of the below mentioned conduct may result in the initiation of Student Conduct Code proceedings. The policies listed can be found in the Community Standards Booklet on the LMU website.

- Violating or attempting to violate federal, state or local laws, including, but not limited to, the California Penal Code and Vehicle Code, published University regulations or policies including, but not limited to, the Alcohol and Drug Policy (e.g. underage possession or consumption of alcohol and knowingly being in the presence of alcohol while underage on campus), Anti-Hazing Policy, Child Abuse Policy, Community Relations Policy, Discriminatory Harassment and Complaint Process Policy, Guest Policy, Student Housing Policies, Study Abroad Policies and Technology and Social Media Policy.
- Intentional or negligent conduct causing psychological or physical harm to any person, causing reasonable apprehension of such harm, endangering others, holding someone against their will or harassing any University Community member or to any person on or off campus, University Premises or at University-sponsored Activities. This includes, without limitation, harm related to Aggravated and Simple Assault, Bias-related conduct (conduct in violation of the Student Conduct Code that is motivated by bias based on race, religion, gender, gender identity, sexual orientation, ethnicity, national origin or disability), Bullying, damage to reputation, Dating Violence, Domestic Violence, Harassment, hazing, Sexual Assault, Title IX Sexual Harassment, Sexual Misconduct and Stalking.
- Conduct or behavior that violates applicable state and local public health guidelines. University requirements or otherwise inappropriately puts the health or safety of the University Community at increased risk of adverse consequences. This includes, but is not limited to, conduct or behavior counter to EIBC Guidelines.
- Retaliating against any Community member or non-community member.
- Behavior or conduct that unreasonably interferes with normal University life, operations, activities, processes or University-sponsored activities including, but not limited to, studying, teaching, research, classroom instruction, campus or residential life, University administration, conduct proceedings, Study Abroad or other University-sponsored travel, or fire, police or emergency services, or behavior or conduct that impedes University community members from engaging in permissible personal or job-related activities.
- Failure to comply with the directions of a University official including, but not limited to, University administrators, faculty and staff, Public Safety Officers and contracted officers, Resident Directors and student staff and employees (i.e. Student Managers, Resident Advisors, Lion Express Shuttle Drivers) acting in performance of their University duties. Prohibited conduct includes, without limitation, verbally threatening, abusing or harassing of any of the above in the performance of their duties.
- Vandalism, tampering with or disabling University-owned or operated security or other technologies or intentionally or recklessly destroying or damaging University property or the property of others on University Premises or at University-sponsored activities.
- Unpermitted interference with the lawful freedom of expression or lawful freedom of movement of others on University Premises or at University-sponsored Activities (including, but not

limited to, blocking entrances, exits or passageways from or to any University building or roadway, interfering with daily University business, instruction or scheduled event through congregating, assembling or any other means, creating a volume of noise that prevents normal University activity or events).

- Possessing, distributing or attempting to distribute a fake governmental identification card or LMU OneCard or intentionally furnishing false information and/or identification, on or off campus, to any University officer, administrator or official, or to the University, or failure to provide upon the request of a University administrator, faculty or staff, on or off campus, valid official picture identification, including, without limitation, the LMU OneCard and a government-issued identification card. This includes providing false information to gain access to an area or building on campus that is providing alcohol to those of legal drinking age.
- Intentionally initiating or causing to be initiated any false report, warning or threat to the University, the University Community or members thereof, University property, University facilities or University-sponsored activities.
- Theft of property, University funds or services on University Premises, University facilities or at University-sponsored activities or knowingly possessing stolen property on University Premises, University facilities or at University-sponsored Activities.
- Use, possession, storage, being under the influence or knowingly being in the presence of any controlled substance or illegal drug, misuse of prescription drug(s), possession or use of *Salvia divinorum*, possession or use of drug- related material(s), including, but not limited to, drug pipes, bongs, grinders, scales or other drug paraphernalia or possessing or using any substance or material that contains toluene or has toxic qualities similar to toluene (i.e. spray paints, glue, paint thinner) for the purpose of breathing, inhaling or ingesting to induce a state of intoxication or euphoria.
- Distribution or possession for purposes of Distribution of any controlled substance, illegal drug, prescription drug(s), *Salvia divinorum* or drug paraphernalia.
- Use, possession or storage of any Weapon on campus, University Premises, at University facilities or reasonably adjacent or proximate to campus, University Premises, University facilities or University-sponsored activities.
- Intentionally or recklessly misusing, disabling, tampering with, covering or damaging University-related fire safety equipment, doors and signs.
- Use, possession or storage of fireworks, blowtorches and/or other incendiary materials on campus, University Premises, at University facilities, at University-sponsored activities or reasonably adjacent or proximate to campus, University Premises, University facilities or University-sponsored Activities. Starting a fire or causing a fire to be started on campus without prior authorization from Public Safety.
- Unauthorized use, forgery or unauthorized alteration of any University mark, logo or intellectual property, document, instrument, card, certificate, record, instrument of identification or student electronic employment time card.
- Unauthorized presence in or use of University Premises, facilities or property including, but not limited to, classrooms, labs, study rooms, University-assigned housing, roofs, balconies, ledges and trellises, for any unsanctioned activities (including, but not limited to, holding events, unofficial organizational meetings, sleeping, use as a domicile, etc.). Scaling perimeter fencing on or surrounding campus.
- Engaging in disorderly conduct or lewd, indecent or obscene behavior.
- Any behavior that disrupts, causes disruption or adversely affects University-related technology

or information technology services; damages, alters or destroys University or related data or records; adversely affects University or related computer software, programs, systems or networks; the use of data, computer systems or networks to devise or execute any scheme to defraud, deceive, extort or wrongfully obtain money, property or data; the intentional introduction of any contaminant into any University or related network or computers. Unlawful downloading or use of patented, copyrighted or trademarked works, or violating the Information Technology Services' (ITS) Acceptable Use Policy.

- Violating the terms of any disciplinary sanction imposed in accordance with the Code.

XXIII. Possible Sanctions

Violations of the provisions of Section XXII (Prohibited Conduct) of the Annual Security Report will result in the imposition of sanctions including, without limitation, suspension or dismissal from the University unless specific and significant mitigating factors are to be considered in mitigation shall include, but not be limited to, the nature and severity of the violation, the present demeanor, contrition and past disciplinary record of the Respondent, the nature of the offense and the severity of any damage, injury or harm resulting from it, and the health and safety considerations of the University Community.

A. Community Service/Education Project

Community service, work on campus, research projects or other appropriate learning experiences may be assigned.

B. Disciplinary Probation

The Student is no longer in "good disciplinary standing" with the University for duration of probation. The Student is given written notice that further infractions of the Code or University policies may result in further sanctions. The Student may also be restricted from eligibility for or participation in present and future student and University activities, including, but not limited to, co-curricular and organizational activities, ASLMU positions and activities, Resident Advisor positions, Study Abroad programs, orientation leadership positions and other student leadership positions. Notification of disciplinary probation may be sent to the appropriate University offices and officials.

C. Disciplinary Warning

The Student is given verbal and/or written warning that future misconduct may result in more severe disciplinary action.

D. Dismissal from the University

Permanent separation of the Student from the University. Permanent notification may appear on the Student's University transcript. The Student will also be banned from campus and University Premises. The sanction of dismissal requires the review and approval by the Senior Vice President for Student Affairs, who may alter, defer or suspend this recommended sanction. Any alteration, deferral or suspension of this sanction may be subject to specified conditions.

E. Educational Programs

The Student is assigned to attend educational programming either in person or online to increase awareness of the effects and issues related to alcohol, drugs and other behaviors. When possible, a student-run Alcoholics Anonymous, as well as Al-Anon, is offered on campus either in person or virtually through video-conference.

F. Fines

A monetary fine may be imposed or assessed to a Student's account.

G. Housing Probation

The Student is given written notice that any further infractions of the Code, University policies or Housing policies may result in removal from University housing and/or determination that the student be ineligible for or restricted from present and future housing opportunities. The Student is required to meet with their Resident Director or Housing designee within two weeks of being placed on housing probation.

H. Ineligibility for Graduation and/or Participation in Ceremonies

Prohibition from participation in graduation ceremonies. Prior to graduation, Students charged with an alleged Code violation in which the charges have not yet been adjudicated, may in the University's discretion be prohibited from graduating or participating in graduation ceremonies until the Student Conduct Code proceedings have been adjudicated and, if found responsible, sanctions completed.

I. Parental Notification

Students in violation of alcohol or drug policies may be required to write a letter to their parents (or legal guardian) describing the incident and what outcomes resulted from the conduct process.

J. Removal from or Relocation within University Housing

Students who demonstrate that they are unable to live in University Housing Facilities or particular University Housing Facilities as, for example, evidenced by material and/or repeated Code or policy violations may be relocated to another University Housing Facility, or have their University housing license agreement terminated. If removed, a Student may be prohibited from University Housing Facilities and ineligible for future University housing. Students may also be relocated or removed from University Housing Facilities on an interim or temporary basis as an appropriate supportive measure. Supportive measures are not sanctions and no adverse finding or determination of misconduct may be made or inferred from the imposition of any interim measures.

K. Restitution

The Student may be required to make financial payment to the University for amounts assessed or incurred as a result of a determined Code violation. Restitution payments between individual Students or Registered Student Organizations will not be sanctioned, mandated or administered through the conduct process.

L. Restriction from Campus, University Premises, Facilities or Events

Excluding a Student from campus, University Premises, University facilities or events means that the Student is not allowed to be on the campus, University Premises, at University facilities or in attendance of an event for or during specific time periods. Restriction may include authorizing access to limited University Premises or facilities for specific purposes (e.g. to attend class).

M. Suspension from the University

Separation of the Student from the University for a stated period with an opportunity for reinstatement consideration. Permanent notification of the suspension may appear on the Student's University transcript. While suspended, the Student is ineligible for and shall not participate in any University-sponsored activities and may be excluded from campus and University Premises. Suspended time will not count

against any time limits of graduate schools or programs for completion of a graduate degree. The sanction of suspension requires the review and approval of the Senior Vice President for Student Affairs, who may alter, defer or suspend this recommended sanction. Any alteration, deferral or suspension of this sanction may be subject to specified conditions.

N. Other Sanctions

The University and its Conduct Officers and Hearing Boards retain the right to impose additional and/or different sanctions according to the specific circumstances and needs of a situation including, but not limited to, loss of on-campus driving/parking privileges, loss of network privileges, other conditions and restrictions and meetings with professional staff and/or faculty members.

XXIV. Roles and Responsibilities

Within the Student conduct process several members of the University Community play critical roles and have varying responsibilities.

- A. The Role and Responsibilities of the Chief Conduct Officer or Designee
- Supervising, training and advising all Conduct Officers, Hearing Boards and Student Conduct Committee members.
 - Ensuring the maintenance of all Student disciplinary records on file in the OSCCR.
 - Administering procedures for resolution of a Student's challenge of bias for any Conduct Officer or Hearing Board member prior to resolution of the conduct process.
 - Prepare statistical reports each semester for the Senior Vice President for Student Affairs or designee.
 - Conducting an annual review of the Student Conduct Code.
- B. The Roles and Responsibilities of the Conduct Officers and Hearing Boards
- Hearings or other proceedings as provided in the Code may be held before a Conduct Officer, Hearing Panel or an applicable Hearing Board, and may utilize videoconferencing.
 - The Senior Vice President for Student Affairs, or a designee, shall appoint Conduct Officers and Hearing Boards.
 - The Conduct Officers and Hearing Board members shall adhere to procedures consistent with provisions in this Code. All procedures are approved by the Senior Vice President for Student Affairs, or a designee.
 - In the event of a vacancy or disqualification of a Conduct Officer or Hearing Board member, the disciplinary matter shall be assigned to another Conduct Officer or Hearing Board by the Senior Vice President for Student Affairs, or a designee.
 - Conduct Officers shall complete annual training provided by OSCCR.
 - Conduct Officers may be called upon to participate in the annual review of the Student Conduct Code.
- C. The Roles and Responsibilities of the Student Conduct Committee
- Appeals as provided in the Code are held before the Student Conduct Committee.
 - The Student Conduct Committee shall adhere to procedures consistent with provisions in the Code. Procedures are approved by the Senior Vice President for Student Affairs, or designee.
 - The Student Conduct Committee members shall be selected as follows:
 - a) The ASLMU President shall recommend members from the undergraduate Student body.

- b) The GSLMU President shall recommend members from the graduate Student body.
 - c) The RHA President shall recommend members from RHA;
 - d) The Student Housing Office shall recommend Resident Ministers as members;
 - e) The Senior Vice President for Student Affairs shall appoint a minimum of two faculty/staff members;
 - f) Each meeting, the Senior Vice President for Student Affairs, or designee, shall designate a Presiding Officer over the appellate process from the members of the Student Conduct Committee;
 - g) The Senior Vice President for Student Affairs, or designee, shall serve as an ex officio member.
- The Senior Vice President for Student Affairs shall appoint all members of the Student Conduct Committee.
 - The term of office for the student or faculty/staff Student Conduct Committee members shall be a minimum of one year as determined by the Senior Vice President for Student Affairs. Members may be re-appointed for additional terms.
 - Prior to participating in Student Conduct Committee deliberations, new members of the Student Conduct Committee will participate in an orientation session offered at least once each academic year by the Senior Vice President for Student Affairs, or designee.
 - Student members of the Student Conduct Committee who are charged with any violation of the Code or with a criminal offense may be suspended from their conduct positions by the Chief Conduct Officer while charges are pending against them. Students found responsible for any such violation or offense may be disqualified from any further participation in the University conduct system by the Chief Conduct Officer.
 - In the event of a vacancy, suspension or disqualification of a Student Conduct Committee member, the Senior Vice President for Student Affairs shall fill the vacancy.
 - A quorum for the Student Conduct Committee shall be three members with a minimum of one Student and one faculty member.

XXV. Student Procedural Protection

A. Referrals

Suspected violations of the Code, including those discovered during the adjudication and/or investigation of Student Conduct Code proceedings, shall be submitted to OSCCR. Persons making such referrals are required to provide information pertinent to the case and may be asked to appear before a Conduct Officer/Hearing Board.

B. Student Conduct Code Hearings

Except for cases involving allegations of Title IX Sexual Harassment, the Chief Conduct Officer or designee shall review referrals to determine whether or not there is sufficient evidence to charge a Student with a violation of the Code and whether to hold a Student Conduct Code hearing. In accordance with applicable Title IX regulations, in cases involving allegations of Title IX Sexual Harassment, the Title IX Coordinator shall make the determination of whether a Formal Complaint will move to the Title IX conduct process. The process and procedures relating to the adjudication of allegations of Title IX Sexual Harassment can be found in the Student Title IX Policy.

C. Hearing Process

Students charged with Code violations of misconduct that do not present the potential for severe

sanctioning (suspension or dismissal from the University) are accorded the following procedural protections:

- A written or electronic notice (generally, via the official University e-mail account) of alleged facts underlying the misconduct charge(s), the location of the Student Conduct Code, a scheduled hearing with a Conduct Officer or applicable Hearing Board (or instructions on how to schedule the hearing) and timely notice of that hearing. Students who fail to appear after timely notice will be deemed to have admitted the alleged misconduct and accepted responsibility for the charges asserted against them. Failure to check one's University e-mail account is not sufficient justification for not attending a scheduled hearing;
- A hearing during which the Conduct Officer/Hearing Board shall again specify the facts underlying the alleged misconduct and provide the Students the opportunity to review the information gathered by the University, including time, date and place where the behavior is alleged to have occurred, that makes up the basis for the charge(s). Students shall have the opportunity to present evidence relevant to the alleged misconduct and to respond to the information gathered by the University in support of the charge(s), including the right to offer counter or explanatory information. Students may utilize the assistance of an Advisor during the hearing (see Section II(M)(1) of the Student Conduct Code for specifics of who is eligible to serve as an Advisor in these proceedings);
- During the hearing, the Conduct Officer/Hearing Board shall explain the University's conduct system and Student rights and make available the Student Conduct Code. The Conduct Officer/Hearing Board shall also explain the private nature of the conduct process (Students' statements remain private except in the event of multiple involved parties and/or Witnesses, in which case newly presented information may be mutually shared) and the fact that the hearing may become a part of the file relating to the case;
- Reasonable access to the evidence supporting the charge will be made available to the Students (Complainants and Respondents) prior to the hearing;
- If a further hearing or Witness meeting is necessary, a supplemental proceeding will be scheduled;
- Students or the Conduct Officer/Hearing Board may submit new and/or additional evidence and call appropriate fact (non-expert) Witnesses at the supplemental proceeding. Students shall have the opportunity to respond to any new or additional evidence that is presented for the first time at the supplemental proceeding;
- Students may utilize the assistance of an Advisor during the supplemental hearing;
- Students who wish to have the assistance of an Advisor must inform the presiding Conduct Officer in writing or via e-mail at least two Days prior to the scheduled date of the hearing. The Advisor's role is to assist Students in understanding the conduct process during hearings. Advisors may not address the Conduct Officer/Hearing Board or play any other role during hearings. All communication involving Advisors must be between the Advisor and Student. An Advisor may not appear in lieu of the Student;
- Sanctions shall be levied if it is determined that the Student is responsible for the alleged violation(s). If not, the charge(s) will be dismissed;
- Students may have the assistance of fact (non- expert) Witnesses. Expert Witnesses are not allowed and character Witnesses are disfavored. The Conduct Officer/Hearing Board must be notified in writing or via e-mail at least two days prior to the scheduled date of the hearing that the Student plans to provide Witnesses. These Witnesses must have relevant knowledge and information pertaining to the case;
- Complaints will be promptly investigated and adjudicated following the procedures set out in the

Code;

- For compliance with Clery Act records retention requirements, all official conduct correspondence will be retained for a minimum of seven years;
- A Student's conduct history and record are cumulative; therefore, increased sanctions may be imposed to take into consideration the Student's overall record of violations of all types, not just those of a similar type.

D. Hearing Process for Misconduct Potentially Resulting in Severe Sanctioning (suspension or dismissal from the University)

Students charged with violations of the Student-on-Student Sexual or Interpersonal Misconduct Policy and Protocol that do not constitute Title IX Sexual Harassment, and/or whose alleged misconduct and asserted Code violations may result in severe sanctioning (suspension or dismissal from the University), are accorded the following procedural protections:

- A written or electronic notice (generally, via the official University e-mail account) of misconduct charges, the location of the Student Conduct Code, a scheduled pre-hearing meeting with an OSCCR representative (or the instructions on how to schedule the pre-hearing meeting) and timely notice of that pre-hearing meeting;
- Once an Advisor has been identified by either the Respondent or Complainant, the Advisor will be copied on all communication regarding scheduling of pre-hearing meetings, review of reports and scheduling of the hearing with cross examination;
- A pre-hearing meeting at which:
 1. The Respondent (and separately the Complainant if applicable) may review all the information gathered by the University, including time, date and place where the alleged behavior/ misconduct is alleged to have occurred, that makes up the basis for the charge(s);
 2. The Respondent/Complainant may ask the OSCCR representative questions regarding the conduct process;
 3. Either the Respondent or the Complainant (if applicable) may provide the names of Witnesses not yet interviewed by Public Safety, whose statements may have value to the proceedings. In the event either a Respondent or Complainant provides Witnesses during the pre-hearing meeting, then the names of those Witnesses will be provided to Public Safety for formal interview, and the investigation report will be supplemented with their statements. Once the investigation report is updated with any additional Witness interviews and information, both Respondent and Complainant will be permitted another opportunity to review the updated report, evidence and information. If a Witness fails to meet with Public Safety for a formal interview, any prior or subsequent statements will not be utilized nor relied upon by the Hearing Panel in rendering its decision;
 4. The OSCCR representative shall explain the hearing processes to the parties including cross examination processes and procedures and Student rights and make available the Student Conduct Code. The OSCCR representative shall also explain the private nature of the conduct process (Student statements during the hearing with cross examination shall remain private except in the event of multiple involved parties, in which case newly presented information related to another Respondent may be mutually shared) and the fact that the hearing may become part of the file relating to the case;
 5. The Complainant is informed that no conduct record will be generated in regards to the Complainant, however the Complainant may be permitted future access to the conduct case

file;

- Respondents and Complainants who wish to have the assistance of an Advisor should inform OSCCR in writing at least two Days prior to the scheduled date of the pre-hearing meeting. The Advisor's role is to assist Students in understanding the conduct process during pre-hearing meetings and hearings with cross examination. Advisors may not address the Hearing Panelists or play any other role during hearings. All communication involving Advisors during hearings must be between the Advisor and Student. An Advisor may not appear in lieu of the Student to either the pre-hearing meeting or the hearing with cross examination.
- A hearing with cross examination (conducted via videoconferencing) during which the Hearing Panel shall specify the nature of the alleged misconduct and provide the Respondent and the Complainant the opportunity to again review the information and evidence gathered by the University that make up the basis for the charge(s). Students shall have the opportunity to present evidence relevant to the alleged misconduct and to respond to the information gathered by the University, including the right to offer counter information and/or call appropriate fact (non-expert) Witnesses. Students may utilize the assistance of an Advisor during the hearing (see Section II(M)(1) of the Student Conduct Code for specifics of who is eligible to serve as an Advisor in these proceedings).
- The Hearing Process will proceed where a Respondent fails to appear after timely notice and a determination of the charged misconduct made based upon the facts and evidence submitted in support of the alleged misconduct at that hearing (failure to check one's email 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;

E. The Respondent, via videoconferencing, will be permitted the opportunity to provide questions to be asked of the Complainant, and any Witnesses that appear either at the request of the Respondent, the Complainant or the University, in order to assess the credibility of the information offered. The Respondent will be asked to provide their questions in advance of the hearing, and the Conduct Officers on the Hearing Panel will be permitted to disallow a question asked by the Respondent if the Respondent is unable to provide sufficient rationale for the relevancy of the question. The Complainant, via videoconferencing, will be permitted the opportunity to provide questions to be asked of the Respondent, and any Witnesses that appear either at the request of the Complainant, the Respondent or the University, in order to assess the credibility of the information offered. The Complainant will be asked to provide their questions in advance of the hearing, and the Conduct Officers on the Hearing Panel will be permitted to disallow a question asked by the Complainant if the Complainant is unable to provide sufficient rationale for the relevancy of the question;

F. Both the Respondent and the Complainant will be permitted the opportunity to make a closing statement at the conclusion of the evidentiary portion of the hearing;

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

- Respondents, Complainants or the Hearing Panel may submit new and or additional evidence and call appropriate fact (non-expert) Witnesses at the supplemental proceeding. Students shall have the opportunity to respond to any new or additional evidence that is presented for the first

- time at the supplemental proceeding;
- Respondents and Complainants may utilize the assistance of an Advisor during the supplemental hearing;

H. Sanctions shall be levied if it is determined that the Student is responsible for the violation(s). If not, the charge(s) will be dismissed;

I. Complaints will be promptly investigated and adjudicated following the procedures herein outlined;

J. For compliance with Clery Act record retention requirements, all official conduct-related correspondence will be retained for a minimum of seven years;

K. A Student's conduct history and record is cumulative; therefore increased sanctions may be imposed to take into consideration the Student's overall record of violations of all types, not just those of a similar type;

L. Unless required by law, privacy laws prevent notification or disclosure to Student Complainants about the prior conduct history, if any, of the Respondent.

XXVI. Hearing Procedures

The following procedural guidelines shall be applicable in conduct proceedings that do not present the potential for remedies including severe sanctioning (suspension or dismissal from the University). Respondent meets solely with the Conduct Officer or Hearing Board:

A. The Conduct Officer/Hearing Board has the right to request the presence of and interview fact (non-expert) Witnesses;

B. Hearings will generally be private except for Conduct Officers/Hearing Boards, Students and Advisors. Recording devices (audio and/or video) of any kind are not permitted for use by the Students, Witnesses or Advisors;

C. The Conduct Officer/Hearing Board shall exercise control over the procedures to avoid needless consumption of time. Any person, including the Advisor, who is disruptive during the hearing, refuses to follow the rules or procedures and/or who fails to adhere to the admonitions and rulings of the Conduct Officer/Hearing Board may be excluded from the proceedings;

D. The decision of the Conduct Officer/Hearing Board shall include a summary of the testimony, findings, decision and applicable sanction(s). The decision shall be sufficiently detailed to permit review as provided in the Code;

E. Prior to the hearing, Students may challenge a Conduct Officer/Hearing Board member on the grounds of personal bias. Any such challenge must be made in writing to the Dean of Students, or designee, not less than two Days prior to the hearing. The disqualification challenge of a Conduct Officer/Hearing Board member shall be determined by the Dean of Students, or designee. If a challenge is sustained, the charge shall be referred to another Conduct Officer/Hearing Board member;

F. All participants in a conduct hearing shall be asked to affirm that their testimony is truthful and may be subject to charges of providing false information pursuant to Section XXII (H) of the Annual Security Report;

G. The burden of proof shall be upon the Complainant who must establish the responsibility of the Respondent by a Preponderance of the Evidence;

H. Except as provided herein, formal rules of evidence and discovery shall not be applicable in proceedings conducted pursuant to the Code. The Conduct Officer/ Hearing Board shall give effect to recognized rules of privacy (including the Family Educational Rights and Privacy Act [FERPA]) and privilege but may otherwise admit all matters into evidence which a reasonable person would accept as having probative value in the conduct of their affairs. Unduly repetitious or irrelevant evidence may be excluded;

I. Written statements shall not be admitted into evidence unless signed by the affiant and witnessed by a person designated by the Dean of Students, or designee;

J. A Student with a case assigned to a Student Hearing Board has the option to have the matter heard by a Conduct Officer. Notice of such election must be given to the presiding Conduct Officer no less than two Days prior to the date of the hearing;

K. Student Complainants in these conduct cases (e.g. without cross examination provision) will not be notified of the decision rendered by the Conduct Officers/Hearing Board, and have no appeal rights.

The following procedural guidelines shall be applicable in conduct proceedings with potential severe sanctioning (suspension or dismissal from the University):

A. The Hearing Panel may request Public Safety interview fact (non-expert) Witnesses;

B. Hearings with cross examination will generally be private except for the Hearing Panel, parties and Advisors. Hearings with cross examination 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 Students, Witnesses or Advisors;

C. The Hearing Panel shall exercise control over the procedures to avoid needless consumption of time. Any person, including an Advisor, who is disruptive during the hearing with cross examination, 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;

D. The decision of the Hearing Panel shall include a summary of the testimony and evidence in support of the findings, the findings, decision and applicable sanction(s). The decision shall be sufficiently detailed to permit review as provided in the Code and as authorized or required by law will be sent to both the Respondent and the Complainant. The decision will not be sent to either the Respondent's or Complainant's Advisors;

E. Prior to the hearing, Students may challenge a Hearing Panel member on the grounds of personal

bias. Any such challenge must be made in writing to the Dean of Students, or designee, not less than two Days prior to the hearing. The disqualification challenge of a Hearing Panel member shall be determined by the Dean of Students, or designee. If a challenge is sustained, the charge shall be referred to another Hearing Panel member;

F. All participants in a conduct hearing shall be required to affirm that their testimony is truthful and may be subject to charges of providing false information pursuant to Section III(H) of the Code. If a Witness refuses to participate in the hearing with cross examination, their prior or subsequent statements to Public Safety will not be utilized or relied upon by the Hearing Panel in coming to a decision;

G. The burden of proof shall be upon the Complainant who must establish the responsibility of the Respondent by a Preponderance of the Evidence;

H. Except as provided herein, formal rules of evidence and discovery shall not be applicable in proceedings conducted pursuant to the Code. The Hearing Panel shall give effect to recognized rules of privacy (including the Family Educational Rights and Privacy Act [FERPA]) and privilege, but may otherwise admit all matters into evidence which a reasonable person would accept as having probative value in the conduct of their affairs. Unduly repetitious or irrelevant evidence may be excluded;

I. Written statements, absent live testimony by the Witness that is subject to cross examination, shall not be admitted into evidence nor used for any purpose.

XXVII. Appeal Procedures

A. Any decision by a Conduct Officer, Hearing Panel or Hearing Board or disciplinary sanction assigned may be appealed by the Respondent to the Student Conduct Committee. In proceedings involving potential severe sanctioning (suspension or dismissal from the University) Student Complainants may also appeal the decision. Appeals to the Student Conduct Committee are limited to one or more of the following grounds:

1. The sanction is substantially disproportionate to the offense;
2. The procedures provided for in the Code were not materially followed resulting in significant prejudice to the Appellant;
3. New relevant evidence is available which in the exercise of reasonable diligence could not have been produced at the time of the hearing; or
4. The decision is not supported by substantial evidence.

B. All petitions for appeals shall be submitted to:
The Student Conduct Committee
c/o The Office of Student Conduct & Community Responsibility
Malone 355
OSCCR@lmu.edu

C. Appeal petitions must be submitted by the involved Student party (Respondent or Complainant, if applicable) via written statement and received by the Student Conduct Committee c/o OSCCR within five 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 or Law School Students) on behalf of the involved Student party. Failure to file the appeal petition within the five-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.

D. Pursuant to either Section XXVII(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 a designee, shall convene the Student Conduct Committee. If an appeal is made in a conduct case involving the potential for severe sanctioning (suspension or dismissal from the University), 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.

E. In appeals of decisions in conduct cases without the potential for severe sanctioning (suspension or dismissal from the University), pursuant to Section XXVII(A), the Student Conduct Committee will review the Conduct Officer's/Hearing Board's summary of the testimony, findings and decision and the recommended sanction, the Student's disciplinary history and the written statement of the Student filed with the appeal petition.

F. In appeals of decisions in conduct cases involving the potential for severe sanctioning (suspension or dismissal from the University), pursuant to Section XXVII(A), the Student Conduct Committee will review the video and audio recording of the hearing, the findings, decision and recommended sanction (if applicable), the Respondent's disciplinary history and written statement of the Respondent and of the Complainant filed with the appeal petition or in response to the appeal petition.

G. The Student Conduct Committee may, but is not required to, request either the Conduct Officer/Hearing Board or the involved Student parties to submit additional information in writing. If the Conduct Officer/Hearing Board 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 Student Conduct Committee.

H. So long as supported by the evidentiary record, the Student Conduct Committee shall give deference to the determinations of the Conduct Officer, Hearing Panel or Hearing Board, 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 Senior Vice President of Student Affairs, or designee, for reassignment to a new Conduct Officer, Hearing Panel or Hearing Board if specified procedural errors in interpretation of this Code were so substantial as to effectively deny the student a fair hearing or 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 Student Conduct Committee shall not alter the underlying decision of the Conduct Officer, Hearing Panel or Hearing Board if supported by substantial evidence and reasonable inferences arising therefrom.

I. In appeals of conduct cases involving the potential for severe sanctioning (suspension or dismissal from the University) in which the Complainant is a student, 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.

J. 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 Student Conduct Committee members shall be determined by the Senior 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.

K. Except as provided herein, formal rules of evidence and discovery shall not be applicable in these proceedings conducted pursuant to the Code. The Student Conduct Committee 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.

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

M. The Student Conduct 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 Conduct Officer/ Hearing Board.

N. Unless otherwise determined by the Senior Vice President for Student Affairs, or designee, the imposition of sanctions will be deferred during the appeal process.

O. A quorum for the Student Conduct Committee shall be three members with a minimum of one Student and one faculty member.

P. Procedural, evidentiary and final recommendations of the Student Conduct 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 Student Conduct Committee shall be determined by the Committee's presiding officer in accordance with the Code. The Student Conduct Committee shall give effect to the recognized rules of privacy (including FERPA) and privilege but shall otherwise admit all matters into evidence which a reasonable person would accept as having probative value in the conduct of their affairs. Unduly repetitious or irrelevant evidence may be excluded.

XXVIII. Exceptional Procedures

A. Violations of this Code that in ordinary circumstances may not result in a sanction of suspension or dismissal may nonetheless result in a sanction of suspension or dismissal if, in the view of the Senior Vice President for Student Affairs, suspension or dismissal is appropriate under all the facts and circumstances (e.g. intentional, malicious or aggravated violation, history of repeated Code violations, etc.). Such incidents will be adjudicated following the procedures outlined in Section XXVI.

- B. Final decisions of the Conduct Officer, Hearing Panel, Hearing Board or Student Conduct Committee recommending a suspension or dismissal from the University shall be reviewed and approved by the Senior Vice President for Student Affairs. All other final decisions may be reviewed by the Chief Conduct Officer, or designee. The reviewing office may reduce, defer or suspend the decision and sanction, or impose conditions in connection with any change, deferral or suspension.
- C. The Senior Vice President for Student Affairs or designee may suspend a Student for an interim period pending Student Conduct Code proceedings or medical evaluation. Such interim suspension becomes immediately effective without prior notice whenever there is reasonable suspicion that the continued presence of the Student on the University campus poses a substantial threat to the health, safety or well-being of members of the University community or to unreasonably interfere with the stability and continuance of normal University functions.
- D. A Student suspended on an interim basis shall be given an opportunity to appear personally for an interim suspension hearing before the Senior Vice President for Student Affairs or designee within three days from the effective date of the interim suspension to present their case to discontinue the interim suspension in accordance with Section XXVIII(E) below.
- E. An interim suspension hearing shall determine whether the interim suspension should continue through the hearing and determination on the merits of the Student Conduct Code charge(s) because the alleged misconduct and surrounding circumstances reasonably indicate that the continued presence of the Student on campus pending the hearing and determination of the Student Conduct Code charge(s) poses a substantial threat to the health, safety or well-being of members of the University community or unreasonably interferes with the stability and continuance of normal University functions.
- F. If, at the interim suspension hearing referenced in Section XXVIII(E) above, the Student's continued presence is determined to pose a substantial threat to the health, safety or well-being of members of the University Community or to unreasonably interfere with the stability and continuance of normal University functions, the Senior Vice President for Student Affairs or designee may continue the interim suspension through the conclusion of the proceedings on the alleged Student Conduct Code violation.
- G. In cases alleging sexual and interpersonal misconduct including Dating Violence, Domestic Violence and Stalking, the Senior Vice President for Student Affairs or designee may implement supportive measures, including, but not limited to, academic, residential, transportation and/or employment accommodations, intended to ensure the well-being of the Complainant, the Respondent, the investigatory process and/or the University Community while the complaint is being investigated and prior to the determination on the charge. Any such supportive measures shall not be referred to or offered as evidence at the hearing on the underlying charge. Any such supportive measures shall be designed and implemented in a manner intended to achieve their purpose while at the same time limiting, to the extent practicable, any adverse effect to the Complainant and/or Respondent's educational program.
- H. Final decisions of the Conduct Officer, Hearing Panel, Hearing Board or the Student Conduct Committee recommending a suspension or dismissal from the University shall be reviewed and approved by the Senior Vice President for Student Affairs. All other final decisions may be reviewed by the Chief Conduct Officer, or designee. The reviewing officer may change, defer or suspend the decision and sanction, or impose conditions in connection with any change, deferral or suspension.

I. Unless otherwise determined by the Senior Vice President for Student Affairs or designee, the imposition of sanctions will be deferred during the appeal process.

J. A conduct hold may be placed on a Student's file/account and a notation may be entered on the Student's University transcript when the Student has been dismissed or suspended from the University or has officially or unofficially withdrawn, taken a leave of absence or has been academically disqualified while Student Conduct Code proceedings are pending. In addition, when the Student has incomplete sanctions or open conduct cases and leaves the University for any reason, including, but not limited to, leave of absence, withdrawal or academic disqualification, a conduct hold will be placed on the Student's file/account and the Student may also be prohibited from entering campus during the period of the conduct hold. This conduct hold must be cleared before a Student will be allowed to return to the University.

K. In cases regarding allegations of sexual and interpersonal misconduct (including Dating Violence, Domestic Violence and Stalking) a notation may be entered on the Respondent's University transcript at the discretion of the University if the Student is found responsible for a specific sexual or interpersonal misconduct charge.

XXIX. Restorative Justice Process

The OSCCR may opt to postpone initiation of the conduct process in matters deemed potentially appropriate for a Restorative Justice Process.

The Restorative Justice Process 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 a Restorative Justice Process, the Respondent will not be charged with a violation of the Student Conduct Code. The Restorative Justice 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.

If a Restorative Justice opportunity is not accepted or fully completed by all parties, then the matter may be referred back to OSCCR and the conduct process may at that time be initiated.

XXX. Conduct Files and Records

A. Case referrals may result in the development of a conduct file in the name of the Respondent that may be voided if the Respondent is found not responsible for the charges.

B. The files of Respondents found responsible for any of the charges against them will be retained as a conduct record for a minimum of seven years from the date of the letter providing notice of the final conduct action.

C. Conduct records may be voided and any records or notations related thereto purged by the Dean of Students for good cause following consideration of a written petition of Respondent. Among the factors considered by the Dean of Students in review of such petitions shall be:

1. The nature of the charge;
2. The period of time that has elapsed since the violation;
3. The present demonstrated demeanor and contrition of the Respondent;

4. The demonstrated conduct of the Respondent subsequent to the violation; and/or
 5. The nature of the violation and the severity of any damage, injury or harm resulting from it.
- Decisions on petitions under this subsection are at the discretion of the Dean of Students.

D. When students sign a release offered by internal (Study Abroad, University offices, etc.) or external (graduate schools, prospective employers, etc.) entities, this release allows the University to release student disciplinary information to these parties. Upon receipt of a request from an internal or external entity, and with appropriate signed release by the subject Student, the University reserves the right to report only those records in which violations resulted in a sanction of probation, suspension or dismissal from the University.

STUDENT-ON-STUDENT SEXUAL AND INTERPERSONAL MISCONDUCT POLICY AND PROTOCOL

XXXI. Introduction

LMU recognizes the significant, unacceptable and nationwide existence of sexual and interpersonal misconduct on college campuses. LMU is dedicated to the prevention of such misconduct and to providing a caring, supportive and effective response when such misconduct occurs. Accordingly, LMU encourages students and University Community members to report such misconduct so that the University can take appropriate responsive action.

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 LMU 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. The Division of Student Affairs has established this Student-on-Student Sexual & Interpersonal Misconduct Policy & Protocol to assist and respond to complaints of student-on-student sexual and interpersonal misconduct.

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 Senior Vice President for Student Affairs, the Title IX Coordinator or by filing a report with the LMU Department of Public Safety, (310) 338-2893 (222 from a campus phone).

A Student Conduct Code case for alleged student-on-student sexual misconduct 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. Student participants (Complainants, Respondents, and Identified Witnesses) in the Student Conduct Code process for severe sanctioning will first speak with LMU Public Safety. 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 Student Conduct and Community Responsibility (OSCCR) 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. OSCCR makes every effort to adjudicate these matters promptly, usually within 120 days, assuming timely cooperation of all parties.

Sexual or interpersonal misconduct involving a student and any non-student in the University community is handled under the LMU Discriminatory Harassment and Complaint Process. Should a student report sexual or interpersonal misconduct that occurred to the student when they were a child, LMU 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 misconduct or interpersonal misconduct. Any student engaging in any retaliatory action(s) will be subject to discipline under the Student Conduct Code and appropriate sanctions for determined violations may include dismissal from the University.

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 [LMU CARES](#) or call 310.258.4381.

XXXII. Definitions

A. For purposes of 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.

B. For purposes of 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.

For purposes of 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.

C. For purposes of 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.

D. 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 he or she has 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 clearly communicated their willingness, cooperation or permission to participate in the specific sexual activity engaged in, are positive and clear about their desires and are able to cease ongoing consensual activity at any time. Refusal to Consent does not have to be verbal; it can be expressed with clear gestures, body language or attitude. Lack of resistance does not mean Consent, nor does silence mean Consent. Prior sexual history between the Complainant and Respondent, by itself, does not constitute Consent, nor does consenting to sexual activity with one person imply Consent to sexual activity with another person.

(i) Consent is not freely given if:

1. 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

2. 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:
 - a. 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
 - b. The individual is unable to consciously respond for whatever reason including lack of consciousness, sleep, illness or shock; or
 - c. The individual is under the age of eighteen and therefore legally incapable of giving Consent; or
 - d. The individual is known by reason of impairment, mental condition or developmental or physical disability to be reasonably unable to Consent.
 3. The individual has acted or spoken in a manner that expresses a lack of Consent or a refusal to consent.
- (ii) The following are invalid excuses for failing to obtain affirmative Consent from the Complainant:
1. The Respondent's belief in affirmative Consent arose from the intoxication or recklessness of the Respondent; or
 2. The Respondent did not take reasonable steps, in the circumstances known to the Respondent at the time, to ascertain whether the complainant affirmatively consented.

E. For purposes of this policy, Domestic Violence is defined as a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabited with, the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under California law; by any other person against an adult or youth victim who is protected from that person's acts under California law.

F. For purposes of this policy, Dating Violence is defined as violence committed by a person:

- (i) Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
- (ii) Where the existence of such a relationship shall be determined based on the Complainant's statement and with consideration of the following factors: the length of the relationship, the type of the relationship and the frequency of interaction between the persons involved in the relationship. Dating Violence includes, but is not limited to, sexual or physical abuse or threat of such abuse the "Complainant's statement" with consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved. Dating Violence does not include acts covered under the definition of Domestic Violence. (There is no California statutory equivalent definition.)

G. For purposes of this policy, 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. For the purpose 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.

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.

H. For the purpose of Formal Complaints filed under Title IX, Title IX Sexual Harassment is defined as unwelcome conduct by an employee conditioning the provision of an LMU educational aid, benefit or service on an individual's participation in unwelcome sexual conduct; or unwelcome conduct on the basis of sex 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 LMU education, program, or activity.

I. "Complainant" means the individual(s) who file(s) a Student Conduct Code complaint with the University.

J. "Respondent" means the individual(s) against whom a Student Conduct Code complaint is made.

K. "Retaliation" means adverse non-permitted action taken by an individual or a third party against a person who reports a violation of this policy, assists someone with a report of a violation of this policy or participates in any manner in an investigation or resolution of a report of a violation of this policy. Retaliation may, among other non-permitted conduct or behaviors, include threats, intimidation, coercion, Harassment, spreading negative information about an individual, exclusions from academic and non-academic programs and/or adverse actions related to employment.

XXXIII. 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.

A. 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, oral copulation, sexual penetration upon a child, child molestation and the following:

- (i) 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
- (ii) Sexual contact between the genitals or anal opening of one person and the mouth or tongue of another person.
- (iii) 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.
- (iv) 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 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.
- (v) 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:

- (i) 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
- (ii) 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
- (iii) 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
- (iv) 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.

B. Excerpts 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 relations between them, should never by itself be assumed to be an indicator of Consent.

C. 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.

D. 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 his or her safety, or the safety of his or her immediate family is guilty of the crime of Stalking, punishable by:

- (i) Imprisonment in a county jail for not more than one year, or
- (ii) By a fine of not more than \$1,000, or
- (iii) 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. Constitutionality protected activity is not included within the meaning of "course of conduct."

E. 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:

- (i) Sexual relations between the parties while sharing the same living quarters;
- (ii) Sharing of income or expenses;
- (iii) Joint use or ownership of property;

- (iv) Whether the parties hold themselves out as spouses;
- (v) The continuity of the relationship; and
- (vi) The length of the relationship.

XXXIV. Title IX

A. Under Title IX, LMU has a responsibility to respond promptly and equitably to address discrimination on the basis of sex and Sexual Harassment (including Sexual Assault, Dating Violence, Domestic Violence and Stalking). If LMU receives knowledge of Sexual Harassment (including Sexual Assault, Dating Violence, Domestic Violence and Stalking), LMU must provide for the prompt and equitable resolution for students involved, including providing a conduct process in compliance with 2020 Title IX. For more information regarding LMU's response to allegations to Title IX Sexual Harassment please see the Student-on-Student Title IX Policy.

Questions about Title IX or this policy may be directed to the Title IX Coordinator, Sara Trivedi, in Human Resources, who can be reached at (310) 568-6105 or strivedi@lmu.edu. The Title IX Coordinator is notified of reported incidents of sexual and interpersonal misconduct and monitors the University's response to such misconduct. Deputy Title IX Coordinators include:

1. Lisa Grant, Human Resources Specialist – Investigations: Lisa.Grant@lmu.edu
2. Francesca Piumetti, Associate Dean of Students: Francesca.Piumetti@lmu.edu
3. Ashley Armstrong, Deputy Athletics Director: Ashley.Armstrong@lmu.edu

B. How do I file a complaint with the U.S. Department of Education, Office for Civil Rights? If you believe that Loyola Marymount University does not respond appropriately to your allegations of Sexual Harassment after you have filed a Report with the University or gone through the conduct process, you have the option to file a complaint with the Office of Civil Rights.

You may file a complaint:

- a) In person: via telephone (800) 421-3481; or
- b) Online: via email: OCR@ed.gov; or
- c) By mail: write letter to: U.S. Department of Education Office for Civil Rights
Lyndon Baines Johnson
Department of Education Building
400 Maryland Avenue, S.W.
Washington, D.C. 20202-1100.

For more information about filing a complaint please visit: www2.ed.gov/about/offices/list/ocr/complaintintro.html

XXXV. Confidentiality

A. LMU identifies “responsible employees” as those who are obligated to report all details of an incident, including the identities of those involved, to Public Safety whenever that information is brought forward to the employee. Public Safety 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 Senior Vice President for Student Affairs, or designee, in determining whether the privacy request can be honored or if an investigation is necessary:

- a) The Respondent has known prior allegations of sexual or interpersonal misconduct and a potential for a campus safety risk exists; or
- b) A threat to the campus community at large has been identified; or
- c) The sexual or interpersonal misconduct was perpetrated with a weapon; or
- d) The victim is a minor; or
- e) some combination of the above factors exists

The Title IX Coordinator, in consultation with the Senior 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.

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

- a) Professional, licensed counselors, such as the psychologists at Student Psychological Services (SPS), 310.338.2868, are not required to report any information regarding an alleged sexual or interpersonal misconduct, to Public Safety, the Title IX Coordinator or any other reporting body, without consent from the Student.
- b) Pastoral counselors, such as Catholic priests and women religious, are not required to report any information regarding an alleged sexual or interpersonal misconduct, to Public Safety, 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.
- c) Student Health Services (SHS) Staff, such as doctors and nurse practitioners at SHS 310.338.2881, are not required to report any information regarding an alleged sexual or interpersonal misconduct, to Public Safety, the Title IX Coordinator or any other reporting body on campus, without Consent from the student. The SHS Staff will be required to report signs of physical or sexual abuse to law enforcement.

LMU Community Resource Advisors (LMU CRAs), whose names can be found on the LMU CARES (lmu.edu/lmucares), may speak confidentially with students regarding incidents of sexual and interpersonal misconduct without automatically triggering a University investigation into the matter. 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 LMU CRA, they will be obligated to report that information to the Title IX Coordinator. Reports by the LMU CRA will not trigger a University investigation unless the Title IX Coordinator in consultation with the Senior Vice President for Student Affairs, or a designee, determines that an investigation is necessary because of the existence of one or more of the factors described in Section XXXVII (A).

XXXVI. Policy

- A. Any student alleged to have participated in sexual or interpersonal misconduct will be referred to the Office of Student Conduct & Community Responsibility (OSCCR) and, if found responsible, will be subject to disciplinary action. Complainants of sexual and interpersonal misconduct are not required to be members of the LMU community; they may be third parties or others unaffiliated with the University. If a Complainant chooses not to participate in the University conduct process, the University reserves the right to initiate the conduct process if, in the opinion of OSCCR, sufficient evidence exists without the participation of the Student Complainant to present the case to the Conduct Officers and obtain a determination of a violation by the putative Respondent utilizing the Preponderance of the Evidence standard. Outcomes related to sexual and interpersonal misconduct cases run the full spectrum as outlined in Section IV of the Student Conduct Code and include disciplinary warning through suspension or dismissal from the University.
- B. All alleged incidents of student-on-student sexual and interpersonal misconduct will be adjudicated in accordance with the Student Conduct Code utilizing the Preponderance of the Evidence standard and will involve a hearing with cross examination. Student Conduct Code proceedings shall be prompt, fair and impartial and adjudicated by officials that have received regular training regarding incidents of this nature.
- C. In cases alleging sexual and interpersonal misconduct the Senior Vice President for Student Affairs, or designee, may institute supportive measures, including, but not limited to, academic, residential, transportation and/or employment accommodations, intended to ensure the well-being of the Complainant, the Respondent, the investigatory process and/or the University Community while the complaint is being investigated and prior to the determination on the charge. Any such supportive measures shall not be referred to or offered as evidence at the hearing on the underlying charge. Any such supportive measures shall be designed and implemented in a manner intended to achieve their purpose while at the same time limiting, to the extent practicable, any adverse effect to the Complainant's and/or Respondent's educational program. Any such supportive measures shall remain confidential, to the extent practicable to achieve the measure. Both Complainant and Respondent will receive written notification of their access to supportive measures.
- D. No Contact Orders (NCO) will also be utilized by the DPS both during the investigation and through the completion of the disciplinary process. Both parties will be expected to sign a document stating their awareness of the NCO and the stipulations of no contact, however failure or refusal to sign an NCO by either party does not impact the enforcement of the NCO. DPS will provide information about available community resources.
- E. In line with the Good Samaritan Policy found in this Community Standards Booklet, violations of the Student Conduct Code regarding underage or excessive consumption of alcohol and/or marijuana or use or possession of illegal substances will not be utilized to commence disciplinary proceedings against a Complainant if the information is divulged through the process of reporting sexual or interpersonal misconduct. The University does reserve the right to refuse to grant amnesty to reporters under certain extenuating circumstances. Criminal investigations and other police action may still occur at the discretion of the law enforcement agency responding to the incident.

Per LMU's Good Samaritan Policy, assisting Students who report sexual or interpersonal misconduct is of

paramount importance to the University. In order to facilitate reporting, the University may choose not to charge Students who report sexual or interpersonal misconduct or any material witnesses thereto with Student Conduct Code violations for certain behavior that otherwise would be considered violations (e.g. underage consumption of alcohol and/or use of marijuana or other illegal drugs). This Good Samaritan Policy only applies to alcohol, marijuana and other drug violations and does not excuse behaviors which go beyond alcohol, marijuana and other drug intoxication such as, for illustration purposes only, disorderly conduct, failure to comply, physical assault, Sexual Assault, sexual violence, vandalism, property damage, etc.).

F. Student Conduct Code proceedings respecting alleged incidents of sexual and interpersonal misconduct will in the first instance be adjudicated by a panel of not less than two staff Conduct Officers. These Conduct Officers will be regularly trained in the adjudication of these types of incidents. A pre-hearing meeting will be scheduled separately with both the Complainant and the Respondent, where both parties will be permitted to review DPS investigatory report and supporting evidence, identify additional Witnesses and ask questions about the conduct process. All Student Conduct Code proceedings involving allegations of sexual and interpersonal misconduct will include a hearing with cross examination. Complainants and Respondents will be permitted to ask questions of the opposing party and Witnesses. All Conduct Officers receive training regarding the adjudication of sexual and interpersonal misconduct. For information regarding what training is conducted please contact OSCCR at 310.338.1821.

G. Prior sexual history of Complainant or Respondent with people outside of each other will not be utilized as evidence in these disciplinary proceedings.

H. Once a Student Conduct Code determination of the charges has been made, a determination notification letter will be concurrently sent to Complainant and Respondent.

I. Complainants are encouraged to report all instances of sexual or interpersonal misconduct regardless of the amount of time that has passed since the alleged misconduct occurred. The University reserves the right to take disciplinary action regarding allegations involving current LMU Students irrespective of the length of time since the alleged misconduct occurred.

J. Student Conduct Code proceedings are independent from criminal or civil proceedings and will normally proceed without regard to the pendency or potential pendency of criminal or civil proceedings.

K. Reporting Sexual and Interpersonal Misconduct:

Choosing to report sexual or interpersonal misconduct takes bravery and LMU encourages all Students to report sexual or interpersonal misconduct regardless of the amount of time that has passed since the alleged misconduct occurred.

Once a report is received, the Title IX Coordinator, or designee, will discuss with you the availability of supportive measures (regardless of whether the Complainant agrees to be interviewed by DPS).

If you believe you have experienced sexual or interpersonal misconduct, you are encouraged to file a report with DPS either in person (Foley Annex), by phone, 310.338.2893, or through their E-Report Form. Students who are unsure whether what they experienced, witnessed or what has been reported to them constitutes sexual or interpersonal misconduct, should contact DPS and report the incident. DPS will take appropriate

responsive action based on the information provided.

Per LMU's Good Samaritan Policy, assisting students who report sexual or interpersonal misconduct is of paramount importance to the University. In order to facilitate reporting, the University will not hold Students responsible for making a report that does not go through the Conduct Process, so long as the report was made in good faith.

Students who experience sexual or interpersonal misconduct, but who are not ready to report, should utilize Callisto. Callisto is an online program designed to create a more empowering reporting experience for Students who may have experienced sexual or interpersonal misconduct.

XXXVII. Complainant/Respondent Rights

- A. Complainants and Respondents in a sexual or interpersonal misconduct case have the right to:
1. Access to an Advisor, if they do not have one of their own choosing, to assist with the conduct process. Complainants and Respondents may select the Advisor of their choice, regardless of family relationship or lack of affiliation to the University (see Section IX for more details);
 2. 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 and other services available as well as notification of the procedures for institutional disciplinary action and their rights and options as defined in sexual and interpersonal misconduct cases;
 3. Request and receive supportive measures as approved by the Dean of Students in collaboration with the Title IX Coordinator;
 4. Make a complaint to DPS;
 5. File a police report and take legal action separate from and/or in addition to filing a Student Conduct Code complaint seeking disciplinary action;
 6. Be informed of the disciplinary finding (responsible or not responsible) in writing;
 7. Present material Witnesses to the alleged incident;
 8. Appeal rights as outlined in the Student Conduct Code (Section VIII);
 9. Opportunity to cross examine the opposing party and any Witnesses to determine credibility of information;
 10. Refuse any/all of the above. If Complainant refuses to participate in a hearing with cross examination, the University will not proceed with the conduct process unless sufficient evidence exists without the participation of the Student Complainant. If Respondent refuses to participate in a hearing with cross examination, the University will nonetheless proceed with the conduct process and, if supported by the evidence presented, hold the Respondent accountable for proved violations of the subject Student Conduct Code charges.

XXXVIII. Conduct Process

Student charged with violations of the Student-on-Student Sexual or Interpersonal Misconduct Policy and Protocol, and/ or whose alleged misconduct and asserted Code violations may result in severe sanctioning (suspension or dismissal from the University), are accorded a variety of protections. Please review Student Conduct Code Section VI(D) for more information.

In instances where severe sanctioning is not a possible disciplinary sanction, students will go through the non-severe sanctioning conduct process. Please review Student Conduct Code Section VI(C) for more

information.

Students have the right to appeal the decision and/or the sanctions assigned. Please review Student Conduct Code Section VIII for more information.

XXXIX. Advisor

In cases of sexual and/or interpersonal misconduct, that are going through the LMU 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). If Complainants or Respondents want a trained Advisor from the University community, they may obtain a referral from their assigned SARA. Advisors will assist Students in understanding the conduct process but will not serve as representation for Students in Student Conduct Code proceedings.

If the Student chooses an Advisor for incidents involving sexual and/or interpersonal misconduct, that Advisor is still subject to the requirements set forth in Section VI(D)(4) of the Student Conduct Code.

XL. Student Affairs Resource Administrators

When an allegation of sexual or interpersonal misconduct is brought to the attention of LMU, the Associate Dean of Students, or designee, will assign a separate Student Affairs Resource Administrator (SARA) to both the Complainant and Respondent (if a Respondent has been identified). The SARAs 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. SARAs will also review with Complainants what supportive measures may be available to them (as outlined in Section V(C) of this policy). Complainants will be assigned a SARA regardless of whether they provide LMU with the name of the Respondent or willingly participate in the conduct process. The SARAs 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 SARA is to:

- A. Provide information, in writing, regarding resources on and off campus such as SPS, SHS, Student Housing, DPS, proper law enforcement authorities, Rape Treatment Center at Santa Monica-UCLA Medical Center, Campus Ministry and the OSCCR;
- B. Explain all stages of the LMU Student Conduct Code process, including potential outcomes for both Complainant and Respondent;
- C. Provide information, explanation and review so that the parties can make an informed decision about the options available to them, including reporting to law enforcement, filing and responding to Student Conduct Code complaints, documenting their decisions and requesting supportive measures;
- D. Follow up with the Student throughout the Student Conduct Code process and thereafter to ensure that no Retaliation is taking place and to continue to provide the Student access to the resources that the Student requires.

XLI. Retaliation

The University will respond to any accusations of Retaliation against the Complainant, Respondent or Witnesses brought upon by the investigation or adjudication of the misconduct. As previously mentioned, Retaliation is prohibited and will not be tolerated by the University. Any person(s) engaging in any retaliatory action(s) will be subject to discipline under the Student Conduct Code and appropriate sanctions for determined violations may include dismissal from the University.

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 for determined violations may include dismissal from the University.

Retaliation by non-students will be adjudicated and determined in accordance with the LMU Discriminatory Harassment and Complaint Process. Any Student who believes that they have been retaliated against for having filed, or being named in, a complaint for sexual or interpersonal misconduct or having participated in the investigation of such a complaint, should promptly notify DPS at 310.338.2893. Any person who believes that they have been retaliated against for the above-mentioned reasons by a faculty or staff member as an individual or on behalf of the University should contact the Title IX Coordinator at 310.568.6105.

XLII. What Should You Do If You Experience Sexual Assault, Sexual Violence, Domestic Violence, Dating Violence, or Stalking?

If you experience Sexual Assault, Sexual Violence, Domestic Violence, Dating Violence or Stalking, it is important to remember that it is not your fault! The most important thing you can do is to get the assistance that you need by taking the following steps:

- A. Go to a safe place as soon as you can.
- B. Preserve all physical evidence. Do not wash your face or hands, bathe, brush your teeth, drink or eat, douche or change clothes. If you do change your clothes, put all clothing you were wearing at the time of the assault in individual paper bags (not plastic). It is important to preserve as much evidence as possible for investigation and processing of criminal and/or disciplinary charges.
- C. Contact Public Safety at 310. 338.2893 or -222 (Emergency Line on campus). LMU Public Safety can also be reached by activating the blue light boxes located throughout campus. Public Safety can assist you in reporting a crime that occurred off campus to the appropriate authorities. You may decline to report your experience to such authorities.
- D. Seek immediate or prompt medical treatment (typically within 72 hours). It is important to seek immediate or prompt and necessary follow-up medical attention for several reasons:
 - 1) To assess and treat any physical injuries you may have sustained.
 - 2) To determine the risk of sexually transmitted diseases or pregnancy and take appropriate medical measures.
 - 3) If you choose, you may have evidence collected and preserved to aid in the investigation and processing of criminal prosecution and/or disciplinary action. It is best for any physical

evidence to be collected within the first 24 hours following the incident (the quality and quantity of evidence collected later than this may be substantially diminished).

E. Visit the Rape Treatment Center at Santa Monica-UCLA Medical Center - 310.319.4000

- The Rape Treatment Center can provide general medical treatment and, if you choose, collection of evidence. A medical exam could include treatment of any physical problems; evaluation of risks; various lab tests for sexually transmitted diseases and pregnancy; appropriate treatment; identification and collection of physical evidence of any Sexual Assault. A specially trained nurse will perform the evidence collection exam. A Sexual Assault advocate or a support person of your choice may be present throughout the procedure.
- The Rape Treatment Center hospital emergency department follows national standards for victim care, Sexual Assault exams and evidence collection procedures. If the decision is made to conduct an evidence collection exam, the anonymous evidence may be held for six months or longer. This means you do not have to decide immediately whether or not you want to press charges.
- The Rape Treatment Center also provides long term counseling support for victims of Sexual Assault and sexual violence, as well as advocacy and accompanying services.

F. Meet with your assigned Student Affairs Resource Administrator (SARA).

LMU will assign you a SARA following a report being submitted to Public Safety. Your SARA is a Student Affairs professional trained to provide you with information about resources available to you both on and off campus. The SARA can receive requests for interim measures and review your options with you. SARAs will also review with you the University's conduct process and LMU's policy against retaliation.

G. Schedule non-emergency medical treatment - 310.338.2881

Even if you choose not to go to the hospital or to seek immediate medical attention, it is still important to get medical attention to treat any physical problems and to conduct various lab tests for sexually transmitted diseases and pregnancy. To arrange non-emergency treatment, contact Student Health Services via telephone, visit lmu.edu/health to schedule an appointment online or walk-in to their office in the Burns Recreation Center, Monday-Friday, 8 a.m. to 5 p.m. If you say that you have been a victim of Sexual Assault, sexual violence, Domestic Violence, Dating Violence or Stalking, you will be offered a general medical examination by a licensed health care provider. You will also be offered a referral to Student Psychological Services (SPS) for counseling and support.

H. Utilize counseling services - 310.338.2868

SPS has mental health professionals available for students in crisis. During regular office hours you can call SPS or come to the office located in the Burns Recreational Center, Monday-Wednesday, 8 a.m. to 7 p.m., and Thursday-Friday, 8 a.m. to 5 p.m. To schedule an appointment online, visit lmu.edu/counseling. After hours, please call (310) 338-2868 and follow the prompt to access a therapist.

XLIII. LMU and Community Sexual and Interpersonal Misconduct Resource Contact List

The following resources are available to students and other members of the LMU community for information and support concerning sexual and interpersonal misconduct:

LMU Resources

Department of Public Safety

Foley Annex
310.338.2893

222 (On-Campus Emergency Line)

LMU CARES

Malone Student Center 403

310.258.4381

lmu.edu/lmucares/

Title IX Coordinator

Sara Trivedi

University Hall 1900

310.568.6105

Student Affairs Resource Administrators

310.338.2856

Community Resource Advisors

studentaffairs.lmu.edu/CRA

Student Psychological Services

Burns Recreation Center, North Side, Second Floor

310.338.2868

Psychological support, information, and resource referral

Student Health Services

Burns Recreation Center, North Side, First Floor

310.338.2881

Medical and information resource

Campus Ministry

Malone Student Center 210

310.338.2860

Pastoral counseling

Office of Student Conduct & Community Responsibility

Malone Student Center 355

310.338.1821

Information about LMU's conduct process

Office for International Students & Scholars

Malone Student Center 201

310.338.2937

Information about immigration and government documentation

LGBT Student Services

Malone 201

310.258.5482

Financial Aid

Von der Ahe 270
310.338.2753

Disability Support Services

Daum Hall, second floor
310.338.4216

Callisto

mycallisto.org

Secure and private method to create a record of unwanted sexual or interpersonal misconduct

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

Cedars-Sinai Marina Del Rey Hospital

4850 Lincoln Blvd.
Marina Del Rey, CA 90291
310.823.8911

Marinahospital.com

Los Angeles Police Department

Pacific Community Police Station
12312 Culver Blvd.
Los Angeles, CA 90066
310.482.6334 (station phone)
9-1-1 (life-threatening emergencies)
626.793.3385 (LAPD Rape Hotline)

Legal Aid Foundation of Los Angeles

1640 5th Street, Suite 124
Santa Monica, CA 90401
310.899.6200

Superior Court of Los Angeles

Temporary Restraining Order
lacourt.org/selfhelp/abuseandharassment/SH_AH001.aspx

ACE Travel Assistance Program (Study Abroad)

Domestic: 855.327.1414
International: 630.694.9764

Peace Over Violence

1015 Wilshire Blvd., Suite 200
Los Angeles, CA 90017
310.392.8381 (24 hour hotline)

Office for Civil Rights

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

ALCOHOL AND OTHER DRUG USE POLICY

The possession, use, sale or the furnishing of alcohol on the University campus is governed by LMU's Alcohol Policy and California state law. The enforcement of alcohol laws on-campus is the primary responsibility of Public Safety. The possession, use, sale, manufacture or distribution of any controlled substance is illegal under both state and federal law. Such laws are strictly enforced by the LMU Public Safety.

Violators are subject to University disciplinary action, criminal prosecution, fine and imprisonment. It is unlawful to sell, furnish or provide alcohol to a person under the age of 21. The possession or use of alcohol by anyone under 21 years of age is illegal. It is a violation of the LMU Alcohol Policy for anyone to consume or possess alcohol in any public or private area of campus without prior University approval. Individuals, organizations or groups violating alcohol/substance policies or laws may be subject to sanctions as set forth in the Student Conduct Code and/or criminal prosecution, fine and imprisonment.

**The entire alcohol and drug policy is available in the Community Standards booklet: studentaffairs.lmu.edu/about/osccr/studentcodespolicies

***The Drug-Free Campus Policy for LMU Faculty and Staff is disseminated annually in accordance with Federal regulations.

XLIV. Alcohol and Other Drug Abuse Information

LMU is committed to promoting the health and safety of its campus community through a program of alcohol education and the implementation of relevant policies. The University has developed a program to prevent the illicit use of drugs and the abuse of alcohol by students, faculty and staff. The program provides services related to drug use and abuse including dissemination of informal materials, educational programs, counseling services, referrals and University disciplinary actions.

XLV. Alcohol and Other Drug Education

- The Employee Assistance Program provides confidential service by experienced clinicians. They can help faculty/staff members and their household members deal with issues such as depression, marital and family issues and substance abuse.
- Heads UP is a campus-wide responsible drinking project. The mission is to promote a safe and healthy lifestyle among all students and to intervene with high-risk students to reduce dangerous levels of drinking and the incidence of problems resulting from heavy consumption.
- Cura Personalis – August Orientation - First Year Experience reviewed conduct code regarding underage drinking.
- LMU requires all first-year students to complete "Think About It," by Campus Clarity.
- LMU Pregame, a 90-minute interactive workshop discussing responsible alcohol consumption, personal accountability, the campus prohibition on marijuana and the effects of its usage. The program asks individuals to own the actions of their mind, hand, and heart, and is required for all incoming students.

XLVI. University Disciplinary Actions

A violation of any law regarding alcohol and other drug use or possession is a violation of the University's Student Conduct Code and a violation of state and federal law and will be treated as a separate disciplinary matter by the University.

XLVII. Referral Information

Student Psychological Services will assist Students with issues regarding alcohol and other drugs.

Therapists are able to refer students to community treatment centers and support groups.

The following resources are provided by the University and available on campus to all students.

- **Alcoholics Anonymous**—During the academic year, a member of the recovery community in Los Angeles hosts a meeting open to all members of the LMU community. At times, Students have also conducted a weekly Alcoholics Anonymous meeting with the sponsorship of the Office of Student Conduct & Community Responsibility.
- **Al-Anon**—During the academic year, Student Health Services and the Office of Student Conduct & Community Responsibility jointly sponsor a weekly meeting open to all LMU community members, which focuses on the fellowship of relatives and friends of alcoholics.
- **Choice Theory**—A three-session meeting in which a CAADAC- (California Association of Alcoholism & Drug Abuse Counselors) certified instructor discusses Reality Therapy, Choice Theory and the impact that choices/decisions can have on a Student's University experience.
- **Recovery at LMU**– A full-time professional staff member who supports Students and their families in the recovery process. For more information call 310.338.4481.
- **Lions for Recovery** – A community of Students who purpose is to be of service to one another and the community at large while changing the stigma of addiction. For more information please visit: lmu.edu/LEO and search for Lions for Recovery.

CAMPUS FIRE SAFETY

In accordance with the Higher Education Opportunity Act (Public Law 110-315) of 2008, LMU is providing mandatory fire safety information as part of this Annual Report. (Detailed fire data for all on-campus student housing facilities can be found at the end of this report).

XLVIII. Fire Safety Tips

FIRE ALARM

First, feel the door with the back of your hand.

If 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 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 safe refuge area, and position yourself at least 50 feet away from the affected building(s).
- Check in and stay with your Building Captain, Emergency Response Team member, Resident Assistant or Resident Director.
- DO NOT re-enter the building until you are authorized to do so by the Los Angeles Fire Department or the Department of Public Safety.

Report all fires, regardless of size, and any fire extinguisher that has been used to Public Safety.

XLVIX. Reporting Campus Fires

If you are unsure whether Public Safety may already be aware, listed below are the non-emergency numbers to call to report fires that have already been extinguished in on-campus student housing. If you find evidence of such a fire or if you hear about such a fire, immediately call 9-1-1 and then call Public Safety, when safe to do so. If possible, and safe to do so, please activate the fire alarm to notify others in the building, of the fire. In the event of a fire, you may contact the following to notify LMU authorities:

Public Safety
310.338.2893

Student Housing Office (SHO)
310.338.2963

When calling, please provide as much information as possible about the location, date, time, and cause of the fire.

L. Fire Statistics

All reports of fires and fire alarms are maintained in a database within the Public Safety. Data collected includes, but is not limited to, the building name; time and date of fire; the number and cause of each fire; any and all injuries; any fatalities; and dollar values for property damaged by the fire (as assessed by LMU Risk Management).

A. Fire Statistics 2020

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

LMU Residence Hall	Total No. of Fires in Building	Fire Number	DPS Report Number	Date & Time of Fire	Cause of Fire	No. of Injuries Needing Treatment	Deaths Related to Fire	Value of Property Damage Caused	No. of False Fire Alarms	No. of Fire Drills
Huesman Hall	0	0	0	0	0	0	0	0	0	0
Sullivan Hall	0	0	0	0	0	0	0	0	0	0
Doheny Hall	0	0	0	0	0	0	0	0	0	0
Rosecrans Hall	0	0	0	0	0	0	0	0	0	1
Desmond Hall	0	0	0	0	0	0	0	0	0	0
Whelan Hall	0	0	0	0	0	0	0	0	1	1
Del Rey North	0	0	0	0	0	0	0	0	2	1
Del Rey South	0	0	0	0	0	0	0	0	3	1
McKay Hall	0	0	0	0	0	0	0	0	6	0
McCarthy Hall	0	0	0	0	0	0	0	0	1	1
Rains Hall	0	0	0	0	0	0	0	0	1	1
Tenderich Hall	0	0	0	0	0	0	0	0	5	0

LMU Residence Hall	Total No. of Fires in Building	Fire Number	DPS Report Number	Date & Time of Fire	Cause of Fire	No. of Injuries Needing Treatment	Deaths Related to Fire	Value of Property Damage Caused	No. of False Fire Alarms	No. of Fire Drills
Hannon Apts.	0	0	0	0	0	0	0	0	6	0
O'Malley Apts.	0	0	0	0	0	0	0	0	1	1
Leavey 4 Apts.	0	0	0	0	0	0	0	0	3	1
Leavey 5 Apts.	0	0	0	0	0	0	0	0	2	0
Leavey 6 Apts.	0	0	0	0	0	0	0	0	4	0
8000 Loyola Blvd.	0	0	0	0	0	0	0	0	0	0
8001 Loyola Blvd.	0	0	0	0	0	0	0	0	0	0

B. Fire Statistics 2019

The following sets forth information about all fires that occurred in on-campus residential buildings during the period from January 1, 2019 to December 31, 2019.

LMU Residence Hall	Total No. of Fires in Building	Fire Number	DPS Report Number	Date & Time of Fire	Cause of Fire	No. of Injuries Needing Treatment	Deaths Related to Fire	Value of Property Damage Caused	No. of False Fire Alarms	No. of Fire Drills
Huesman Hall	0	0	0	0	0	0	0	0	0	2
Sullivan Hall	0	0	0	0	0	0	0	0	1	2
Doheny Hall	0	0	0	0	0	0	0	0	0	2
Rosecrans Hall	0	0	0	0	0	0	0	0	5	2
Desmond Hall	0	0	0	0	0	0	0	0	3	2
Whelan Hall	0	0	0	0	0	0	0	0	5	2
Del Rey North	0	0	0	0	0	0	0	0	10	2
Del Rey South	0	0	0	0	0	0	0	0	8	2
McKay Hall	0	0	0	0	0	0	0	0	10	2

LMU Residence Hall	Total No. of Fires in Building	Fire Number	DPS Report Number	Date & Time of Fire	Cause of Fire	No. of Injuries Needing Treatment	Deaths Related to Fire	Value of Property Damage Caused	No. of False Fire Alarms	No. of Fire Drills
McCarthy Hall	1	1	2019-01540	10/29/19 11:07pm	Accid. Cooking Fire	1	0	\$80	1	2
Rains Hall	0	0	0	0	0	0	0	0	0	2
Tenderich Hall	0	0	0	0	0	0	0	0	3	2
Hannon Apts.	0	0	0	0	0	0	0	0	1	2
O'Malley Apts.	0	0	0	0	0	0	0	0	1	2
Leavey 4 Apts.	0	0	0	0	0	0	0	0	3	2
Leavey 5 Apts.	0	0	0	0	0	0	0	0	1	2
Leavey 6 Apts.	0	0	0	0	0	0	0	0	9	2
8000 Loyola Blvd.	0	0	0	0	0	0	0	0	0	2
8001 Loyola Blvd.	0	0	0	0	0	0	0	0	0	2

C. Fire Statistics 2018

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

LMU Residence Hall	Total No. of Fires in Building	Fire Number	DPS Report Number	Date & Time of Fire	Cause of Fire	No. of Injuries Needing Treatment	Deaths Related to Fire	Value of Property Damage Caused	No. of False Fire Alarms	No. of Fire Drills
Huesman Hall	0	0	0	0	0	0	0	0	2	2
Sullivan Hall	0	0	0	0	0	0	0	0	2	2
Doheny Hall	0	0	0	0	0	0	0	0	3	2
Rosecrans Hall	0	0	0	0	0	0	0	0	4	2
Desmond Hall	0	0	0	0	0	0	0	0	3	2

LMU Residence Hall	Total No. of Fires in Building	Fire Number	DPS Report Number	Date & Time of Fire	Cause of Fire	No. of Injuries Needing Treatment	Deaths Related to Fire	Value of Property Damage Caused	No. of False Fire Alarms	No. of Fire Drills
Whelan Hall	0	0	0	0	0	0	0	0	3	2
Del Rey North	0	0	0	0	0	0	0	0	4	2
Del Rey South	0	0	0	0	0	0	0	0	1	2
McKay Hall	0	0	0	0	0	0	0	0	4	2
McCarthy Hall	0	0	0	0	0	0	0	0	2	2
Rains Hall	0	0	0	0	0	0	0	0	2	2
Tenderich Hall	0	0	0	0	0	0	0	0	2	2
Hannon Apts.	0	0	0	0	0	0	0	0	2	2
O'Malley Apts.	0	0	0	0	0	0	0	0	2	2
Leavey 4 Apts.	0	0	0	0	0	0	0	0	2	2
Leavey 5 Apts.	0	0	0	0	0	0	0	0	3	2
Leavey 6 Apts.	0	0	0	0	0	0	0	0	3	2
8000 Loyola Blvd.	0	0	0	0	0	0	0	0	0	2
8001 Loyola Blvd.	0	0	0	0	0	0	0	0	0	2

LI. Daily Fire Log

A. Fire Log 2020

The following sets forth information about all fires that occurred in on-campus residential units during the period from January 1, 2020 through December 31, 2020, in accordance with applicable law.

Cause of Fire	Probable Origin	Report Number	Date of Fire	Time of Fire	LMU Residence Hall
No fire events for the year 2020	N/A	N/A	N/A	N/A	N/A

B. Fire Log 2019

The following sets forth information about all fires that occurred in on-campus residential units during the period from January 1, 2019 through December 31, 2019, in accordance with applicable law.

Cause of Fire	Probable Origin	Report Number	Date of Fire	Time of Fire	LMU Residence Hall
Cooking Fire	Unintentional Cooking Fire	2019-01540	10/29/19	11:07pm	McCarthy Hall

D. Fire Log 2018

The following sets forth information about all fires that occurred in on-campus residential units during the period from January 1, 2018 through December 31, 2018, in accordance with applicable law.

Cause of Fire	Probable Origin	Report Number	Date of Fire	Time of Fire	LMU Residence Hall
No fire events for the year 2018	N/A	N/A	N/A	N/A	N/A

LII. Description of Student Housing Fire Systems

Residence halls are equipped with fire alarms, smoke alarms, fire extinguishers, and emergency exit doors. Eleven of the nineteen residence halls are equipped with a sprinkler system. Apartment buildings are equipped with fire alarms, local smoke alarms, and fire extinguishers. The two single family dwellings (8000 and 8001 Loyola Blvd) are equipped with local smoke alarms and fire extinguishers. Typically, under normal circumstances, LMU Public Safety coordinates two fire drills annually at each on-campus residence. However, given the campus closure as a result of the pandemic, the number of fire drills conducted was significantly reduced.

Location	Building Fire Alarm	Fire Panel Location	Local Room Smoke Detection (Detectors Hand-Wired)	Local Room Smoke Detection (Batteries)	Sprinkler System	Monitor Service	Fire Drills Conducted Annually
Huesman Hall	Yes	1st Floor Corridor	Yes	Yes	No	Pyro-com	2
Sullivan Hall	Yes	1st Floor Corridor	Yes	Yes	Yes	Pyro-com	2
Doheny Hall	Yes	1st Floor Front Desk	Yes	Yes	No	Pyro-com	2
Rosecrans Hall	Yes	Basement Electrical Room	Yes	No	Yes	Pyro-com	2
Desmond Hall	Yes	1st Floor Entrance	Yes	No	No	Pyro-com	2
Whelan Hall	Yes	Basement Electrical Room	Yes	Yes	No	Pyro-com	2
Del Rey North	Yes	Garage Main Electrical Room	Yes	Yes	Yes	Pyro-com	2

Location	Building Fire Alarm	Fire Panel Location	Local Room Smoke Detection (Detectors Hand-Wired)	Local Room Smoke Detection (Batteries)	Sprinkler System	Monitor Service	Fire Drills Conducted Annually
Del Rey South	Yes	Garage Main Electrical Room	Yes	Yes	Yes	Pyro-com	2
McKay Hall	Yes	1st Floor Lobby	Yes	Yes	Yes	Pyro-com	2
McCarthy Hall	Yes	1st Floor Electrical Room	Yes	Yes	Yes	Pyro-com	2
Park West Apts.	Yes	Common Areas	Yes	Yes	Yes	No	0
Playa del Oro (non-campus)	Yes	Common Areas	Yes	Yes	Yes	No	0
Rains Hall	Yes	1st Floor Electrical Room	Yes	Yes	Yes	Pyro-com	2
Tenderich Apts.	Yes	1st Floor Electrical Room	No	Yes	Yes	Pyro-com	2
Hannon Apts.	Yes	Across from Apt. 220	No	Yes	Yes	Pyro-com	2
O'Malley Apts.	Yes	1st Floor Electrical Room	Yes	Yes	Yes	Pyro-com	2
Leavey 4 Apts.	Yes	1st Floor Acrss from Apt. 110	Yes	Yes	Yes	Pyro-com	2
Leavey 5 Apts.	Yes	1st Floor Electrical Room	Yes	Yes	Yes	Pyro-com	2
Leavey 6 Apts.	Yes	2nd Floor Main Electrical Room	Yes	Yes	Yes	Pyro-com	2
8000 Loyola Blvd.	No	Single Family Dwelling	No	Yes	No	No	2
8001 Loyola Blvd.	No	Single Family Dwelling	No	Yes	No	No	2

Note: All but two student housing facilities are located at 1 LMU Drive, Los Angeles, CA 90045

LIII. Fire Safety & Training

Public Safety conducts fire safety training with the Residence Life Staff during annual summer Resident Assistant (RA) training. Sessions are held covering emergency response, fire safety, fire evacuation protocol, and the role of an RA in any fire emergency.

The RAs are responsible for training their residents on fire and emergency evacuation protocol in their floor meetings at the beginning of the year. The RAs play an active role in the fire drills conducted by the Professional Residence Life Staff in collaboration with Public Safety. Residents are not notified of the time

or date of the fires drills.

Fire safety has always been and continues to be a high priority at LMU. Facilities Management in concert with Public Safety Emergency Management, in collaboration with University partners, continue to assess what more can be done to assure a fire safe Environment; raise our Fire Preparedness and Prevention; continually assess and renew the fire safety instructions and fire evacuation procedures; and update available training and fire safety information for the LMU Community.

LIV. Fire Safety Policies & Procedures

Student Housing policies and community expectations reflect the belief that everyone living in University housing plays a role in maintaining an environment conducive to healthy living and learning. Residents must abide by these policies.

LV. Drill Procedures for Housing Buildings

- The RD of the building must be present.
- The drill occurs at randomly scheduled evening times.
- Resident Services will have a staff member onsite during the drill.
- Public Safety will be onsite.
- The drill is run by the RD of the building in conjunction with a Public Safety Officer.
- All students are expected to evacuate the building.
- The RA staff should be in their room.
- RA staff should evacuate when the alarm sounds.
- RA staff and the RD should convene at the designated Safe Refuge Area (and guide their residents to do so) where they will take a count of students and await further instructions from Public Safety.
- The RD will coordinate some type of educational program for the residents concerning the drill.
- The RD is expected to meet with the residents in the designated safe refuge area and discuss the drill.

LVI. Fire Drills for Administrative and Academic Buildings

Public Safety partners with over 250 Building Captains and Emergency Response Team members from across campus to coordinate fire drills in administrative and academic buildings on campus. As a result of the ongoing COVID-19 pandemic, the number of drills in academic and administrative buildings was significantly reduced.

Location	Date of Drill
Life Science Building	1/3/20
Malone Student Center	1/17/20
Hilton	2/15/20
Children's Center	2/25/20
Malone Student Center	2/28/20
Malone Student Center	3/1/20
Malone Student Center	3/2/20
Malone Student Center	3/3/20
Malone Student Center	3/26/20
Malone Student Center	3/30/20
Malone Student Center	4/19/20

Location	Date of Drill
University Hall	4/19/20
Pizza Hut Founders Pavillion	5/21/20
Malone Student Center	5/25/20
University Hall	5/25/20
Seaver Hall	5/25/20
Malone Student Center	5/26/20
Malone Student Center	6/23/20
Malone Student Center	6/25/20
Malone Student Center	6/28/20
Malone Student Center	7/7/20
Malone Student Center	7/19/20
Malone Student Center	7/20/20
Hilton	8/24/20
Hilton	9/3/20
Hilton	9/7/20
Hilton	9/9/20
Central Plant/Hilton	9/12/20
Malone Student Center	10/22/20
Malone Student Center	12/19/20
Malone Student Center	12/28/20
University Hall	12/29/20

LVII. Smoking on Campus

Smoking, including the use of unregulated nicotine products (e.g. “e-cigarettes”), is not permitted in University Housing facilities. No smoking is permitted within 25 feet of a building. Hookahs may not be smoked in or adjacent to any University Housing facility. Please contact Student Leadership and Development for policies and procedures for using hookahs in designated areas. Fully disassembled hookahs may be stored in University Housing facilities. However, having a fully or partially assembled hookah in your room or apartment is subject to disciplinary action.

LVIII. Fire Safety in Residence Halls and on Campus

- University Housing facilities are smoke-free environs.
- Use only Underwriter’s Laboratory (UL) approved electrical appliances and equipment, including power strips and extension cords.
- Do not throw cigarettes or matches in trash cans or recycling cans.
- Halogen lamps are not permitted in University Housing facilities.
- Open flames of any type, the burning of incense, candles, coals, possession of combustible chemicals, including propane and other fuels are not permitted.
- Power strips or surge protectors must be used in the event that the number of electrical appliances exceeds the number of electrical outlets. These must be UL approved, with a circuit breaker.
- Extension cords with a surge protector or circuit breaker are allowed in the residence hall and apartments.
- Power strips, extension cords or surge protectors must be plugged directly into the wall and should

not be used in a series (i.e. one plugged into another).

- The use of multiple (“octopus”) electrical adapters and ungrounded electrical appliances are not permitted inside or within 25 feet of University Housing facilities.
- Extension cords or surge protectors with signs of damage or overheating, including the use of electrical tape, are prohibited.
- Major appliances such as, but not limited to, refrigerators, micro-fridges, coffee pots and microwaves must be plugged directly into the wall outlet and not into a surge protector or power strip.
- Extension cords should not run through openings in walls, ceilings or doorways, be attached or fixed to any surface, or run under carpets or flooring. Items such as loose clothing, papers, books or debris should not lie over or near surge protectors, power strips or extension cords.
- Do not leave electrical appliances unattended.
- Personal barbecues are prohibited.
- Space heaters and heating blankets are not permitted.
- Walls should not have decorations that cover more than 50% of the surface.
- Hookahs may not be smoked in or adjacent to any University Housing facility. Please contact Student Leadership & Development for policies and procedures for using hookahs in designated areas. Fully disassembled hookahs may be stored in University Housing facilities. However, having a fully or partially assembled hookah in your room or apartment is subject to disciplinary action.
- Fire extinguishers are located throughout the residence halls and apartment buildings. They are to be used only in the event of a fire.
- When an alarm sounds, the building must be evacuated.
- Do not tamper with the fire life safety equipment. This includes, but is not limited to, removing the smoke detector or its battery from the wall. Individuals who are found tampering with the fire alarms or equipment will be subject to disciplinary action. Disciplinary sanctions may be levied through the conduct process. The disciplinary sanction may vary from warning, to eviction, to dismissal from the University.
- All hallways and walkways must be kept clear to allow for safe entrance and exit to all individual rooms and apartments.
- Bathroom doors in the suites may not be locked or blocked from the bathroom side.
- In compliance with Health and Safety Codes, cooking is permitted only in the apartments. Residents in residence halls may use hot pots or coffee pots. Other cooking equipment, including but not limited to, rice cookers, steamers, electric frying pans, electric grills, portable stoves and toaster ovens is not permitted. Free standing microwave ovens are available in residence hall common areas and are not permitted in the residence hall rooms.
- To enhance the safety of LMU residents, fire sprinklers have been installed in many of the residence halls. Nothing may cover, be attached to or hung from any part of the fire sprinkler system, including, but not limited to, sprinkler heads, cages and pipes. LMU is not responsible for damage caused by the fire sprinkler system.

LIX. Additional Emergency / Fire Information and Policy Resources

Emergency Response Resources information can be found online within the Public Safety Emergency Management Guide, the Loyola Marymount University Community Standards, and online in the Student Housing Policies. Please follow the Student Life link below for detailed information on the University’s candle policy, open flame policy, and portable electrical appliances restrictions.

Site	Link	Information
LMU Fire Safety Policies	lmu.edu/studentaffairs > Housing > On-Campus Housing > Life in the Halls > Student Housing Policies	LMU Fire Safety procedures in Campus Student Housing
LMU Emergency Preparedness	lmu.edu/emergency > Emergency Preparedness > Preparedness Tips	LMU Department of Public Safety - Emergency Management preparedness/ personal safety tips
Center for Campus Fire Safety	campusfiresafety.org	The Center for Campus Fire Safety – A non-profit advocate for the promotion of campus fire safety
Anonymous Tip Line	lmu.edu/publicsafety > Report a Crime	Report criminal activity anonymously

LX. Important Contact Numbers

Department - Agency	From a Campus Phone	Other Phone
Police or Fire Emergency	9-1-1	9-1-1
Los Angeles Police Department (non-emergency)	310.482.6334	310.482.6334
Los Angeles Fire Department, Station 67 (non-emergency)	310.862.2844	310.862.2844
LMU Public Safety	Ext. 222	310.338.2893
Office of Environmental Health & Safety	310.420.5385	310.420.5385
University Operator	0	310.338.2700
Office of Facilities Management	Ext. 82761	310.338.2761
Student Housing Office	Ext. 82693	310.338.2693
Office of Student Life	Ext. 82877	310.338.2877

ANNUAL DISCLOSURE OF CLERY ACT CRIME STATISTICS

The crimes reported are not necessarily committed against a member of the University community. 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. In addition, the Clery Act also requires reporting of hate crimes in the above categories where prejudice on account of race, gender, gender identity, religion, sexual orientation, ethnicity/national origin, or disability was a factor.

The following statistics, which include crimes on campus and crimes in adjacent public areas, are collected by Public Safety and are based on crimes reported directly to Public Safety by a witness, complainant, respondent, Campus Security Authority, or any other individual including local law enforcement officers.

LXI. Definitions

- A. On-Campus includes all buildings owned or controlled by LMU within the same reasonably contiguous geographic area and used by LMU in direct support of, or in a manner related to, the institution's educational purposes, including residence halls.
- B. Residence Halls is a subset of on-campus property and includes all LMU owned or controlled buildings on-campus that are used for student residence.
- C. Public Property includes all public property, including thoroughfares, streets, sidewalks, and parking facilities, within the campus or immediately adjacent to and accessible from the campus.
- D. Non-Campus includes all buildings owned or controlled by LMU used in direct support of, or in a manner related to, the institutions educational purposes, frequently used by students and not within the same reasonably geographic area the LMU campus.
- E. Murder/Non-Negligent Manslaughter is the willful (non-negligent) killing of one human by another.
- F. Negligent Manslaughter is the killing of another person through gross negligence.
- G. Forcible Sex Offense is any sexual act directed against another person, forcibly and/or against that person's will; or not forcibly or against that person's will where the victim is incapable of giving consent. Includes forcible rape, forcible sodomy, sexual assault with an object, and forcible fondling.
- H. Non-Forcible Sex Offense is unlawful, non-forcible sexual intercourse, including incest and statutory rape.
- I. Robbery is taking or attempting to take anything of value from the car, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.
- J. Aggravated Assault is an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury.
- K. Burglary is the unlawful entry of a structure to commit a felony or theft.

L. Motor Vehicle Theft is the theft or attempted theft of a motor vehicle.

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

N. Domestic Violence is a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, by a person with whom the victim shares a child in common, by a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, by a person similarly situated to a spouse of the victim under California law, or by any other person against an adult or youth victim who is protected from that person's acts under California law.

O. Dating Violence is 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 Complainant's statement and with consideration of the following factors:
 1. The length of the relationship.
 2. The type of the relationship.
 3. The frequency of interaction between the persons involved in the relationship.

Dating Violence includes, but is not limited to, sexual or physical abuse or threat of such abuse the "Complainant's statement" with consideration of the length of the relationship, the type of relationship and the frequency of interaction between the persons involved. Dating Violence does not include acts covered under the definition of Domestic Violence.

P. 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.

Q. Hate Crime are acts of physical force, threats, or intimidation that are willfully or knowingly committed because of the victim's actual or perceived disability, gender, nationality, race or ethnicity, religion or sexual orientation. Hate crimes are expressed in several ways, sometimes physical violence and sometimes violence against property. (California Penal Code, §§422.55 and 422.6).

LXII. Crime Statistics: Clery Data Reported to Public Safety

A. 2018 Clery Crime Statistics

Offense	On-Campus*	Residence Hall	Public Property	Non-Campus
Murder/Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Rape	10	7	0	1
Fondling	6	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	1	1	0	0
Burglary	1	0	0	0
Motor Vehicle Theft	11	0	0	0
Arson	1	0	0	0
Domestic Violence	2	0	0	0
Dating Violence	3	0	0	1
Stalking	16	1	0	0

ARRESTS	On-Campus*	Residence Hall	Public Property	Non-Campus
Weapons	0	0	0	0
Drugs**	0	0	0	1
Alcohol	0	0	0	0

REFERRALS	On-Campus*	Residence Hall	Public Property	Non-Campus
Weapons	11	10	0	0
Drugs**	87	69	0	1
Alcohol	22	0	0	0

*The “On-Campus” category includes corresponding crimes committed within Residence Halls. “Non-Campus” includes areas owned or controlled by the University that are not located within the core campus geography. In the 2020 reporting period, non-campus also includes any and all properties not within the LMU core campus geography, where students were held in isolation or quarantine as a result from a campus event exposure.

**The noted decrease in reported criminal incidents involving Drug Law Violations stems from additional guidance regarding the counting of said crimes. Given that marijuana has been decriminalized in LMU’s legal jurisdiction, all incidents involving possession of marijuana in the amount under 28 grams, or one ounce, have not been counted.

B. 2019 Clery Crime Statistics

Offense	On-Campus*	Residence Hall	Public Property	Non-Campus
Murder/Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Rape	8	6	0	1
Fondling	11	8	0	1
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	0	0	1	0
Aggravated Assault	1	1	1	0
Burglary	2	2	0	0
Motor Vehicle Theft	1	0	0	0
Arson	1	1	1	0
Domestic Violence	1	1	0	0
Dating Violence	1	1	0	0
Stalking	7	1	1	0

ARRESTS	On-Campus*	Residence Hall	Public Property	Non-Campus
Weapons	0	0	0	0
Drugs**	0	0	0	0
Alcohol	0	0	0	0

REFERRALS	On-Campus*	Residence Hall	Public Property	Non-Campus
Weapons	8	8	0	0
Drugs**	190	155	0	3
Alcohol	38	0	0	0

*The “On-Campus” category includes corresponding crimes committed within Residence Halls. “Non-Campus” includes areas owned or controlled by the University that are not located within the core campus geography. In the 2020 reporting period, non-campus also includes any and all properties not within the LMU core campus geography, where students were held in isolation or quarantine as a result from a campus event exposure.

**The noted decrease in reported criminal incidents involving Drug Law Violations stems from additional guidance regarding the counting of said crimes. Given that marijuana has been decriminalized in LMU’s legal jurisdiction, all incidents involving possession of marijuana in the amount under 28 grams, or one ounce, have not been counted.

C. 2020 Clery Crime Statistics

Offense	On-Campus*	Residence Hall	Public Property	Non-Campus
Murder/Non-Negligent Manslaughter	0	0	0	0
Negligent Manslaughter	0	0	0	0
Rape	2	0	0	0
Fondling	1	0	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	1	0	0	0
Burglary	0	0	0	0
Motor Vehicle Theft	0	0	0	0
Arson	0	0	0	0
Domestic Violence	0	0	0	0
Dating Violence	0	0	0	0
Stalking	2	0	1	0

ARRESTS	On-Campus*	Residence Hall	Public Property	Non-Campus
Weapons	0	0	0	0
Drugs	0	0	0	0
Alcohol	0	0	0	0

REFERRALS	On-Campus*	Residence Hall	Public Property	Non-Campus
Weapons	0	0	0	0
Drugs	40	36	0	0
Alcohol	9	0	0	0

*The “On-Campus” category includes corresponding crimes committed within Residence Halls. “Non-Campus” includes areas owned or controlled by the University that are not located within the core campus geography. In the 2020 reporting period, non-campus also includes any and all properties not within the LMU core campus geography, where students were held in isolation or quarantine as a result from a campus event exposure.

LXIII. Hate Crimes

2018: No hate crimes during the reported period.

2019: No hate crimes during the reported period.

2020: No hate crimes during the reported period.

LXIV. Unfounded Crimes

2018: No unfounded crimes during the reporting period.

2019: No unfounded crimes during the reporting period.

2020: No unfounded crimes during the reporting period.

LXV. Daily Crime Log

As required by the Clery Act, Public Safety utilizes the LMU Daily Crime Log to disclose the information on all incidents, including Clery Crimes that have reportedly occurred on our campus geography. The LMU Daily Crime Log is posted at publicsafety.lmu.edu/incidents/logs; a hard copy is also available in the Public Safety office in Foley Annex Suite #100. Public Safety updates this information at least every two business days.



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