



LMU

Campus Safety
Services

**LMU
Public Safety
Annual
Fire Safety &
Security
Report**

2022

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A MESSAGE FROM THE VICE PRESIDENT OF CAMPUS SAFETY AND SECURITY

The guiding principle of LMU Public Safety (“Public Safety”) is to champion an environment where members of the LMU community feel safe and respected on our campus. 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 Public 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.

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 Public Safety Services, 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 of Campus Safety and Security

EXECUTIVE SUMMARY

LMU Public Safety (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 Public 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 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 safety.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. The university will not tolerate hate crimes or bias-motivated incidents and will respond to them with appropriate sanctions which may include for student 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 Public Safety at 310.338.2893 [x82893 on campus]/ (Westchester)/Public 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 LMU's Title IX Coordinator and Human Resources; and for students through the Division of Student Affairs. For more information, see LMU's Discriminatory Harassment and Complaint Process.

LMU Statement of Non-Discrimination:

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

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

LMU Bias Incident Response Team:

<https://resources.lmu.edu/dei/biasincidentresponseteam/birt/>

LMU Diversity Equity & Inclusion:

<https://resources.lmu.edu/dei/>

LMU Student Sexual and Interpersonal Misconduct Policy:

<https://studentaffairs.lmu.edu/media/studentaffairs/osccr/documents/Student-Sexual-and-Interpersonal-Misconduct-Policy.pdf>

LMU Student Title IX Sexual Harassment Policy:

<https://studentaffairs.lmu.edu/media/studentaffairs/osccr/documents/Student-Title-IX-Sexual-Harassment-Policy.pdf>

LMU Faculty and Staff Title IX Policy:

<https://lmu.app.box.com/s/efm5999cti3313syo9sd99z58ihopnkt>

Reporting Sexual and Interpersonal Misconduct

<https://lmu.app.box.com/s/y85banwynjp687d11unktnriv5xr228o>

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 all individuals 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

- 8,874 students are enrolled at LMU (6,999 undergraduate students and 1,875 graduate students).
- Approximately 3,600 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 over 20 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 Public Safety. (For more information, please visit the [Clery Center](#)).

IV. About the Annual Security Report

Loyola Marymount University 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 Public 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 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 2021 information. Public Safety publishes the Annual Security Report annually at [safety.lmu.edu/incidents/logs](https://www.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 Public Safety Services, 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 Public 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. 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

Public Safety Services 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 and 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 and Security
- Chief of Public Safety
- Director of Emergency Management
- Director of 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 and Security
- Chief of Public Safety
- Director of Emergency Management
- Director of 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

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 person(s) on campus, without delay and taking into account the safety of the community, will initiate the notification system process, and may delegate the notification task(s) to a qualified, trained Public Safety representative(s), and will inform the representative(s) of the content to be included in the Alert. An LMU Alert may be issued via phone call, email, text, Rave Guardian push notification, and/or public address announcement 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.

Subsequent notifications via LMU Alert may be made by Public Safety or designated staff of Marketing and Communications; this is determined per each incident by the Public Safety representative managing notifications in consultation with the lead staff member on campus and the vice president of marketing & communications and or designee(s).

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, 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

Location	Location Description	Type
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
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 at mylmu.co1.qualtrics.com/jfe/form/SV_40Db9RHLC4zJnGB?Q_JFE=qdg
- By phone at 310.338.2893; or extension 222 from a campus phone (may also be used for anonymous reporting)
- Via email at safety@lmu.edu
- In Person at 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: <https://studentaffairs.lmu.edu/media/studentaffairs/osccr/documents/Violence-Free-Campus-Policy.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 Title IX Coordinator and the Office of Student Conduct & Community Responsibility.

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
Vice President of Internal Audit	310.338.1826 University Hall 4900

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 hundreds of 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. 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 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.

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 21, 2021 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 in person and instead was used as an opportunity to test the LMU Alert system to manage the impact of an active threat and review best practices for the campus community at large. A follow-up to this exercise was planned but given the uptick in COVID-19 cases as a result of a winter surge, this exercise was not held.

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 lmu.edu/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
ORNT 2000	Regular Sessions January 11 through March 12, 2021	New Transfer Students	Required course for all incoming transfer students.
Weekly Teaching Assistant Trainings	January 11, 2021 through End of Semester	Returning Teaching Assistants	Weekly trainings on ORNT 1000/2000 material, grades, and assignments, including LMU Cares Sexual Assault awareness sessions.
Del Rey Players	January 29, 2021	Del Rey Players	LMU CARES – Sexual Assault Awareness and Prevention Training
ORNT 2000 – Parents	February 17, 2021	Parents of all incoming students	LMU CARES – Sexual Assault Awareness and Prevention Training
Kappa Alpha Theta – LMU CARES Discussion	March 8, 2021	Kappa Alpha Theta	Sexual violence and consent education
Kappa Alpha Theta	March 22, 2021	Kappa Alpha Theta	Alcohol and drug education
Tuesday Talks	April 6, 2021	LMU community Members	Sexual and Interpersonal Misconduct and Title IX: All of Your Questions Answered Join Lauren Ruvo from the Office of Student Conduct & Community Responsibility and Sara Trivedi, LMU's Title IX Coordinator, for a series of open conversations around sexual and interpersonal misconduct during SAAM.

Name of Program	Date Held	Audience	Issues Addressed
Wellness Wednesday	April 7, 2021	LMU community Members	Information booth at Wellness Wednesday Fair.
SAAM Slam	April 8, 2021	LMU community Members	In honor of Sexual Assault Awareness Month, join us at SAAM Slam and share your poetry, writing, music, or any mode of expression you wish.
Virtual Clothesline Project	April 12-16, 2021	LMU community Members	The Clothesline Project raises awareness for survivors of sexual violence and encourages them, their partners, family and friends to design a shirt for the display. The Clothesline Project will be held April 12-16th, 2021. We are looking for anonymous art submissions that demonstrate your support of Sexual Assault Awareness Month.
Tuesday Talks	April 13, 2021	LMU community Members	Rape Culture and LMU – How do we learn it and how do we unlearn it? How difficult conversations now can create social change. Join Lauren Ruvo from the Office of Student Conduct & Community Responsibility and Sara Trivedi, LMU’s Title IX Coordinator, for a series of open conversations around sexual and interpersonal misconduct during SAAM!
Brittany Piper	April 14, 2021	LMU community Members	Brittany Piper is a healing coach who is dedicated to empowering sexual assault survivors. During this event she will be discussing rape culture through her perspective as a survivor and how she recovered from that trauma. She will also be sharing self care tips that have helped her mentally, spiritually, and physically.
Wellness Wednesday	April 14, 2021	LMU community Members	Information booth at Wellness Wednesday Fair.

Name of Program	Date Held	Audience	Issues Addressed
Denim Week	April 19-23, 2021	LMU community Members	<p>Join the LMU Community in the international movement and wear jeans with a purpose! This year's Denim Week serves as a week of awareness to break down rape myths and stand for change in our communities.</p> <p>Denim Day began in 1992 after an 18-year old girl was raped. The perpetrator was arrested and sentenced to jail but he appealed the conviction claiming that they had consensual sex. The Italian Supreme Court overturned the conviction and the perpetrator was released. A statement from the Court argued that because the victim was wearing tight jeans, she must have helped him remove them, making it consensual sex.</p> <p>Women in the Italian Parliament launched a protest by wearing jeans on the steps of the Supreme Court. This protest inspired the California Senate and Assembly to do the same on the steps of the Capitol in Sacramento. The first Denim Day event in Los Angeles was held in April of 1999, and has continued annually since.</p>
Tuesday Talks	April 20, 2021	LMU community Members	Supporting your Peers: How to Support a Survivor or Someone Accused of Misconduct
Wellness Wednesday	April 21, 2021	LMU community Members	Information booth at Wellness Wednesday Fair.

Name of Program	Date Held	Audience	Issues Addressed
Tuesday Talks	April 27, 2021	LMU community Members	Sexual and Interpersonal Misconduct and Title IX: All of Your Questions Answered Join Lauren Ruvo from the Office of Student Conduct & Community Responsibility and Sara Trivedi, LMU's Title IX Coordinator, for a series of open conversations around sexual and interpersonal misconduct during SAAM!
Wellness Wednesday	April 28, 2021	LMU community Members	Information booth at Wellness Wednesday Fair.

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
Using the Clery Act Where the New Title IX Regulations Fail	January 27, 2021	Lauren Ruvo (OSCCR)	Title IX Regulations
Conduct Officer Training: Title IX and Sexual and Interpersonal Misconduct Policy Updates	February 17, 2021	Lauren Ruvo (OSCCR)	
COVID Safety Liasion Training	Monthly, Beginning May 17, 2021	Campuswide Staff Identified as COVID Safety Liaisons	Overview on current COVID safety practices, protocols and mandates, as well as updates on guidance from local agencies; and learning/business continuity.
Men's Story Project	May 25, 2021	Lauren Ruvo; John Orozco; Angela O'Malley (OSCCR)	Sexual misconduct
ONCampus: The First Amendment And Higher Education: Overview	July 19, 2021	Francesca Piumetti (OSCCR); John Orozco (OSCCR); Julia Wade (OSCCR); Lauren Ruvo (OSCCR); Angela O'Malley (OSCCR); Jess Sunio (OSCCR)	New Supreme Court Ruling on Student Speech Learn how to adapt your First Amendment policies and earn a certification.

Name of Program	Date Held	Audience	Issues Addressed
ON Campus: First Amendment Rights: Managing Student Protests and Outside-Speaker Requests	July 21, 2021	Francesca Piumetti (OSCCR); John Orozco (OSCCR); Julia Wade (OSCCR); Lauren Ruvo (OSCCR); Angela O'Malley (OSCCR); Jess Sunio (OSCCR)	New Supreme Court Ruling on Student Speech Learn how to adapt your First Amendment policies and earn a certification.
ON Campus: First Amendment Rights: Student Journalists, Broadcasters, And Bloggers	July 22, 2021	Francesca Piumetti (OSCCR); John Orozco (OSCCR); Julia Wade (OSCCR); Lauren Ruvo (OSCCR); Angela O'Malley (OSCCR); Jess Sunio (OSCCR)	New Supreme Court Ruling on Student Speech Learn how to adapt your First Amendment policies and earn a certification.
Title IX Solutions: What is severe, pervasive, and objectively offensive?	August 17, 2021	Lauren Ruvo (OSCCR)	Title IX Regs
Utilizing Assessment to Identify and Reduce Biases	August 27, 2021	Lauren Ruvo (OSCCR)	Title IX Regs
New & Returning Conduct Officer training	September 10, 2021	John Orozco (OSCCR); Julia Wade (OSCCR); Lauren Ruvo (OSCCR); Angela O'Malley (OSCCR); Jess Sunio (OSCCR); New & returning conduct officers	Training for new and returning conduct officers. Training included updates to Title IX & SIM policies
SARA Training	September 15, 2021	Lauren Ruvo (OSCCR); Sara Trivedi (Title IX Coordinator); Francesca Piumetti (Associate Dean); New & returning SARAs	Training for new and returning Student Affairs Resource Administrators (SARA).

Name of Program	Date Held	Audience	Issues Addressed
Understanding Bias in Charging, Emergency Actions, and Supportive Measures	September 15, 2021	Lauren Ruvo (OSCCR)	Title IX & Bias
Student Conduct Committee Training	September 24, 2021	Angela O'Malley (OSCCR); Lauren Ruvo (OSCCR); Sara Trivedi (Title IX); New & returning SCC members	Angela O'Malley (OSCCR); Lauren Ruvo (OSCCR); Sara Trivedi (Title IX); New & returning SCC members
Student Conduct SIM Training	September 24, 2021	Angela O'Malley (OSCCR); Lauren Ruvo (OSCCR); Sara Trivedi (Title IX); New & returning SCC members	Training on SIM/Title IX processes for new and returning SCC members
Review of Department of Education's July 2021 Q&A on the Title IX Regulations	September 30, 2021	Lauren Ruvo (OSCCR)	Title IX Regs
Anti-Racism Facilitation Training	September 30, 2021	Student Affairs Staff	Anti-Racism
Anti-Racism Facilitation Training	October 1, 2021	Student Affairs Staff	Anti-Racism
Title IX & Bias	October 13, 2021	John Orozco (OSCCR); Lauren Ruvo (OSCCR)	Title IX & Bias
Restorative Justice for Sexual Harm Facilitators Training	November 1, 2021	Lauren Ruvo (OSCCR); Julia Wade (OSCCR)	Restorative Justice process
Title IX & Bias	November 10, 2021	Lauren Ruvo (OSCCR)	Title IX & Bias
Title IX & Bias	December 8, 2021	Lauren Ruvo (OSCCR)	Title IX & Bias

Name of Program	Date Held	Audience	Issues Addressed
NCAA Sexual Violence Policy Attestation educational session;	December 9, 2021	Angela O'Malley (OSCCR); Lauren Ruvo (OSCCR); Sara Trivedi (Title IX); Francesca Piumetti (OSCCR)	NCAA SEXUAL VIOLENCE –ANNUAL ATTESTATION https://www.ncaa.org/sports/2021/7/21/ncaa-board-of-governors-policy-on-campus-sexual-violence-administrator-faq.aspx

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 (OSCCR) seeks to maintain the University's academic environment by educating and upholding community standards. OSCCR 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. Excluding 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. In accordance with any and all declared public emergencies (e.g. COVID-19), Students are required to adhere to all applicable state and local public health and safety guidelines both on and off campus and conduct themselves in ways congruent with protecting the health and well-being of others in the LMU community

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 the 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. Jurisdiction also extends to other off-campus misconduct that adversely affects the University, Students, the University's reputation or goodwill 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 health, safety and wellbeing of the University, including its reputation and goodwill, and the University Community. This includes, but is not limited to, incidents off campus that may adversely affect the health, safety, 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

The 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 LMU (ASLMU), Graduate Students of LMU (GSLMU), United Greek Council (UGC), Collegiate Panhellenic Council (CPC), InterFraternity Council (IFC), Residence Hall Association (RHA) and Student Athletic 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, or designee.

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 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 Administrator(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 may be, 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. In accordance with applicable Title IX regulations, in cases alleging Title IX Sexual Harassment, the burden of proof is on the University.

I. Limitations Period

Claims should be brought in 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: electronic communication, 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 process

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 the behavior that may violate 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 sanction, pursuant to Section IV of the Code.

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 Organizations. 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. Athletics Notifications

All NCAA Student-athletes are requested to sign a Family Educational Rights & Privacy Act (FERPA) waiver permitting LMU's Athletics Department to be informed of any pending conduct violations of the Student Conduct Code, along with the results of Student Conduct Code proceedings and sanctions assigned (if applicable).

M. Scheduling Student Hearings

In scheduling hearings, hearing preparation 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 notwithstanding class or academic conflicts. Failure to attend a hearing preparation meeting will not prevent the scheduling of a hearing

N. 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.

The Code remains in effect during limited campus operations or full campus closures in which academic instruction moves either partly or entirely online due to potential healthcompromising events, natural disasters or any unforeseen emergencies.

O. 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 the 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.

P. Student Guests

Students are responsible, and may be held accountable, for the conduct of their Guests. For the definition of Guest, please see Section II(Q)(8) of this Code. For further information regarding the expectation of Student's responsibility for their Guests, see the Guest Policy.

XXII. Definitions

As used in the Code, the following terms shall have the following meanings:

1. "Advisor" means any current LMU Student, faculty, staff or religious community member, but specifically excludes Law School Students, Law School faculty and Law School staff, selected by a Student to appear with the Student at scheduled conduct proceedings. Off-campus individuals, parents, family members, attorneys, alumni/ae and those persons who have no affiliation with the University are expressly excluded from the definition of "Advisor" and cannot serve as Advisors. Current faculty or staff cannot act as an Advisor to their own family members.
2. "Aggravated Assault" means an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault usually is accompanied by the use of a Weapon or by means likely to produce death or great bodily harm.
3. "Bullying" means an intentional course of conduct, individual act or series of acts that is intended to inappropriately impose one's will or desire and cause harm to others. Bullying may include verbal or non-verbal threats, assault, Stalking and/or other methods of attempted coercion such as manipulation, blackmail or extortion (including, but not limited to, conduct that is undertaken or effected in whole or in part through the use of written communication, in person or physical contact, by telephone, mail, electronic communications, social media or other technological means or through third parties). Bullying also includes, but is not limited to, unwanted or uninvited aggressive behavior that intends to harm, threaten, frighten or intimidate another person and may involve a pattern of behavior that is repeated over time where an imbalance of power exists between the Respondent and the Complainant.
4. "Complainant" means the individual(s) who file(s) a Student Conduct Code complaint with the University. In those instances where the University is the proponent of the asserted Code violation it will serve as a Complainant.
5. "Day" means a University business day. It shall not include Saturdays, Sundays or administrative holidays.
6. "Disruptive Behavior" means behavior that unreasonably interferes with the health and safety of the

University Community, stability or continuance of University life, operations or University-approved Activities. Disruptive Behavior includes, but is not limited to, behavior that impedes or materially interferes with University life, operations or Community members engaging in permissible educational, personal or job related activities, behavior that improperly threatens or endangers the physical health and/or psychological well-being and/or safety of members of the University Community, including failing to follow applicable state and local public health guidelines or failing to adhere to University expectations of health and safety protocols.

7. “Distribution” means the actual or intended sale, exchange and/or dispensation of prohibited substances or materials irrespective of personal profit.

8. “Guest” means person(s), Student or non-student, to whom a Student is extending or has extended hospitality, an invitation or permission to be present or remain in, on or at the campus, University facilities (including Student Housing facilities) or to attend University events on or off campus.

9. “Harassment” means unwelcome verbal, non verbal, physical or visual conduct including, without limitation, physical aggression, Bullying, intimidation or hostility (including, but not limited to, conduct that is undertaken or effected in whole or in part through the use of written communication, in person or physical contact, by telephone, mail, electronic messaging services, mobile services, electronic communications, social media or other technological means or through third parties), which may or may not be based on any category of protected characteristics under the law, that is sufficiently severe, persistent or pervasive so as to unreasonably limit or interfere with an LMU community member’s ability to participate in or benefit from any LMU program or activity on or off campus, and thereby creates an intimidating, hostile or offensive living, academic or work environment.

10. “Institution” and “University” mean Loyola Marymount University but not including Loyola Law School.

11. “Preponderance of the Evidence” means such evidence as when weighed with that opposed to it has more convincing force and the greater probability of truth.

12. “Reckless Behavior or Endangerment” means conduct that one should reasonably be expected to know would create a substantial risk of harm to persons or property or that would otherwise be likely to result in interference with University life, operations or University approved Activities.

13. “Registered Student Organization” means any number of persons who have complied with University requirements for registration as a Registered Student Organization.

14. “Respondent” means the individual(s) against whom a Student Conduct Code complaint is made.

15. “Retaliation” means adverse, non-permitted action taken by an individual or a third party against a person in response to protected activity including, but not limited to, reporting a violation of policy, assisting someone with a report of a violation of a policy or participating in any manner in an investigation or resolution of a report of a policy violation. Retaliation may, among other non permitted conduct or behaviors, include threats, intimidation, coercion, Harassment, spreading defamatory information about an individual, exclusions from academic and non-academic programs and/or adverse actions related to employment (including conduct that is undertaken in whole or in part through the use of electronic messaging services, commercial mobile services, electronic communications, social media and/or

other technology).

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

17. "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 their own safety or the safety of others; or suffer substantial emotional distress. For the purposes of this definition, "course of conduct" is defined as 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.

18. "Student" means a person currently enrolled or eligible and matriculating in any University program or class during the fall or spring semesters, recess period between semesters or summer period, on or off University campus, and includes all persons taking courses at the University, full-time or part-time, pursuing undergraduate, graduate or professional studies or are non-degree seeking. However, the term "Student" does not include Law School Students. Student includes one who has been enrolled at the University for the immediately preceding fall, spring or summer term and/or is eligible for continuing enrollment or graduation.

19. "University Community" means Students, staff, faculty, administration and religious community members of the University, but not their counterparts at the Law School.

20. "University Housing Facilities" means any on or off campus buildings, residence halls, apartments, suites, units, pods, houses or other temporary or permanent facilities that are owned, leased, rented or controlled by the University for the purpose of allowing Students to reside therein full or part time.

21. "University Premises" means buildings or grounds owned, leased, operated or controlled by the University.

22. "University-approved Activity" means any activity on or off campus that is initiated, authorized or supervised by the University or a Registered Student Organization.

23. "Weapon" means any object or substance designed or utilized to inflict a wound, cause injury or a nuisance or incapacitate including, but not limited to, all firearms, ammunition, chukka sticks, explosives, laser pointers, pellet guns, knives, projectile launchers and chemicals, such as mace or tear gas. This definition also includes decorative, replica and look-alike Weapons that are not functional, but reasonably appear to others to be real Weapons.

24. "Witness" means any person, excluding experts (except in cases involving Title IX Sexual Harassment), called upon to furnish relevant knowledge or information relating to an incident who is not a Complainant or Respondent.

25. The terms “will” or “shall” are used in the imperative sense. The term “may” is used in the permissive sense.

XXIII. 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. Many policies listed can be found 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 and/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, Community Relations Policy, Discriminatory Harassment 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 on or off campus, University Premises or at University-approved 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 a person’s perceived sex, gender, gender identity and expression, race, color, religion, national origin, ancestry, disability, age, sexual orientation, marital status, military status, veteran status, pregnancy, genetic information or any other protected classification), Bullying, damage to reputation, Harassment, hazing 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.
- Retaliation against any Community or non-community member.
- Behavior or conduct that unreasonably interferes with University life, operations, activities, processes or University-approved Activities including, but not limited to, studying, teaching, research, classroom instruction, campus or residential life, University administration, conduct proceedings, Study Abroad or other University-approved 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, Department of Public Safety (DPS) 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 Universityapproved Activities.
- Unpermitted interference with the lawful exercise of freedom of expression or movement of others on University Premises or at University-approved 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 (including virtual engagements) 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 or impersonating another student 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-approved Activities. Knowingly providing false information to an LMU staff member during the investigation or adjudication of a potential violation of the Student Conduct Code.
- Theft of property, University funds or services on University Premises, University facilities or at Universityapproved Activities or knowingly possessing stolen property on University Premises, University facilities or at Universityapproved 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, University facilities or at Universityapproved Activities or reasonably adjacent or proximate to campus, University Premises, University facilities or University-approved 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, University facilities, at University-approved Activities or reasonably adjacent or proximate to campus, University Premises, University facilities or University-approved Activities. Starting a fire or causing a fire to be started on campus without prior authorization from DPS.
- 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 effects 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.

XXIV. Sanctions

Violations of the provisions of Section III (Prohibited Conduct) of the Code will result in the imposition of sanctions in service of the mission of this Code to both educate and repair potential harm to the community. Factors to be considered in the determination of sanctions include, but are not limited to, the nature and severity of the violation, the present demeanor, contrition and past disciplinary record of the Respondent, including the willingness to accept responsibility for their behavior, the nature of the offense and the severity of any damage, injury or harm resulting from it, as well as the ability to potentially repair that harm and any and all health and safety considerations of the University Community.

Cases are heard through the severe sanctioning hearing process when suspension or dismissal from the University are potential sanctions. All other cases are brought through the general conduct process.

A. Community Service/Education Project

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

B. Conduct Probation

The Student is no longer in “good conduct 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, increased 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.

C. 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. Notification of dismissal may be sent to the appropriate University offices and officials.

D. 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.

E. Fines

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

F. 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.

G. Ineligibility for Graduation and/or Participation in Ceremonies

Prohibition from participation in graduation ceremonies.

H. Meetings

Meetings with a University staff or faculty member may be assigned as an educational sanction to provide the Student with an opportunity to discuss strategies for success so as to prevent future Student Conduct Code violations. Students may be asked to meet with an individual more than once.

I. No Contact Orders

The Student is given written notice not to have verbal, written or electronic contact with another LMU community member for a specified period of time, which may include their remaining tenure at the University. This order includes all interpersonal communication, including, but not limited to, social interaction, telephone correspondence, email, text message and/or social networking website.

J. Parental/Guardian 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.

K. Removal from or Relocation within University Housing

Students may be removed from University Housing facilities or a particular University Housing facility, be relocated to another University Housing facility or have their University Housing license agreement terminated. If removed, a Student may be prohibited from entering University Housing facilities and ineligible for future University Housing.

L. Restitution

The Student is 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.

M. 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. Restrictions may include authorizing access to limited University Premises or facilities for specific purposes (e.g. to attend class) or being required to fulfill academic requirements via online educational tools

N. 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-approved 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. Notification of suspension may be sent to the appropriate University offices and officials.

O. Warning

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

P. Other Sanctions

The University and its Conduct Administrators 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.

XXV. Roles and Responsibilities

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

A. The Roles and Responsibilities of the Conduct Administrators and Hearing Boards.

- Hearings or other proceedings as provided in the Code may be held before a Conduct Administrator, Hearing Panel or an applicable Hearing Board, and may utilize videoconferencing.
- The Senior Vice President for Student Affairs, or designee, shall appoint Conduct Administrators and Hearing Boards.
- The Conduct Administrators 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 designee.
- In the event of a vacancy or disqualification of a Conduct Administrator or Hearing Board member, the conduct matter shall be assigned to another Conduct Administrator or Hearing Board by the Senior Vice President for Student Affairs, or designee.
- Conduct Administrators shall complete annual training provided by OSCCR.
- Conduct Administrators may be called upon to participate in the annual review of the Student Conduct Code.

B. The Roles and Responsibilities of the Student Conduct Appeal Committee.

- Appeals, as provided in this Code, are held before the Student Conduct Appeal Committee.
- The Student Conduct Appeal Committee shall adhere to procedures consistent with provisions in this Code. Procedures are approved by the Senior Vice President for Student Affairs, or designee.
- The Student Conduct Appeal 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, or designee, 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 Chair over the appellate process from the members of the Student Conduct Appeal 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, or designee, shall appoint all members of the Student Conduct Appeal Committee.
- The term for the Student or faculty/staff committee members shall be one year. Members may be re-appointed for additional terms.
- Prior to participating in Student Conduct Appeal Committee deliberations, new members of the Student Conduct Appeal 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 Appeal Committee who are charged with any violation of the Code, the Student Sexual and Interpersonal Misconduct Policy, the Student Title IX Policy or with a criminal offense may be suspended from their committee positions by the Senior Vice President for Student Affairs, or designee, 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 Senior Vice President for Student Affairs, or designee.
- In the event of a vacancy, suspension or disqualification of a Student Conduct Appeal Committee member, the Senior Vice President for Student Affairs shall fill the vacancy.
- Student members of the Student Conduct Appeal Committee may be called upon to participate in the annual review of the Student Conduct Code.

XXVI. Student Conduct Process

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 Administrator/Hearing Board. Anonymous reports will be referred to DPS, who will investigate. If enough independent information is corroborated, then Student Conduct Code proceedings may be initiated.

B. Student Conduct Code Hearings

OSCCR 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, a Formal Complaint will need to be filed, and the Title IX Coordinator, or designee, shall make the determination of whether the Formal Complaint will move to the Title IX conduct process. For more information relating to the process, procedures and adjudication of allegations of Title IX Sexual Harassment please review the Student Title IX Policy or the Faculty/Staff Title IX Policy (<https://lmu.app.box.com/s/8srnsswbcpebdkw1se8c3zcyhlf4ukl>).

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:

- Complaints will be promptly investigated and adjudicated following the procedures set out in the Code;
- 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 Administrator or applicable Hearing Board (or instructions on how to schedule the hearing) and timely notice of that hearing. If a Student fails to appear after receiving timely notice, a determination of the charged misconduct will be made based upon the facts and evidence submitted in support of the alleged misconduct. Failure to check one's University e-mail account is not sufficient justification for not attending a scheduled hearing;
- Reasonable access to the evidence supporting the charge will be made available to Students prior to a hearing;
- Students who wish to have an Advisor must inform the presiding Conduct Administrator in writing or via e-mail at least two Days prior to the scheduled date of the hearing. The Advisor's role is to support Students during the conduct process, however, they may not address the Conduct Administrator/Hearing Board or play any other role during hearings (including appear as a Witness). All communication involving Advisors (unless otherwise provided for in this Code) must be between the Advisor and Student. An Advisor may not appear in lieu of the Student.
- Students may have the assistance of fact (non-expert) Witnesses. Expert Witnesses are not allowed and character Witnesses are disfavored. The Conduct Administrator/Hearing Board must be notified in writing 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;
- A hearing during which the Conduct Administrator/Hearing Board shall again specify the facts underlying the alleged misconduct and provide the Student 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;
- During the hearing, the Conduct Administrator/Hearing Board shall explain the University's conduct system and Student rights and make available the Student Conduct Code. The Conduct Administrator/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;
- If a further hearing or Witness meeting is necessary, a supplemental proceeding will be scheduled;
- A Student's conduct history will be considered when assigning sanctions for subsequent violations. Increased sanctions may therefore be assigned based on previous violations of all types, not just those of a similar type.
- Unless required by law, privacy laws prevent notification or disclosure to Student Complainants about the prior conduct history, if any, of the Respondent;
- For compliance with Clery Act record retention requirements, all official conduct-related correspondence will be retained for a minimum of seven years;

D. Hearing Process

- The Conduct Administrator/Hearing Board has the right to request the presence of and interview fact (non-expert) Witnesses;
- Hearings will generally be private except for Conduct Administrators/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;

- Prior to the hearing, Students may challenge a Conduct Administrator/Hearing Board member on the grounds of personal bias or conflict of interest. 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 Administrator Hearing Board member shall be determined by the Dean of Students, or designee. If a challenge is sustained, a new Conduct Administrator/Hearing Board member will be assigned;
- The Conduct Administrator/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 Administrator/Hearing Board may be excluded from the proceedings;
- 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 the Student Conduct Code;
- The decision of the Conduct Administrator/Hearing Board shall include a summary of the testimony, findings, decision and applicable sanction(s). The decision shall be sufficiently detailed to permit review pursuant to the appeal procedures
- The burden of proof shall be upon the Complainant who must establish the responsibility of the Respondent by a Preponderance of the Evidence;
- Except as provided herein, formal rules of evidence and discovery shall not be applicable in proceedings conducted pursuant to the Code. The Conduct Administrator/Hearing Board shall give effect to recognized rules of privacy (including FERPA) and privilege, but may otherwise admit matters into evidence that a reasonable person would accept as having probative value in the conduct of their affairs. Unduly repetitious or irrelevant evidence may be excluded, may not be considered in the decision making process or may be afforded less weight than other evidence presented;
- 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;
- Sanctions shall be levied if it is determined that the Student is responsible for the alleged violation(s) by a Preponderance of the Evidence. If not, the charge(s) will be dismissed;
- In accordance with privacy laws, Student Complainants will not be notified of the decision rendered by the Conduct Administrator/Hearing Board, and have no appeal rights.

XXVII. Severe Sanctioning Conduct Process

A. Procedural Protections

Students charged with violations which may result in severe sanctioning (suspension or dismissal from the University), are accorded the following procedural protections:

1. Complaints will be promptly investigated and adjudicated following the procedures herein outlined;
2. A written or electronic notice of misconduct charges, including the location of the Student Conduct Code;
3. The Respondent (and separately the Complainant if applicable) who wish to have an Advisor should inform OSCCR in writing at least two Days prior to the scheduled date of the hearing preparation meeting. The Advisor's role is to support Students during the conduct process, which may include the hearing preparation meeting as well as the hearing 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 hearing preparation meeting or the cross examination hearing;

4. A scheduled hearing preparation meeting with an OSCCR administrator at which:
 - a) 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);
 - b) The Respondent (and separately the Complainant if applicable) may ask the OSCCR administrator questions regarding the conduct process;
 - c) In the event a Respondent (or separately a Complainant if applicable) provides Witnesses during the hearing preparation meeting, then the names of those Witnesses will be provided to DPS 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, the Respondent (and separately the Complainant if applicable) will be permitted another opportunity to review the updated report, evidence and information;
 - d) The OSCCR administrator shall explain the hearing processes to the Respondent (and separately the Complainant if applicable) including cross examination processes and procedures and Student rights and make available the Student Conduct Code. The OSCCR administrator shall also explain the private nature of the conduct process (Student statements during the hearing 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;
 - e) The Complainant (if applicable) 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;

5. 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 Complainant if applicable) 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. The University reserves the right to postpone the hearing if new information is presented that had not been made previously available to all parties, and a supplemental hearing will be scheduled.

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 e-mail is not sufficient justification for not attending a scheduled hearing). A Student Complainant who fails to appear after timely notice will be deemed to have abandoned their complaint and the charges will be dismissed unless the case and the facts and evidence presented in support of the charged misconduct independent of the Complainant warrants the continuation of the conduct process;

6. The Respondent will be permitted the opportunity to provide questions to be asked of a Complainant (if applicable), and any Witnesses that appear either at the request of the Respondent, the Complainant (if applicable) 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 Administrators 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 relevance of the question. Respondents will be granted the opportunity to submit additional questions in response to statements made during the hearing, which the Conduct Administrators will review for relevance when proffered and ask if appropriate;

The Complainant (if applicable) 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 Administrators 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 relevance of the question. Complainants will be granted the opportunity to submit additional questions in response to statements made during the hearing, which the Conduct Administrators will review for relevance when proffered and ask if appropriate;

7. Both the Respondent (and the Complainant if applicable) will be permitted the opportunity to make a closing statement at the conclusion of the evidentiary portion of the hearing;

8. If a further hearing is necessary, a supplemental proceeding will be scheduled;

9. A Student's conduct history will be considered when assigning sanctions for subsequent violations. Increased sanctions may therefore be assigned based on previous violations of all types, not just those of a similar type.

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

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

B. Hearing Process

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

1. The Conduct Administrators on the Hearing Panel may request Public Safety interview fact (non expert) Witnesses;

2. LMU reserves the right to copy the Respondent's (or separately the Complainant's) Advisors on communication regarding scheduling of hearing preparation meetings, review of reports and scheduling of the hearing (see Section II(Q)(1) for specifics of who is eligible to serve as an Advisor in these proceedings);

3. 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 Complainant if applicable) the opportunity to again review the information and evidence gathered by the University that make up the basis for the charge(s). Respondents (and Complainants if

applicable) 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.

Hearings will generally be private except for the Hearing Panel, parties and Advisors. Hearings will be recorded via videoconferencing software utilized by the Hearing Panel only. Recording devices (audio and/or video) of any kind are not permitted for use by the Students, Witnesses or Advisors. Respondents (and Complainants if applicable) are expected to be visible to the Conduct Administrators throughout the hearing (with the exception of requested breaks). The recording of the hearing will be part of the conduct file and may be accessible to the Respondent (and Complainant if applicable) by contacting OSCCR. Transcriptions of hearings will not be made available;

4. Prior to the hearing, Students may challenge a Hearing Panel member on the grounds of a conflict of interest. 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, a new Conduct Administrator will be assigned;

5. The Conduct Administrators on 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, 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;

6. The decision of the Conduct Administrators on 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 pursuant to the appeal procedures and will be sent to the Respondent (and the Complainant if applicable). The decision will not be sent to the Respondent's Advisor (or Complainant's Advisor if applicable);

7. 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;

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

9. 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 FERPA) and privilege, but may otherwise admit matters into evidence that a reasonable person would accept as having probative value in the conduct of their affairs. Unduly repetitious or irrelevant evidence may be excluded, may not be considered in the decision making process or may be afforded less weight than other evidence presented;

10. Statements (written or provided to DPS verbally) will not be admitted for any purpose unless the Witness appears at the hearing and is subject to cross examination;

11. Sanctions shall be levied if it is determined that the Student is responsible for the violation(s) by a

Preponderance of the Evidence. If not, the charge(s) will be dismissed. Final decisions may be reviewed by the Senior Vice President for Student Affairs, or designee. The reviewing administrator may reduce, defer or suspend the decision and sanction, or impose conditions with any change, deferral or suspension.

XXIX. Restorative Justice Process

OSCCR may opt to postpone initiation or subsequent continuation 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 affected 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 the conduct process may be initiated at that time. Determination of eligibility for the Restorative Justice Process will be left to the Associate Dean of Students, or designee, and the Associate Dean, or designee, reserves the right to terminate the process at any time.

XXX. Restorative Justice Process

A. Any decision by a Conduct Administrator, Hearing Panel or Hearing Board or disciplinary sanction assigned may be appealed by the Respondent to the Student Conduct Appeal Committee. In proceedings involving potential severe sanctioning (suspension or dismissal from the University) Student Complainants (if applicable) may also appeal the decision. Appeals to the Student Conduct Appeal 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 that effectively denied Appellant a fair hearing;
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 Appeal Committee
c/o The Office of Student Conduct & Community Responsibility
Malone Student Center 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 Appeal 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 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. 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 Student Conduct Appeal Committee shall be convened. 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 receive access to the submitted appeal petition, 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), the Student Conduct Appeal Committee will review the DPS investigation report or documentation of alleged behavior, the Conduct Administrator'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), the Student Conduct Appeal Committee will review the DPS investigation report, the video and audio recording of the hearing, the findings, decision and recommended sanctions (if applicable), the Respondent's disciplinary history and the written statement of the Respondent and of the Complainant (if applicable) filed with the appeal petition or in response to the appeal petition.

G. 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. 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.

H. Concurrent with the filing of an appeal petition, Respondents (or Complainants if applicable) may challenge a member of the Student Conduct Appeal Committee on the grounds of personal bias. All disqualification challenges of Student Conduct Appeal 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.

I. The Student Conduct Appeal Committee may, but is not required to, request either the Conduct Administrator/Hearing Board or the involved Student parties to submit additional information in writing. If the Conduct Administrator/Hearing Board or any Student parties is/are requested to submit additional information, the Student parties (if applicable) not so requested shall be entitled to reply in writing to the additional written information supplied to the Student Conduct Appeal Committee.

J. So long as supported by the evidentiary record, the Student Conduct Appeal Committee shall give

deference to the determinations of the Conduct Administrator, Hearing Panel or Hearing Board. The Student Conduct Appeal Committee shall not alter the underlying decision of the Conduct Administrator, Hearing Panel or Hearing Board if supported by substantial evidence and reasonable inferences arising therefrom. If the appeal submitted by the Respondent or Complainant is granted, the Committee may make one of the following recommendations to the Senior Vice President of Student Affairs, or designee:

1. Recommended sanctions may be reduced or adjusted, if found to be substantially disproportionate to the offense or affirmed;
2. The case may be referred back to the Conduct Administrator, Hearing Panel or Hearing Board who made the original decision to consider new, significant relevant evidence, which in the exercise of reasonable diligence could not have been produced at the time of the hearing;
3. The case may be referred back to the Senior Vice President for Student Affairs, or designee, for reassignment to a new Conduct Administrator or Hearing Panel if specified procedural errors in interpretation of the Policy resulted in significant prejudice to the Appellant that effectively denied the Appellant a fair hearing;
4. The determination may be reversed, if the decision is not supported by substantial evidence.

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 Appeal Committee shall give effect to the recognized rules of privacy (including FERPA) and privilege but may otherwise admit matters into evidence that 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 Appeal Committee may take presumptive notice of matters that would be of general knowledge to other University Students.

M. The Student Conduct Appeal 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 Administrator/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 Appeal 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 Appeal 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 Student Conduct Appeal Committee proceedings shall be determined by the Committee's presiding chair in accordance with the Code

XXXI. Exceptional Procedures

A. Violations of the 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, or designee, 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 processes and procedures outlined in Section VII.

B. Final decisions of the Conduct Administrator, Hearing Panel or Hearing Board recommending a suspension or dismissal from the University shall be reviewed and approved by the Senior Vice President for Student Affairs, or designee.

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

H. 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.

I. In cases regarding allegations of sexual or 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 Title IX Sexual Harassment

and/or sexual or interpersonal misconduct charge.

J. 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.

XXXII. 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 SEXUAL AND INTERPERSONAL MISCONDUCT POLICY AND PROTOCOL

XXXII. 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 civil rights law that prohibits discrimination on the basis of sex in education programs and activities, including conduct it defines as Title IX Sexual Harassment. Conduct that falls under Title IX must be either Sexual Assault, Dating Violence, Domestic Violence, Stalking or be conduct that is so severe, pervasive and objectively offensive that it effectively denies a person equal access to LMU’s education program or activity. Conduct that falls under Title IX must also occur in the United States, on campus or a campus controlled premises or at a campus sponsored event. For more information regarding Title IX, and the LMU policy regarding Title IX Sexual Harassment, please see the [Student Title IX Sexual Harassment Policy](#).

The Student Sexual and Interpersonal Misconduct Policy (“the Policy” or “SIM Policy”) prohibits and addresses Sexual Misconduct that falls outside Title IX. The SIM Policy includes all forms of Sexual Misconduct not prohibited by Title IX including Sexual Assault, Sexual Battery and Sexual Exploitation and other interpersonal misconduct such as Dating Violence, Domestic Violence and Stalking.

The Division of Student Affairs has established this SIM Policy to respond to non-Title IX complaints of sexual and interpersonal misconduct in a way that upholds the mission of the Office of Student Conduct & Community Responsibility (OSCCR), which seeks to maintain the University’s academic environment by educating and upholding community standards.

A. LMU strongly 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 the Complainant the availability of Supportive Measures (regardless of whether the Complainant agrees to be interviewed by the Department of Public Safety (DPS) or participates in the conduct process).

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](#), or by contacting LMU’s Title IX Coordinator, Sara Trivedi:

1. By phone: 310.568.6105;
2. By e-mail; strivedi@lmu.edu;
3. By mail: One LMU Drive, Suite 1900, Los Angeles, CA, 90045; or
4. In person: University Hall 1900

Reports may be made at any time to DPS, or to the Title IX Coordinator, including during non-business

hours, by using the telephone number or e-mail address, or by mail to the office address listed above.

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.

B. It is a violation of this policy to file a false complaint against anyone for the purpose of injuring the reputation of or harassing another. Any person found to have filed a false complaint against another in bad faith or for the purpose of injuring the reputation of or harassing another will be subject to appropriate discipline. This proscription is in no way intended to discourage the filing of good faith complaints of sexual or interpersonal misconduct, even if those complaints do not result in a finding of misconduct or sanction under University policies.

C. Allegations of sexual or interpersonal misconduct that are not covered under the Student Title IX Policy will be initiated and adjudicated under the relevant provisions of this policy. Some instances of alleged sexual and interpersonal misconduct may be eligible to be addressed by an informal resolution process (see Section XII) if both parties provide written authorization of their willingness to participate in such a process. Eligibility of an allegation to be addressed through an informal resolution process will be determined by the Title IX Coordinator, or designee.

XXXIII. General Guidelines

A. Definitions

As used in the SIM Policy, the following terms shall have the following meanings.

1. "Advisor" means anyone selected by a Student to appear with the Student at scheduled conduct proceedings, regardless of affiliation to LMU.
2. "Complainant" means the individual(s) who file(s) a SIM Policy complaint with the University.
3. "Consent" means 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 they have the affirmative Consent of the other(s) to engage in the sexual activity. Consent requires participants who are lawful adults, fully conscious, equally free and legally competent to act, have 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 protest or 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 18 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.

4. "Dating Violence" means 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:

- a. The length of the relationship;
- b. The type of the relationship;
- c. The frequency of interaction between the persons involved in the relationship.

Dating Violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse, however it does not include acts covered under the definition of Domestic Violence.

5. "Day" means a University business Day. It shall not include Saturdays, Sundays or administrative holidays.

6. "Domestic Violence" means violence committed by a current or former spouse or intimate partner of the victim under the family or Domestic Violence laws of California and, in the case of victim services, includes the use or attempted use of physical abuse or sexual abuse, or a pattern of any other coercive behavior committed, enabled or solicited to gain or maintain power and control over a victim, including verbal psychological, economic or technological abuse that may or may not constitute criminal behavior, by a person who is a current or former spouse or intimate partner of the victim, or person similarly situated to a spouse of the victim; is cohabitating or has cohabited with the victim as a spouse or intimate partner, shares a child in common with the victim; or commits acts against an adult or youth victim who is protected from those acts under California law.

7. "Institution" and "University" mean Loyola Marymount University but not including Loyola Law School.

8. "Preponderance of the Evidence" means such evidence as when weighed with that opposed to it has more convincing force and the greater probability of truth.

9. "Respondent" means the individual(s) against whom a SIM Policy complaint is made.

10. "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 defamatory information about an individual, exclusions

from academic and non-academic programs and/or adverse actions related to employment or academics.

11. "Sexual Assault" means 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, vaginal/anal intercourse, Sexual Battery (including, but not limited to, masturbation), 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.

12. "Sexual Battery" means the intentional touching of another person's intimate parts without Consent, intentionally causing a person to touch the intimate parts of another without Consent, or using a person's own intimate part to intentionally touch another person's body without Consent.

13. "Sexual Exploitation" means 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 without that person's Consent. 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.

14. "Sexual Misconduct" means unwelcome conduct of a sexual nature including, but not limited to, unwelcome sexual advances, unsolicited requests for sexual favors or Sexual Battery without that person's Consent, including as a result of sexual coercion, and other verbal, visual, or physical conduct where:

- (i) Submission to the conduct is explicitly or implicitly made a term or a condition of employment, academic status, or progress; or
- (ii) Submission to, or rejection of, the conduct is used as the basis of employment or academic decisions affecting the person or as the basis for any decision affecting the benefits and services, honors, programs, or activities available at or through the educational institution; or
- (iii) The conduct has the purpose or effect of having a negative impact upon the person's work or academic performance, or of creating an intimidating, hostile, or offensive work or educational environment.

15. "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 their safety or the safety of others; or suffer substantial emotional distress.

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.

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.

16. "Student" means a person currently enrolled or eligible and matriculating in any University program or class during the fall or spring semesters, recess period between semesters or summer period, on or off University campus, and includes all persons taking courses at the University, full-time or part-time, pursuing undergraduate, graduate or professional studies or are non-degree seeking. However, the term "Student" does not include Law School Students. Student includes one who has been enrolled at the University for the immediately preceding fall, spring or summer term and/or is eligible for continuing enrollment or graduation.

17. "Supportive Measures" means non-disciplinary, non punitive individualized services offered as appropriate, as reasonably available and without fee or charge to the Complainant or Respondent before or after a report has been received by the University. Such measures are designed to restore or preserve equal access to LMU's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties, LMU's educational environment and/or deter sexual or interpersonal misconduct.

18. "Title IX Sexual Harassment" means 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 severe, pervasive and objectively offensive that it effectively denies a person equal access to an LMU education program or activity, or "Sexual Assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "Dating Violence" as defined in 34 U.S.C. 12291(a)(10), "Domestic Violence" as defined in 34 U.S.C. 12291(a)(8), or "Stalking" as defined in 34 U.S.C. 12291(a)(30).

19. "University Community" means Students, staff, faculty, administration and religious community members of the University, but not their counterparts at the Law School.

20. "University-approved Activity" means any activity on or off campus that is initiated, authorized or supervised by the University or a Registered Student Organization.

21. "Weapon" means any object or substance designed or utilized to inflict a wound, cause injury or a nuisance or incapacitate including, but not limited to, all firearms, ammunition, chukka sticks, explosives, laser pointers, pellet guns, knives, projectile launchers and chemicals, such as mace or tear gas. This definition also includes decorative, replica and look-alike Weapons that are not functional, but reasonably appear to others to be real Weapons.

22. "Witness" means any person, excluding experts, called upon to furnish relevant knowledge or information relating to an incident who is not a Complainant or Respondent.

23. The terms "will" or "shall" are used in the imperative sense. The term "may" is used in the permissive sense.

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. Jurisdiction also extends to other off-campus

misconduct that adversely affects the University, Students, the University's reputation or goodwill 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 health, safety and wellbeing of the University, including its reputation and good will, and the University Community. This includes, but is not limited to, incidents off campus that may adversely affect the health, safety, 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. Focus of the Proceedings

The primary focus of the inquiry in all Student sexual and interpersonal misconduct proceedings shall be to determine if the subject Student is responsible for the alleged violation of the SIM Policy and, if the Student is found to be responsible for a violation, to provide the appropriate remedy. The University shall make every effort to investigate and adjudicate these matters promptly, usually within 120 days, assuming timely cooperation of all parties.

In keeping with the mission of OSCCR and the purpose of the Policy, SIM Policy 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 SIM Policy 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 SIM Policy decision or proceeding. SIM Policy proceedings shall be prompt, fair and impartial and adjudicated by Conduct Administrators that have received regular training regarding incidents of this nature.

E. Violations of Law and the SIM Policy

Students may be subject to criminal, civil and University proceedings for acts that constitute violations of federal, state or local law and of the SIM Policy. Because of the need to efficiently, effectively and promptly protect the academic environment, University life and operations, SIM Policy 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 SIM Policy proceedings may assert their Fifth Amendment privilege against self-incrimination during SIM Policy proceedings. While no inference of responsibility for SIM Policy violations will be drawn because of the assertion of the Fifth Amendment privilege, the Conduct Administrator(s) will nonetheless evaluate all available information, testimony and evidence in making their determination.

F. Burden of Proof

In cases alleging sexual or interpersonal misconduct, the burden of proof is on the University. Determinations under this policy will be made utilizing the Preponderance of Evidence standard. The Complainant does not have the burden to prove, nor does the Respondent have the burden to disprove, the underlying allegation(s) of misconduct.

G. Limitations Period

Reports under this policy should be brought in the period of time during which the putative Respondent is a Student and subject to the SIM Policy. 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.

H. Time Frame for SIM Policy Investigation and Conduct Process

Alleged incidents of sexual and interpersonal misconduct will be investigated and adjudicated in a timely manner. This timeframe takes into account the time necessary for the Investigator(s) to schedule and conduct the relevant and necessary interviews, so as to put together a comprehensive investigative report that includes all relevant evidence; to schedule and conduct the hearing preparation meeting if necessary; to schedule and conduct the hearing and any additional meetings; to write the final decision letters and complete the appeal process, if applicable. In normal circumstances, assuming timely cooperation from the parties and witnesses, staff will use their best efforts to complete the process within 120 days.

While the University strives to complete the investigation, adjudication and appeals process within 120 days, there may be instances beyond the control of the University where a good cause delay extends the University's timeline. Good cause delays include, but are not limited to, absence of a party, a party's Advisor or a Witness, concurrent law enforcement activity, the need for language assistance or accommodation of disabilities, examinations or school closures. The University will communicate in writing to the Complainant, Respondent and relevant participants if a good cause delay occurs.

I. Communication

OSCCR's primary method 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: electronic communication, 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 SIM Policy process.

J. Scheduling Student Hearings

In scheduling hearings, hearing preparation 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 SIM Policy processes are required to attend scheduled hearings notwithstanding class or academic conflicts. Failure to attend a hearing preparation meeting will not prevent the scheduling of a hearing.

K. Non-student Incidents

This policy applies to incidents in which the Respondent is a Student. Sexual or interpersonal misconduct involving a Student and any non-student Respondent in the University Community is handled under the [LMU Discriminatory Harassment and Complaint Process](#).

L. Reporting Party

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 so long as the conduct occurred on campus or campus controlled premises or a University-approved Activity. If a Complainant chooses not to participate in the University conduct process, the University reserves the right to initiate

the conduct process if, following review by OSCCR, sufficient evidence exists without the participation of the Complainant to present the case to the Conduct Administrators and obtain a determination of a violation by the putative Respondent utilizing the Preponderance of the Evidence standard. If a Respondent is not a Student of the University at the time of the alleged misconduct, no SIM Policy conduct process will be commenced.

M. Prior Sexual History

Prior sexual history of Complainant or Respondent with people outside of each other will not be considered in these disciplinary proceedings, and as between each other as provided for by law, including as set forth in California Education Code section 66281.8.

N. No Contact Orders

No Contact Orders (NCO) may be utilized by DPS both during the investigation and through the completion of the hearing process. An NCO may be extended beyond the completion of the hearing process. Failure or refusal to sign an NCO by either party does not impact the enforcement of the NCO.

O. Supportive Measures

In cases alleging sexual and interpersonal misconduct the Dean of Students, or designee, may institute Supportive Measures at the request of the Complainant and/or Respondent or as deemed appropriate by the University to protect the investigatory process and/or the University community while the complaint is being investigated and prior to the determination on the charge(s). Supportive Measures include, but are not limited to, academic, residential, transportation and/or employment accommodations, intended to protect [or preserve] the Complainant's and/or the Respondent's access to LMU's education program or activity. Supportive Measures may be extended through the pendency of conduct proceedings and potentially beyond as necessary.

A Complainant does not need to agree to be interviewed by DPS or participate in the conduct process in order to receive Supportive Measures.

Any such Supportive Measure 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. Supportive Measures provided to either the Complainant or Respondent are kept private, to the extent that maintaining privacy does not impair LMU's ability to provide Supportive Measures. Both Complainant and Respondent will receive written notification of their access to Supportive Measures. Any such Supportive Measure shall not be referred to or offered as evidence at the hearing on the underlying charge(s).

P. Good Samaritan and Self-Reporting Policy

In line with the [Good Samaritan and Self-Reporting Policy](#), 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 reserves 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.

Q. Education

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.

XXXIV. Responsible Employees and Requests for Privacy

A. Responsible employees are obligated to report all details of an incident of sexual or interpersonal misconduct, including the identities of those involved, to DPS whenever that information is brought forward to the responsible employee. The Student or reporting party will have the choice whether or not they wish to speak with DPS, however Students should be aware that if they request for their information to remain private, the University's ability to effectively investigate and adjudicate the instance(s) of sexual and interpersonal misconduct may be impaired. DPS will notify the Title IX Coordinator when a report has been filed.

The Title IX Coordinator, in consultation with the Dean of Students, or 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 privacy 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. In the event the Complainant requests that the University inform the Respondent that the Complainant asked the University not to investigate or pursue the conduct process, the University will honor this request.

Should a Student report sexual or interpersonal misconduct that occurred to the Student when they were a child, under the legal age of 18, LMU is required to contact local law enforcement to report the conduct.

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

1. Professional, licensed counselors, such as the psychologists at Student Psychological Services (SPS), 310.338.2868.
2. Pastoral counselors, such as rabbis, Catholic priests and women religious, are not required to report any information regarding alleged sexual or interpersonal misconduct, to DPS, the Title IX Coordinator or any other reporting body, without Consent from the Student provided they receive the information in performance of their pastoral duties.
3. Student Health Services (SHS) Staff, 310.338.2881 or LMUhealth@lmu.edu, are not required to report any information regarding alleged sexual or interpersonal misconduct, to DPS, 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.
4. LMU Community Resource Advisors (LMU CRAs), whose identities and contact information can be found on the [LMU CARES website](#), may speak 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 an LMU CRA will not trigger a University investigation unless the Title IX Coordinator, in consultation with the Dean of Students, or designee, determines that an

investigation is necessary because of the existence of one or more of the factors.

C. The University cannot guarantee privacy in all instances, and the following factors will be considered by the Title IX Coordinator in consultation with the Dean of Students, or designee, in determining whether the privacy request can be honored or if an investigation is necessary:

1. The Respondent has known multiple or prior allegations of sexual or interpersonal misconduct and a potential for a campus safety risk exists; or
2. The location in which the alleged incident occurred is a location where previous complaints of sexual or interpersonal misconduct occurred creating the potential for an unsafe environment for the LMU community; or
3. A threat to the campus community at large or a particular community member has been identified; or
4. The sexual or interpersonal misconduct was perpetrated with a weapon, physical restraints, or where the Respondent used force or violence; or
5. The victim is a minor (under the legal age of 18) at the time of the alleged incident; or
6. The University is able to conduct a thorough investigation and obtain relevant evidence in the absence of the Complainant's cooperation; or
7. Some combination of the above factors exists.

XXXV. Complainant/Respondent Rights

A. LMU's conduct process is intended to be fair and equitable to both the Complainant and Respondent. In observance of that goal of equity, both Complainants and Respondents in sexual or interpersonal misconduct cases have the right to:

1. An Advisor of their choice (see Section VI for more details) to assist with the conduct process;
2. Receive 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;
3. Receive written notification of the procedures for institutional disciplinary action and their rights and options as defined in sexual and interpersonal misconduct cases;
4. Request Supportive Measures as approved by the Dean of Students in collaboration with the Title IX Coordinator;
5. Make a complaint to DPS;
6. File a police report and take legal action separate from and/or in addition to filing a complaint under this policy seeking disciplinary action;
7. Identify material Witnesses to the alleged incident;
8. Receive written notification of the alleged charges based on the information available to the University;
9. Review submitted evidence that will be utilized by the Conduct Administrators in consideration of whether a violation of the SIM Policy occurred, and provide a written response to DPS;
10. In cases with the potential for severe sanctioning, the opportunity to submit questions for cross examination of the opposing party and any Witnesses to determine credibility of information;
11. If, in the course of the investigation, LMU decides to investigate allegations about the Complainant or Respondent that are not included in the initial notice of allegations, LMU will provide notice of the additional allegations in writing to all parties whose identities are

known at the time.

12. Be informed of the disciplinary finding (responsible or not responsible) as well as any sanctions, as applicable, in writing;
13. Appeal rights as outlined in Section XIII of this Policy;
14. Not unreasonably deny a Student's request for a reasonable extension of time due to examination periods or school closures;
15. Refuse any/all of the above.

XXXVI. Student Affairs Resource Administrators (SARA)

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 SARA to both the Complainant and Respondent (if a Respondent has been identified and been made aware of the allegation). The SARAs will make themselves available, 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 what Supportive Measures may be available to the Complainant and/or Respondent.

Complainants will be assigned a SARA regardless of whether they provide LMU with the name of the Respondent or participate in the conduct process.

It is encouraged, but not required that Complainants and Respondents meet with their assigned SARA. The role of the SARA is to:

- A. Provide information, in writing, regarding resources on and off campus such as SPS, SHS, Student Housing, LMU Recovery, LMU CARES, DPS, law enforcement authorities, Rape Treatment Center at Santa Monica-UCLA Medical Center, Campus Ministry and OSCCR;
- B. Provide information regarding the LMU SIM Policy process and/or the informal resolution process;
- C. Provide assistance in requesting Supportive Measures;
- D. Remain available to the Complainant/Respondent throughout the conduct process and/or informal resolution process and continue to provide the Student access to the resources that the Student requires.

XXXVII. Advisor

Complainants and Respondents may choose an Advisor of their choice. The Advisor may be anyone, regardless of familial relationship or lack of affiliation with the University; however, the Advisor must not serve in any other capacity in the conduct process (i.e., Witness or Conduct Officer) but may be the Complainant's or Respondent's SARA. If Complainants or Respondents want a trained Advisor from the University community, they may obtain a referral from their assigned SARA or from OSCCR.

Advisors will assist Students during the conduct process, but will not serve as representation for Students in SIM Policy proceedings. Advisors may not address the Hearing Panel members during conduct proceedings. All communication involving Advisors (unless otherwise provided for in this Policy) must be between the Advisor and Student. An Advisor may not appear in lieu of a Student.

XXXVIII. Roles and Responsibilities

A. The Roles and Responsibilities of the Conduct Administrators.

1. Hearings or other proceedings as provided in this Policy may be held before a Conduct Administrators, and may utilize videoconferencing.
2. The Senior Vice President for Student Affairs, or designee, shall appoint Conduct Administrators.
3. The Conduct Administrators adhere to procedures consistent with provisions in this Policy. All procedures are approved by the Senior Vice President for Student Affairs, or designee.
4. In the event of a vacancy or disqualification of a Conduct Administrator, the conduct matter shall be assigned to another Conduct Administrator by the Senior Vice President for Student Affairs, or designee.
5. Conduct Administrators shall complete annual training provided by OSCCR.
6. Conduct Administrators may be called upon to participate in the annual review of the SIM Policy.

B. The Roles and Responsibilities of the Student Conduct Appeal Committee.

1. Appeals, as provided in this Policy, are held before the Student Conduct Appeal Committee.
2. The Student Conduct Appeal Committee shall adhere to procedures consistent with provisions in this Policy. Procedures are approved by the Senior Vice President for Student Affairs, or designee.
3. The Student Conduct Appeal 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, or designee, 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 Chair over the appellate process from the members of the Student Conduct Appeal Committee;
 - g) The Senior Vice President for Student Affairs, or designee, shall serve as an ex officio member.
4. The Senior Vice President for Student Affairs, or designee, shall appoint all members of the Student Conduct Appeal Committee.
5. The term for the Student or faculty/staff committee members shall be one year. Members may be re-appointed for additional terms.
6. Prior to participating in Student Conduct Appeal Committee deliberations, new members of the Student Conduct Appeal Committee will participate in an orientation session offered at least once each academic year by the Senior Vice President for Student Affairs, or designee.
7. Student members of the Student Conduct Appeal Committee who are charged with any violation of the Student Conduct Code, SIM Policy, Student Title IX Policy or with a criminal offense may be suspended from their committee positions by the Senior Vice President for Student Affairs, or designee, 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 Senior Vice President for Student Affairs, or designee.
8. In the event of a vacancy, suspension or disqualification of a Student Conduct Appeal Committee member, the Senior Vice President for Student Affairs shall fill the vacancy.
9. Student members of the Student Conduct Appeal Committee may be called upon to participate in the annual review of the SIM Policy.

XXXIX. Prohibited Conduct

The following is a non-exhaustive list of conduct that is considered to be in violation of the SIM Policy. Participation in any of the below mentioned conduct may result in the initiation of SIM Policy proceedings. Informal resolution may also be initiated in lieu of the conduct process if both the Complainant and Respondent provide written Consent of its usage.

A. Participating in Sexual Misconduct, Sexual Assault, Sexual Battery or Sexual Exploitation that does not meet the definition of Title IX Sexual Harassment.

B. Participating in Dating Violence, Domestic Violence or Stalking that does not meet the definition of Title IX Sexual Harassment.

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

1. 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;
2. Sexual contact between the genitals or anal opening of one person and the mouth or tongue of another person;
3. 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;
4. The intentional touching of the genitals or intimate parts, including the breasts, genital area, groin, inner thighs and buttocks or the clothing covering them, of a child, or of the perpetrator by a child, for purposes of sexual arousal or gratification, except that it does not include acts which may reasonably be construed to be normal caretaker responsibilities; interactions with, or demonstrations of affection for, the child; or acts performed for a valid medical purpose;
5. The intentional masturbation of the perpetrator's genitals in the presence of a child.

B. Excerpts from Section 261 of the California Penal Code: Rape is an act of sexual intercourse accomplished under any of the following circumstances:

1. If a person who is not the spouse of the person committing the act 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;
2. If 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;
3. If a person is prevented from resisting by any intoxicating or anesthetic substance, or a controlled substance, and this condition was known, or reasonably should have been known by the accused;

4. If 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:

- a) Was unconscious or asleep;
- b) Was not aware, knowing, perceiving or cognizant that the act occurred;
- c) Was not aware, knowing, perceiving or cognizant of the essential characteristics of the act due to the perpetrator’s fraud in fact;
- d) 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.

5. If 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;

6. If 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;

7. If 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 “statutory rape” in 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. Excerpt from Section 67386 of the California Education Code:

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

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

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

In prosecutions under Section 261, 286, 287 or 289, in which Consent is at issue, “Consent” means 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, 286, 287 or 289.

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 their safety, or the safety of their immediate family is guilty of the crime of Stalking, punishable by:

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

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

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:

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

XLI. SIM Policy - Conduct Process

A. Once a report of alleged sexual or interpersonal misconduct is received and the investigation process has been initiated by either the Complainant or the University, LMU will provide written notice to both the Complainant and Respondent. The written notice shall include, among other information, notice of LMU’s conduct process, as well as notice of the allegations of the alleged sexual or interpersonal misconduct and sufficient details known at the time.

B. Referrals

Suspected violations of this Policy, 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 Conduct Administrators. Anonymous reports will be referred to DPS, who will investigate. If enough

independent information is corroborated, then SIM Policy proceedings may be initiated when sufficient evidence exists outside of statements by the reporting party, to support the potential for a preponderance of the evidence decision.

C. Sexual and Interpersonal Misconduct Policy Hearings OSCCR, in consultation with the Title IX Coordinator, shall review referrals to determine whether or not there is sufficient evidence to charge a Student with a violation of this Policy and whether to hold a SIM Policy hearing.

There are two potential processes to adjudicate allegations of sexual and interpersonal misconduct. The type of process utilized will be dependent on the potential for severe sanctioning should the Respondent be found responsible of all alleged charges.

D. SIM Policy – Procedural Protections for Non-Severe Sanctioning

Students charged with Policy violations of misconduct that do not present the potential for severe sanctioning (suspension or dismissal from the University) are accorded the following procedural protections:

1. Complaints will be promptly investigated and adjudicated following the procedures herein outlined;
2. A written or electronic notice of alleged facts underlying the misconduct charge(s), the location of the SIM Policy, a scheduled hearing with a Hearing Panel (or instructions on how to schedule the hearing) and timely notice of that hearing. Hearing Panels shall be comprised of Conduct Administrators trained specifically to adjudicate matters of sexual and interpersonal misconduct. If a Student fails to appear after receiving timely notice, a determination of the charged misconduct will be made based upon the facts and evidence submitted in support of the alleged misconduct. Failure to check one's University e-mail account is not sufficient justification for not attending a scheduled hearing. Complainants in these incidents will also receive written or electronic notice of the location of the SIM Policy and a scheduled hearing with a Hearing Panel (or instructions on how to schedule the meeting). If a Complainant fails to appear after receiving timely notice, OSCCR may discontinue the proceedings and dismiss the charges. Failure to check one's University e-mail account is not sufficient justification for not attending a scheduled meeting;
3. Reasonable access to the evidence supporting the charge will be made available to both the Complainant and the Respondent prior to a hearing;
4. Students who wish to have an Advisor must inform the Hearing Panel in writing or via e-mail at least two Days prior to the scheduled date of the hearing. The Advisor's role is to support Students during the conduct process, however they may not address the Hearing Panel or play any other role during hearings (including appear as a Witness). All communication involving Advisors (unless otherwise provided for in this Policy) must be between the Advisor and Student. An Advisor may not appear in lieu of the Student. Scheduling of hearings will be in accordance with a Student's academic schedule, but are not subject to delay to accommodate an Advisor's availability;
5. Complainants and Respondents, may provide fact (non expert) Witnesses. These Witnesses must have relevant knowledge and information pertaining to the case. Expert Witnesses are not allowed and character Witnesses are disfavored. The Hearing Panel must be notified in writing at least two Days prior to the scheduled date of the hearing that the Respondent or Complainant plans to provide Witnesses;
6. If a further hearing is necessary with the Respondent, Complainant or a Witness, a supplemental

proceeding will be scheduled;

7. A Student's conduct history will be considered when levying sanctions for subsequent violations. Increased sanctions may therefore be levied based on previous violations of all types, including violations of the Student Conduct Code or Student Title IX Policy, not just those of a similar type;

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

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

E. SIM Policy – Hearing Process for Non-Severe Sanctioning

1. The Hearing Panel has the right to request the presence of and interview fact (non-expert) Witnesses;

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

3. Prior to a hearing, Respondents and/or Complainants may challenge a Hearing Panel member on the grounds of conflict of interest. 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, a new Hearing Panel member will be assigned;

4. A separate hearing for both parties during which the Hearing Panel shall again specify the facts underlying the alleged misconduct and provide the Respondent and Complainant 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). Both parties 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 or opposition to the charge(s), including the right to offer counter or explanatory information;

5. During hearings, the Hearing Panel shall explain the University's conduct system and Student rights and make available the SIM Policy. The Hearing Panel shall also explain the private nature of the conduct process (Students' statements remain private except in the event of multiple involved Respondents, Complainants 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;

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

7. 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;

8. The decision of the Hearing Panel shall include a summary of the testimony, findings, decision and applicable sanction(s). The decision shall be sufficiently detailed to permit review pursuant to the appeal procedures and will be sent to the Respondent and the Complainant. The decision will not be sent to either the Respondent's Advisor or Complainant's Advisor;

9. Except as provided herein, formal rules of evidence and discovery shall not be applicable in proceedings conducted pursuant to this Policy. 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 matters into evidence that a reasonable person would accept as

having probative value in the conduct of their affairs. Unduly repetitious or irrelevant evidence may be excluded, may not be considered in the decision making process or may be afforded less weight than other evidence presented;

10. 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;

11. Sanctions shall be levied if it is determined that the Student is responsible for the alleged violation(s) by a Preponderance of the Evidence. If not, the charge(s) will be dismissed. Final decisions may be reviewed by the Senior Vice President for Student Affairs, or designee. The reviewing administrator may reduce, defer or suspend the decision and sanction, or impose conditions with any change, deferral or suspension.

F. SIM Policy – Procedural Protections for Severe Sanctioning

Students charged with violations that may result in severe sanctioning (suspension or dismissal from the University), and the Complainants who brought allegations are accorded the following procedural protections:

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

2. A written or electronic notice of misconduct charges and the location of the SIM Policy;

3. The Respondent and Complainant who wish to have an Advisor should inform OSCCR in writing at least two Days prior to the scheduled date of the hearing preparation meeting. The Advisor's role is to support Students during the conduct process, which may include the hearing preparation meetings as well as the hearings. During hearings 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 hearing preparation meeting or the hearing.

4. A scheduled hearing preparation meeting with an OSCCR administrator separately for both parties at which:

a) The Respondent and the Complainant may review all the information gathered by the University that makes up the basis for the charge(s);

b) The Respondent and the Complainant may ask the OSCCR administrator questions regarding the conduct process;

c) In the event a Respondent or a Complainant provides new Witnesses during the hearing preparation meeting, then the names of those Witnesses will be provided to DPS 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, the Respondent and the Complainant will be permitted another opportunity to review the updated report, evidence and information;

d) The OSCCR administrator shall explain the cross examination processes and procedures and Student rights and make available the SIM Policy. The OSCCR administrator shall also explain the private nature of the conduct process (Student statements during the hearing 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;

e) 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;

5. The Respondent will be permitted the opportunity to provide questions to be asked of a

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 Administrators 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 relevance of the question. Respondents will be granted the opportunity to submit additional questions in response to statements made during the hearing, which the Conduct Administrators will review for relevance when proffered and ask if appropriate;

The Complainant 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 Administrators 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 relevance of the question. Complainants will be granted the opportunity to submit additional questions in response to statements made during the hearing, which the Conduct Administrators will review for relevance when proffered and ask if appropriate;

6. Both the Respondent and the Complainant are permitted to note an objection to a question posed by the other party during the hearing. If the Conduct Administrators still elect to allow the question to be asked, the objection will be noted and made part of the conduct record.

7. 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;

8. If a further hearing is necessary, a supplemental proceeding will be scheduled;

9. A Student's conduct history will be considered when assigning sanctions for subsequent violations. Increased sanctions may therefore be assigned based on previous violations of all types, including violations of the Student Conduct Code and the Student Title IX Policy, not just those of a similar type;

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

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

G. SIM Policy – Hearing Process for Severe Sanctioning

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

1. The Conduct Administrators on the Hearing Panel may request DPS interview fact (non-expert) Witnesses;

2. LMU reserves the right to copy the Respondent's and the Complainant's Advisors on communication regarding scheduling of hearing preparation meetings, review of reports and scheduling of the hearing;

3. 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 Complainant the opportunity to again review the information and evidence gathered by the University that make up the basis for the charge(s). Respondents and Complainants 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. The

University reserves the right to postpone the hearing if new information is presented that had not been made previously available to all parties, and a supplemental hearing will be scheduled. 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 e-mail is not sufficient justification for not attending a scheduled hearing). A Student Complainant who fails to appear after timely notice will be deemed to have abandoned their complaint and the charges will be dismissed unless the case and the facts and evidence presented in support of the charged misconduct independent of the Complainant warrants the continuation of the conduct process;

4. Hearings will generally be private except for the Hearing Panel, parties and Advisors. Hearings will be recorded via videoconferencing software utilized by the Hearing Panel only. Recording devices (audio and/or video) of any kind are not permitted for use by the Students, Witnesses or Advisors. Respondents and Complainants are expected to be visible to the Conduct Administrators and each other throughout the hearing (with the exception of requested breaks). The recording of the hearing will be part of the conduct file and may be accessible to the Respondent and Complainant by contacting OSCCR. Transcriptions of hearings will not be made available;

5. Prior to the hearing, a Respondent or Complainant may challenge a Hearing Panel member on the grounds of a conflict of interest. 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, a new Conduct Administrator will be assigned, which may not impact the date and time of any scheduled hearing;

6. The Conduct Administrators on 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, 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;

7. The decision of the Conduct Administrators on 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 pursuant to the appeal procedures and will be sent to the Respondent and the Complainant. The decision will not be sent to either the Respondent's Advisor or Complainant's Advisor;

8. 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;

9. Except as provided herein, formal rules of evidence and discovery shall not be applicable in proceedings conducted pursuant to this Policy. The Hearing Panel shall give effect to recognized rules of privacy (including FERPA) and privilege, but may otherwise admit matters into evidence that a reasonable person would accept as having probative value in the conduct of their affairs.

Unduly repetitious or irrelevant evidence may be excluded, may not be considered in the decision making process or may be afforded less weight than other evidence presented;

10. Sanctions shall be levied if it is determined that the Student is responsible for the violation(s) by a Preponderance of the Evidence. If not, the charge(s) will be dismissed. Final decisions may be reviewed by the Senior Vice President for Student Affairs, or designee. The reviewing administrator may reduce, defer or suspend the decision and sanction, or impose conditions with

any change, deferral or suspension.

XLII. Sanctions

Violations of the provisions of Section VIII (Prohibited Conduct) of this Policy will result in the imposition of sanctions in service of the mission of this Policy. Factors to be considered in the determination of sanctions include, but are not limited to, the nature and severity of the violation, the present demeanor, contrition and past disciplinary record of the Respondent, including the willingness to accept responsibility for their behavior, the nature of the offense and the severity of any damage, injury or harm resulting from it, as well as the ability to potentially repair that harm and any and all health and safety considerations of the University Community and/or those involved.

A. Conduct Probation

The Student is no longer in “good conduct standing” with the University for duration of probation. The Student is given written notice that further infractions of University policies may result in further, increased 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.

B. 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. Notification of dismissal may be sent to the appropriate University offices and officials.

C. 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 their behaviors.

D. Housing Probation

The Student is given written notice that any further infractions of 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.

E. Ineligibility for Participation in Graduation Ceremonies

Prohibition from participation in graduation ceremonies.

F. Meetings

Meetings with a University staff or faculty member may be assigned as an educational sanction to provide the Student with an opportunity to discuss strategies to prevent future violations. Students may be asked to meet with an individual more than once.

G. No Contact Orders

The Student is given written notice not to have verbal, written or electronic contact with another LMU community member for a specified period of time, which may include their remaining tenure at the University. This order includes all interpersonal communication, including, but not limited to, social interaction, telephone correspondence, email, text message and/or social networking website.

H. Removal from or Relocation within University Housing

Students may be removed from University Housing facilities or a particular University Housing facility, be relocated to another University Housing facility or have their University Housing license agreement terminated. If removed, a Student may be prohibited from entering University Housing facilities and ineligible for future University Housing.

I. 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. Restrictions may include authorizing access to limited University Premises or facilities for specific purposes (e.g. to attend class) or being required to fulfill academic requirements via online educational tools.

J. 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-approved 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. Notification of suspension may be sent to the appropriate University offices and officials.

K. Warning

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

L. Other Sanctions

The University and its Conduct Administrators and Hearing Panels retain the right to impose additional and/or different sanctions according to the specific circumstances and needs of a situation.

XLIII. Informal Resolution Process

A. Overview

1. The University recognizes that it is important to take into account the needs of Students, some of whom may not wish to proceed through the conduct process. The University may, in appropriate circumstances, offer Complainants and Respondents the option of proceeding through an informal resolution process. The informal resolution process is designed to redress the harm caused by the underlying conduct and prevent its recurrence in a manner that meets the needs of the Complainant and effected parties while still maintaining the safety of the overall campus community. In cases where the University offers the option of informal resolution, if the parties agree to participate in the informal resolution process, the University will postpone

initiation of the conduct process.

B. When Informal Resolution May be Used

1. The University, at its sole discretion, may offer the informal resolution process in lieu of the conduct process.
2. OSCCR, in consultation with the Title IX Coordinator, or designee, will determine whether the informal resolution process is appropriate on a case-by-case basis. The University reserves the right to discontinue the informal resolution process at any time prior to the signing of the informal resolution agreement.

C. Informal Resolution Process - Procedures

1. Either party may request to proceed with the informal resolution process at any point in the investigation process, prior to the start of a hearing. The appropriateness of informal resolution will be determined by the University prior to the commencement of informal resolution procedures.
2. If the University determines that it is appropriate to offer informal resolution regarding the complaint, an OSCCR administrator will explain the informal resolution process to the Complainant, inform the Complainant that participation is voluntary, and ask if the Complainant wants to engage in the informal resolution process in lieu of the conduct process.
3. If the Complainant informs OSCCR that they would like to engage in the informal resolution process, the University will inform the Respondent that the Complainant has requested the informal resolution process. The University will explain the requirements of the informal resolution process to the Respondent including, but not limited to, potential consequences that may result from participating in the process. The Respondent will be informed that participation in the informal resolution process is voluntary.
4. If both the Complainant and Respondent agree to participate in the informal resolution process, they must inform OSCCR in writing. Prior to the resolution of the informal resolution process, the Complainant and/or Respondent may request the informal resolution process end and the complaint proceed through the conduct process.
5. The informal resolution process will be facilitated by a trained facilitator.
6. Individuals who wish to participate in an informal resolution process must successfully complete preparatory meetings with the facilitator. Individuals may be accompanied by a support person at any meetings related to the informal resolution process.
7. Informal resolution may include one or more of the following restorative approaches:
 - a) Restorative Conference: A facilitated interaction where individuals who have experienced harm can come together with an individual(s) who assumes responsibility for repairing harm, with the goal of creating a plan or agreement to repair the harm (to the extent possible). With both parties' agreement, a restorative conference can include multiple members of the community to explore individual and community impact, harm, obligations, and opportunity for repairing them;
 - b) Restorative Shuttle Agreement/Impact Statement: An indirect, facilitated conversation individually with the Complainant, the Respondent and/or other participants to discuss experience and perspective and explore interests while working towards meeting expressed needs. This negotiated process does not require direct interaction between the parties or the parties and other participants, but rather, independently, with a coordinator to create an agreement to repair harm.
8. After consultation and intake with the trained facilitator, the Complainant and the Respondent must voluntarily agree on the process(es) that best meet(s) the interests and needs of the parties.

9. If the informal resolution process is not accepted or fully completed by all parties, then the matter may be referred back to OSCCR, and the conduct process may be initiated.

D. Informal Resolution Process Agreements

1. A mutual voluntary resolution agreement may include requirements that the Respondent complete various responsive actions. The trained facilitator will explain to the Complainant and Respondent the types of responsive actions available and appropriate on a case-by-case basis.
2. Typically, an agreement also includes agreed upon consequences when obligations under the agreement are not fulfilled, which may include being charged with a violation of the Student Conduct Code for failure to comply with University officials or other applicable University policies.
3. Any agreement reached in the informal resolution process will be reviewed by the Title IX Coordinator, or designee.
4. As part of the successful completion of the informal resolution process, which may include completion of agreement items, the Respondent will not be charged with a violation of the SIM Policy.
5. Once an agreement is signed, the complaint is considered resolved and cannot be referred back to the conduct process.

E. Information obtained during Informal Resolution Process

1. Information shared or obtained during the informal resolution process will be treated as private to the extent permitted by law and will not result in subsequent disciplinary actions by the University.
2. Should the process revert to the conduct process, information obtained through the informal resolution process may not be utilized in the conduct process.
3. To fairly assess pattern or systemic behavior, the Title IX Coordinator may maintain records of all reports and conduct referred for informal resolution.

XLIV. Appeal Procedures

A. Decisions by the Hearing Panel or, in some instances, conduct sanctions levied may be appealed by the Respondent or Complainant to the Student Conduct Appeal Committee. Appeals to the Student Conduct Appeal Committee are limited to one or more of the following grounds:

1. The sanction is inappropriate;
2. The procedures provided for in the Code were not materially followed resulting in significant prejudice to the Appellant that effectively denied Appellant a fair hearing;
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 Appeal Committee
c/o The Office of Student Conduct & Community Responsibility
Malone Student Center 355
OSCCR@lmu.edu

C. Appeal petitions must be submitted by the Respondent or Complainant via written statement and

received by the Student Conduct Appeal 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 on behalf of the involved Student party. Failure to file the appeal petition within the 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. 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 Student Conduct Appeal Committee shall be convened. The non-appealing party (either Complainant or Respondent) will receive access to the submitted appeal petition, 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), the Student Conduct Appeal Committee will review the DPS investigation report or documentation of alleged behavior, the Hearing Panel's summary of the testimony, findings, decision and the recommended sanction, the Student's disciplinary history and the written statements of the Respondent and the Complainant filed with the appeal petition or in response to the appeal petition.

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

G. Both parties shall have the opportunity to submit an appeal and absent an appeal by both parties, the nonappealing 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.

H. Concurrent with the filing of an appeal petition, Respondents or Complainants may challenge a member of the Student Conduct Appeal Committee on the grounds of a conflict of interest. All disqualification challenges of Student Conduct Appeal 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.

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

J. So long as supported by the evidentiary record, the Student Conduct Appeal Committee shall give deference to the determinations of the Hearing Panel. The Student Conduct Appeal Committee shall not alter the underlying decision of the Hearing Panel if supported by substantial evidence and reasonable inferences arising therefrom. If the appeal submitted by the Respondent or Complainant is granted, the

Committee may make one of the following recommendations to the Senior Vice President of Student Affairs, or designee:

1. The case may be referred back to the Hearing Panel who made the original decision for reconsideration of the appropriateness of the sanctions assigned;
2. The case may be referred back to the Hearing Panel who made the original decision to consider new, significant relevant evidence, which in the exercise of reasonable diligence could not have been produced at the time of the hearing;
3. The case may be referred back to the Senior Vice President for Student Affairs, or designee, for reassignment to a new Hearing Panel if specified procedural errors in interpretation of the Policy resulted in significant prejudice to the Appellant that effectively denied the Appellant a fair hearing;
4. The determination may be reversed, if the decision is not supported by substantial evidence.

K. Except as provided herein, formal rules of evidence and discovery shall not be applicable in these proceedings conducted pursuant to the Policy. The Student Conduct Appeal Committee shall give effect to the recognized rules of privacy (including FERPA) and privilege but shall otherwise admit matters into evidence that 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 Appeal Committee may take presumptive notice of matters that would be of general knowledge to other University Students.

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

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 Appeal 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 Appeal 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 Student Conduct Appeal Committee proceedings shall be determined by the Committee's presiding chair in accordance with the Policy.

XLV. Exceptional Procedures

A. Final decisions of the Hearing Panel recommending a suspension or dismissal from the University shall be reviewed and approved by the Senior Vice President for Student Affairs.

B. Students may also be relocated or removed from University Housing facilities on an interim or temporary basis as an appropriate Supportive Measure.

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

D. 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 SIM Policy 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 may 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.

E. 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.

F. Prior to graduation, Students charged with an alleged Policy violation in which the charges have not yet been adjudicated, may in the University's discretion be prohibited from participating in graduation ceremonies until the SIM Policy proceedings have been adjudicated and, if found responsible, sanctions completed.

XLVI. Retaliation

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.

The University will respond to any accusations of Retaliation against the Complainant, Respondent or Witnesses because of participation in the investigation or adjudication of a report of sexual or interpersonal misconduct. 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.

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 by a Student for filing 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 or public.safety@lmu.edu. 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 or Sara.Trivedi@lmu.edu.

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

LMU Resources

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

selfhelp.lacourt.org/service-catalog/C04

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.

XLVIII. 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.

XLIX. 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.

L. 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.

LI. 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).

LII. 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 Public Safety.

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

LXIII. 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.

LXIV. Fire Statistics

All reports of fires and fire alarms are maintained in a database within 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 2021

The following sets forth information about all fires that occurred in on-campus residential buildings during the period from January 1, 2021 to December 31, 2021.

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
Palm North	0	0	0	0	0	0	0	0	3	3
Palm South	0	0	0	0	0	0	0	0	9	6
Doheny Hall	0	0	0	0	0	0	0	0	0	2
Rosecrans Hall	0	0	0	0	0	0	0	0	0	0
Desmond Hall	0	0	0	0	0	0	0	0	0	2
Whelan Hall	0	0	0	0	0	0	0	0	1	1
Del Rey North	0	0	0	0	0	0	0	0	1	4
Del Rey South	0	0	0	0	0	0	0	0	1	1
McKay Hall	0	0	0	0	0	0	0	0	1	1
McCarthy Hall	0	0	0	0	0	0	0	0	0	1
Rains Hall	0	0	0	0	0	0	0	0	0	1
Tenderich Hall	0	0	0	0	0	0	0	0	0	1
Hannon Apts.	0	0	0	0	0	0	0	0	1	1
O'Malley Apts.	0	0	0	0	0	0	0	0	1	1
Leavey 4 Apts.	0	0	0	0	0	0	0	0	0	1

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
Leavey 5 Apts.	0	0	0	0	0	0	0	0	1	1
Leavey 6 Apts.	0	0	0	0	0	0	0	0	3	1
8000 Loyola Blvd.	0	0	0	0	0	0	0	0	0	1
8001 Loyola Blvd.	0	0	0	0	0	0	0	0	0	1

B. 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
Hues Huesman	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
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

C. 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
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

LXV. Daily Fire Log

A. The following sets forth information about all fires that occurred in on-campus residential units during the period from January 1, 2021 through December 31, 2021, in accordance with applicable law.

Nature (cause) of Fire	Probable Origin (Intentional/unintentional/mechanical failure/act of nature/unknown)	Report Number	Date of Fire	Time of Fire	LMU Residential Building
NO FIRE EVENTS FOR THE YEAR 2021	N/A	N/A	N/A	N/A	N/A

B. 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.

Nature (cause) of Fire	Probable Origin (Intentional/unintentional/mechanical failure/act of nature/unknown)	Report Number	Date of Fire	Time of Fire	LMU Residential Building
NO FIRE EVENTS FOR THE YEAR 2020	N/A	N/A	N/A	N/A	N/A

C. 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.

Nature (cause) of Fire	Probable Origin (Intentional/unintentional/mechanical failure/act of nature/unknown)	Report Number	Date of Fire	Time of Fire	LMU Residential Building
Cooking Fire	Unintentional Cooking Fire	2019-01540	10/29/19	11:07 PM	McCarthy Hall

LXVI. 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 single-family dwellings (8000 and 8001 Loyola Blvd, 8000 Holy Cross St., 7947 McConnell St., 7206 78th St., 7210 78th St., 7230 78th St.) 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)	YesLocal Room Smoke Detection (Batteries)	Sprinkler System	Monitor Service	Fire Drills Conducted Annually
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
Dely 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 Apartments	Yes	Common Areas	Yes	Yes	Yes	No	0
Playa del Oro	Yes	Common Areas	Yes	Yes	Yes	No	0
Rains Hall	Yes	1st Floor Electrical Room	Yes	Yes	Yes	Pyro-com	2
Tenderich	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 Across From Apt. 110	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
Leavey 5 Apts.	Yes	1st Floor Electrical Room	Yes	Yes	Yes	Pyro-com	2
Leavey 6 Apts.	Yes	2nd Floor 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
6981 W. 80th Street	No	Single Family Dwelling	No	Yes	No	No	0
8000 Holy Cross Street	No	Single Family Dwelling	No	Yes	No	No	0
7947 McConnell Street	No	Single Family Dwelling	No	Yes	No	No	0
7206 78th Street	No	Single Family Dwelling	No	Yes	No	No	0
7210 78th Street	No	Single Family Dwelling	No	Yes	No	No	0
7230 78th Street	No	Single Family Dwelling	No	Yes	No	No	0

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

LXVII. 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.

LXVIII. 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.

LXIX. 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.

LXX. Fire Drills for Administrative and Academic Buildings

Public Safety partners with 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
Malone Student Center	1/8/2021
Seaver Hall	1/18/2021
Malone Student Center	1/18/2021
Malone Student Center	5/16/2021
Seaver Hall	6/2/2021
Childrens Center	7/15/2021
Malone Student Cnter	7/28/2021
Howard B. Fitzpatrick Pavilion	9/13/2021
Facilities Management	9/14/2021
Howard B. Fitzpatrick Pavilion	9/29/2021
Howard B. Fitzpatrick Pavilion	9/30/2021
Malone Student Center	10/9/2021
Seaver Hall	10/9/2021
Malone Student Center	10/15/2021
Howard B. Fitzpatrick Pavilion	10/20/2021
University Hall	10/22/2021
Malone Student Center	10/23/2021
Charles Von Der Ahe	10/23/2021
Drollinger Stage	11/29/2021
Founders Pavilion	12/15/2021
Malone Student Center	12/18/2021
Charles Von Der Ahe	12/29/2021

LXXI. 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.

LXXII. 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 it’s 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.

LXXII. 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

LXXIII. 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 Services	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.

LXXIV. 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).

LXXV. Crime Statistics: Clery Data Reported to Public Safety

A. 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.

**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. 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.

C. 2021 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	5	4	0	0
Fondling	4	3	0	0
Incest	0	0	0	0
Statutory Rape	0	0	0	0
Robbery	0	0	0	0
Aggravated Assault	0	0	0	0
Burglary	1	0	0	0
Motor Vehicle Theft	5	0	0	3*
Arson	1	0	0	0
Domestic Violence	0	0	0	1*
Dating Violence	1	1	0	0
Stalking	5	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	0	0	0	0
Drugs	22	21	0	0
Alcohol	27	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 2021 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. During the reporting period, there was one motor vehicle theft taken from a parking lot at a hotel in Emeryville, California, used by an LMU Athletics team. There was also a non-campus domestic violence incident at a hotel in Davis, California, used by an LMU Athletics team. There were also two motor vehicle thefts in the common parking lot of the Playa Del Oro apartments which are used as non-campus student housing.”

LXXVI. Hate Crimes

2019: No hate crimes during the reported period.

2020: No hate crimes during the reported period.

2021: No hate crimes during the reported period.

LXXVII. Unfounded Crimes

2019: No unfounded crimes during the reporting period.

2020: No unfounded crimes during the reporting period.

2021: No unfounded crimes during the reporting period.

LXXVIII. Daily Crime Log

As required by the Clery Act, Campus 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 safety.lmu.edu/incidents/logs; a hard copy is also available in the Campus Safety office in Foley Annex Suite #100. Campus Safety updates this information at least every two business days.



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