I. Statement of Policy

In accordance with Title IX and California law, California Lutheran University prohibits all forms of sex-based harassment and discrimination in all of its programs and activities. In accordance with the Clery Act, California Lutheran University prohibits sexual assault, dating violence, domestic violence and stalking.

This policy links to definitions of prohibited conduct, descriptions of resources available to reporting and responding parties, and the procedures California Lutheran University will follow in the event of a report of conduct prohibited by this policy.

As set forth in the applicable procedures, responsible individuals will be subject to disciplinary action that may include termination, expulsion, suspension, removal from campus, cancellation of contract, other appropriate institutional sanctions or any other means necessary to address the behavior. Prosecution by civil authorities may also occur.

California Lutheran University prohibits retaliation against any individual who in good faith reports an incident of prohibited conduct or the possible witnessing of the warning signs of prohibited conduct. California Lutheran University also prohibits retaliation against any individual who cooperates in good faith with an investigation regarding any matter covered by this policy.

II. Definitions Used in this Policy

See CLU Title IX web page for definitions.

III. Scope of Policy

This policy applies to Students/Faculty/Staff/all members of California Lutheran University’s community

To the extent that this policy conflicts with other policies or guidelines, this policy shall prevail.

IV. Internal Reporting

To report a perceived violation of this policy, including conduct prohibited by this policy, contact:

Jim McHugh, Title IX Coordinator, titleix@callutheran.edu, (805) 493-3630
Christine Paul, Deputy Title IX Coordinator, titleix@callutheran.edu, (805) 493-3630
Title IX Policy

California Lutheran University will respond to any reports about such incidents alleged to have been committed by students, staff, faculty or third parties.

V. External Reporting

Any individual may file reports and/or complaints about the university’s handling of prohibited conduct to the Office for Civil Rights (OCR) with the U.S. Department of Education at (415) 486-5555 or ocr.sanfrancisco@ed.gov. OCR complaints should be filed within 180 days of the last date of alleged discrimination. OCR may extend this deadline in a variety of circumstances.

Employees may file reports and/or complaints with the California Department of Fair Employment and Housing (DFEH) at contact.center@dfeh.ca.gov or www.dfeh.ca.gov, or the U.S. Equal Employment Opportunity Commission (EEOC) at (800) 669-4000 (TTY (800) 669-6820) or www.eeoc.gov. Complaints must be filed with the DFEH no later than one year from the date of the alleged unlawful conduct.

Amnesty Policy- (See page 76 of the Student Handbook)

VI. Resources Available Under this Policy

In the event of a report under this policy, a list of resources available to reporting and responding parties, students or employees, for counseling, health, mental health, victim advocacy, legal assistance, visa and immigration assistance, student financial aid, and other services available, both within California Lutheran University and in the community is available on under Resources on the Title IX web page and on page 62 of the Student Handbook.

In the event of a report under this policy, a party may request to the Title IX Coordinator or Deputy, changes to academic, living, transportation, and working situations or protective measures. California Lutheran University will make such accommodations or provide such protective measures if a party requests them and if they are reasonably available.

In the event a report of sexual assault is made to California Lutheran University, whether the offense occurred on or off campus, the Title IX web page provides information on what to do first to seek help from medical and law enforcement agencies.

VII. Confidentiality

California Lutheran University will make every effort reasonably possible to preserve the privacy of an individual who makes a report under this policy and to protect the confidentiality of the information reported. The degree to which confidentiality can be protected, however, depends upon the California Lutheran University’s legal duty to respond to and investigate the information reported and the professional role of the person being consulted. The professional being consulted should make these limits clear before the disclosure of any facts.

As required by law, California Lutheran University collects and annually reports statistical information concerning sexual assault dating violence, domestic violence and stalking occurring within its jurisdiction. As required by law, these disclosures are tabulated for statistical purposes without personal identifying information. To promote public safety, California Lutheran University also alerts the campus
community to reports of incidents and trends of immediate concern.

In order to protect the confidentiality of the reporting party and other necessary parties, California Lutheran University will:

- Complete publicly available record keeping, including Clery Act reporting and disclosures, without the inclusion of personally identifying information about the reporting party.
- Maintain as confidential any accommodations or protective measures provided to the reporting party, to the extent that maintaining such confidentiality would not impair the ability of California Lutheran University to provide the accommodations or protective measures.

All requests from the media, the campus community at large or the general public, for information concerning an alleged incident of sexual misconduct should be directed to Karin Grennan, Media Relations Manager, kgrennan@callutheran.edu, (805) 493-3512.

VIII. Procedures

Consistent with its obligations under Title IX, the Clery Amendments, and California law, the University has adopted and published grievance procedures providing for the prompt and equitable resolution of complaints. This section references the procedures that the University will follow upon receipt of a report of sexual harassment, dating violence, domestic violence, sexual assault, or stalking.

<table>
<thead>
<tr>
<th>Investigation Process Reference Matrix</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Student Reporting Party</strong></td>
</tr>
<tr>
<td><strong>Student</strong></td>
</tr>
<tr>
<td><strong>Faculty</strong></td>
</tr>
<tr>
<td><strong>Non Faculty and Student Employee Reporting Party</strong></td>
</tr>
<tr>
<td><strong>Third Party Reporting Party</strong></td>
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</tbody>
</table>

* Guests and other third parties who are not subject to an explicit judicial procedure, upon a finding of a violation, shall be subject to adverse actions such as removal from campus, cancellation of contract or any other means necessary to address the behavior.
Title IX Policy

VIII. Prevention & Awareness Programs

California Lutheran University’s primary prevention and awareness programs for all incoming student and new employees include:

• Web based online training that addresses the critical issues of sexual assault, relationship violence, and stalking;
• Bystander skill and confidence-building strategies; and
• Campus-specific policies, procedures and resources.

A similar training program is administered to all new employees. Additionally ongoing prevention and awareness campaigns are conducted throughout the year.

For the purposes of this section:

(i) **Awareness programs** means community-wide or audience-specific programming, initiatives, and strategies that increase audience knowledge and share information and resources to prevent violence, promote safety, and reduce perpetration.

(ii) **Bystander intervention** means safe and positive options that may be carried out by an individual or individuals to prevent harm or intervene when there is a risk of dating violence, domestic violence, sexual assault, or stalking. Bystander intervention includes recognizing situations of potential harm, understanding institutional structures and cultural conditions that facilitate violence, overcoming barriers to intervening, identifying safe and effective intervention options, and taking action to intervene.

(iii) **Ongoing prevention and awareness campaigns** means programming, initiatives, and strategies that are sustained over time and focus on increasing understanding of topics relevant to and skills for addressing dating violence, domestic violence, sexual assault, and stalking, using a range of strategies with audiences throughout California Lutheran University.

(iv) **Primary prevention programs** means programming, initiatives, and strategies informed by research or assessed for value, effectiveness, or outcome that are intended to stop dating violence, domestic violence, sexual assault, and stalking before they occur through the promotion of positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality, encourage safe bystander intervention, and seek to change behavior and social norms in healthy and safe directions.

IX. Training for Employees

Sexual misconduct prevention training is required for members of the California Lutheran University campus community according to the following schedule:

• Title IX Coordinators and campus safety personnel/law enforcement, within 30 days of hire;
• New faculty and staff, within six months of hire;
• All faculty and staff, – annually;
Title IX Policy

- Key students, and program leaders prior to performing the duties or participating in the qualifying activity;
- Orientation programs for new students, faculty, staff, and employees;

All Title IX Coordinators and campus safety personnel must have adequate training on what constitutes sexual harassment, including sexual violence, and how the institution’s procedures operate. All institution campus safety employees shall receive training on procedures used for investigating reports of sexual violence, dating and domestic violence or stalking. In addition, students who are mandatory reporters should be that if they receive a complaint involving a potential violation of this policy, they are required to report the complaint to the institution’s Title IX coordinator.

Additional trauma informed training for persons involved in implementing a grievance procedure is also required. These individuals must have training or experience in handling complaints of sexual harassment, sexual violence, dating and domestic violence and stalking and in the grievance procedures. This training shall also include confidentiality requirements. For sexual violence cases, the fact-finder and decision-makers shall also have training regarding sexual violence, dating and domestic violence or stalking prior to hearing such cases.