



# Annual Security Report 2020

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***Introduction:***

This report is prepared and made available to students and staff as required by a federal law known as the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act. This law mandates that institutions receiving Title IV federal funds disseminate crime statistics for certain serious offenses that occurred on campus and in adjacent areas for the current and previous two calendar years. The purpose of this report is to provide our current and prospective faculty, staff and students with safety information including crime statistics and procedures to follow to report a crime.

Any questions regarding this report should be directed to Dawn Upham at (805) 898-4083, or [titleixcoordinator@fielding.edu](mailto:titleixcoordinator@fielding.edu).

***Policy on Preparing the Annual Security Report:***

Fielding Graduate University’s Administration prepares this report to comply with the Jeanne Clery Disclosure of Campus Security Policy and Crime Statistics Act (Clery Act).

This Annual Security Report (“ASR” or “Report”) can be located on our public website by any individual at our Student Consumer Information page. Prospective and current students, faculty, staff and interested individuals may also access printed copies of this Report during regular business hours at the Fielding Graduate University Human Resources Office, located at 2020 De la Vina Street, Santa Barbara, California. The 2020 Report must be uploaded to the Internet on or before October 31<sup>st</sup> annually. Due to the COVID-19 pandemic, the U.S. Department of Education provided educational institutions an extension of time to distribute their Annual Security Report through December 31, 2020. Students, faculty and staff are notified that the Report is available through an e-mail sent on or before December 31, 2020.

Preparation of the ASR and compliance with the Clery Act are University-wide responsibilities. The University requests statistics from local law enforcement with jurisdiction around Non Campus property. The University has very occasional use of On Campus property pursuant to the Clery Act definitions.

Campus statistics for crime, arrest and referral include those reported to the appropriate law enforcement agencies and those University officials designated as Campus Security Authorities.

Specifically, crimes may be reported to:

|                  |  |                |
|------------------|--|----------------|
| HR Generalist II | <a href="mailto:titleixcoordinator@fielding.edu">titleixcoordinator@fielding.edu</a> | (805) 898-4083 |
| HR Director      | <a href="mailto:dferrare@fielding.edu">dferrare@fielding.edu</a>                     | (805) 898-4018 |

At any time, a Fielding student, staff or faculty member, or other member of the Fielding community may report a crime to local law enforcement for the jurisdiction they are in and/or the jurisdiction in which the crime occurred by dialing 911.

***Campus Security Authorities:***

- Kristine Jacquin, Dean, School of Psychology, [kjacquin@fielding.edu](mailto:kjacquin@fielding.edu)
- Barbara Mink, Dean, School of Leadership Studies, [bmink@fielding.edu](mailto:bmink@fielding.edu)
- Core Faculty [members](#)
- All administrators at the level of [Director or above](#)
- All members of the [Human Resources staff](#) [hr@fielding.edu](mailto:hr@fielding.edu) or [titleixcoordinator@fielding.edu](mailto:titleixcoordinator@fielding.edu)

***Policy on Pastoral and Professional Counselors and Encouragement of Reporting:***

The University does not maintain a staff of professional counselors or pastoral counselors. If the University were to employ professional or pastoral counselors in the future, they would be strongly encouraged to report crimes on a voluntary, confidential basis for inclusion in statistics, in keeping with their legal and ethical confidentiality requirements.

Mental health counselors are exempt from Clery Act reporting requirements to disclose or report allegations of crimes and incidents; however, in order to qualify for the exemption, the counselor must be acting in their professional role of mental health counselor. Because Fielding does not have a student health service that provides mental health counseling, this exemption would likely apply only in rare instances. As a general rule, an administrator, staff, or faculty member — including those who possess a graduate degree in clinical psychology or counseling — would be considered to be acting in their role as a University administrator, staff, or faculty member, rather than as a counselor, and would therefore be obligated to follow Clery Act reporting requirements.

***Reporting Crimes, Including Confidential Reporting:***

All members of the community including students, staff, guests and those who live or work around property that the University uses for classes and other University property are urged to report criminal incidents, emergencies and suspicious activity to the Human Resources Office promptly. The contact information is (805) 898-4083 or [titleixcoordinator@fielding.edu](mailto:titleixcoordinator@fielding.edu). All reports are responded to, logged and classified. Note that while all reports are taken seriously and responded to, not all crimes reported are included in a Clery Annual Security Report. Criminal incidents and fires may also be reported to the local police department by calling 911.

The University does not maintain a staff of professional or pastoral counselors or other confidential reporters. While not maintaining strict “confidentiality” as defined by law and court cases, the University’s staff will always offer reporters the opportunity to report “privately.” Private reporting means that University staff will not publicize the report or discuss it beyond what is required by law, regulation and University policy. In cases of sexual assault or other sex crimes, the University’s Title IX Officer may take additional actions or conduct an investigation.

If the victim of a crime does not want to pursue action within the University or the criminal justice system, that person may still want to consider making a confidential report. With the

permission of the crime victim, an employee of Fielding Graduate University can file a report on the details of the incident with local law enforcement and/or with University officials and the Title IX Coordinator without revealing the identity of the victim. The purpose of a confidential report is to comply with the victim's wish to keep the matter confidential, while taking steps to ensure the future safety of the victim and others. With such information, the University can keep an accurate record of the number of incidents involving students; determine whether there is a pattern of crime with regard to a particular location, method, or assailant; and alert the campus community to potential danger. Reports filed in this manner are counted and disclosed in the annual crime statistics for the institution.

Although students and other members of the Fielding community are encouraged to report crimes to the offices listed above, they may also report crimes to the University's Campus Security Authorities — those faculty or staff members who have significant responsibility for student or campus activities. Titles of Campus Security Authorities are listed above.

### ***Security and Access to the University:***

Fielding Graduate University is a non-traditional institution in that students do not typically attend classes at a campus building or facility. Students do, on very rare occasions, come to Fielding Graduate University for classes that are identified for Clery Act purposes as On-Campus property at 2020 De la Vina Street, Santa Barbara, CA, 93105. Also, on occasion, students meet on Non-Campus property. These are, for the most part, hotels and conference centers. The security of these locations is dependent on the security policies of the hotel and/or conference center as well as the state and local law and policies of local law enforcement.

Anyone who has questions about security and safety at any location may contact the hotel or conference center directly or may contact the Director of Conferencing and Events at [sessions@fielding.edu](mailto:sessions@fielding.edu) or (805) 898-4057 to discuss safety and security at the specific location.

Anyone who has questions about security and safety On-Campus, may contact Dawn Upham at [dupham@fielding.edu](mailto:dupham@fielding.edu)

### ***Policy on Campus Law Enforcement:***

The University does not maintain a police department or campus security department. University administration will cooperate with local law enforcement as the primary investigators for any reported crimes. The University will also cooperate with hotels and conference centers at which University classes and programming are held in regard to crimes committed during University programs, and will assist in any way it can to ensure that appropriate information is shared with local law enforcement in the applicable jurisdiction.

### ***Policy on Relationships with State and Local Law Enforcement:***

The University does not maintain Memoranda of Understanding with state or local law enforcement. The University did offer coursework at its headquarters on four, non-standing, days in 2019. The University occasionally offers live programming at hotels and/or conference centers around the country, but these locations are not static, and the University does not maintain Memoranda of Understanding with applicable law enforcement. In all cases, sworn local law enforcement are the primary responders to any crime and maintain jurisdiction. The University will work with sworn local law enforcement to aid in their investigations, in keeping with applicable laws, such as FERPA.

***Policy Encouraging Accurate and Prompt Crime Reporting:***

Community members, students, faculty, staff, and guests are encouraged to report all crimes and public safety related incidents to local law enforcement in a timely manner by dialing 911 or the phone number for local law enforcement. The University encourages anyone who is the victim of a crime or a witness to a crime to promptly and accurately report that crime to local law enforcement. For those who do not wish to work through the criminal justice system, the University encourages them to report the crime to a Campus Security Authority identified above.

***Policy on Campus Safety Programs, Education, and Crime Prevention:***

Fielding has developed a comprehensive Emergency Preparedness Plan for students, faculty, and staff, which can be viewed starting on page 49 of this report.

***Policy on Programs Designed to Inform Students and Employees About the Prevention of Crimes:***

Because of Fielding’s distributed learning model, we recognize that our students and faculty typically study or work in a variety of locations, most of which are not controlled by Fielding. Regardless of the setting – whether it is a Fielding national session or cluster meeting, coffee shop, library, or other location– we urge all members of the Fielding community to take the following safety and security precautions:

1. Lock the doors anytime you’re alone in a meeting room after hours, and whenever you’re in your hotel room.
2. Always lock your car when you leave it, look into it before entering it, and lock it right away when you get in.
3. If someone comes into your study/work area, trust your instincts. If you are alone, ask strangers who they are looking for and then step out to a public area as if you’re leading them in the right direction.
4. If you’ve called 911, attempt to alert the people around you (only if you can do so safely).
5. Report anyone who seems out of place to the hotel front desk or to a Fielding representative.

6. If you ever feel unsafe with a person, do not agree to meet with him/her alone. Ask someone to join you.
7. It is okay to leave the room if you feel unsafe and the person will not leave.
8. If you are walking anywhere at night, be aware of your surroundings, keep your head up and move briskly to your destination.

Fielding endeavors to offer additional training to students where appropriate.

***Policy on Monitoring and Recording Criminal Activity Off Campus:***

The University provides no student housing and has no recognized off-campus student organizations such as fraternities or sororities, and therefore it has no policy regarding student criminal activities at such organizations. When called upon, the University will assist local law enforcement as permitted under federal and state law, but the University does not provide any law enforcement, security, or patrol to off-campus locations.

***Possession, Use and Sale of Alcoholic Beverages and Illegal Drugs:***

Fielding Graduate University is committed to providing a safe, healthy, and productive environment for its entire community. Fielding strives to maintain a drug-free environment. Unlawful possession, use, or distribution of illicit drugs and/or alcohol at the University's facilities or as part of any of its activities is prohibited.

Students are required to comply with this policy as a condition of enrollment.

As a condition of employment, all employees of Fielding Graduate University (this includes faculty and staff) are required to adhere to this policy. Persons who are not employees, but who perform work for Fielding (such as contractors and their employees, temporary employees provided by agencies, visitors engaged in joint projects, etc.) are also required to comply with this policy.

**Local, State, and Federal Legal Sanctions**

Local, state, and federal laws establish severe penalties for unlawful possession or distribution of illicit drugs and alcohol. These sanctions, upon conviction, may range from a small fine and probation to imprisonment for up to one year, a \$1,000 fine, or both. In the case of possession and distribution of illegal drugs, these sanctions could include the seizure and summary forfeiture of property, including houses or vehicles. It is especially important to know that recent federal laws have increased the penalties for illegally distributing drugs to include life imprisonment and fines in excess of \$1 million. Some examples of local or state laws are:

The purchase, possession, or consumption of any alcoholic beverages (including beer and wine) by any person under the age of 21 is prohibited.

Selling, either directly or indirectly, any alcoholic beverages, except under the authority of a California Alcohol Beverage Control License, is prohibited.

It is a felony to induce another person to take various drugs and "intoxicating agents" with the intent of enabling oneself or the drugged person to commit a felony. The person who induced the other may be a principal in any crime committed.

### **Health Risks**

Fielding is very concerned about the harm to faculty, staff and students using or abusing drugs or alcohol.

All drugs are toxic or poisonous when abused. Health risks of drug abuse include, but are not limited to, sleep disorders, convulsions, hallucinations, paranoia, deep depression, malnutrition, liver and kidney damage, cardiac irregularities, hepatitis, neurological damage.

Alcohol is a depressant. It depresses the central nervous system and can cause serious physical damage. Excessive alcohol consumption damages the liver, resulting in cirrhosis. Chronic alcohol abuse also causes hypertension; cardiac irregularities; ulcers; pancreatitis; kidney disease; cancer of the esophagus, liver, bladder or lungs; memory loss; tremors; malnutrition; vitamin deficiencies; possible sexual dysfunction.

Abuse of either or both alcohol or drugs during pregnancy increases the risk of birth defects, spontaneous abortion, and stillbirths.

### **Where to Get Help**

Fielding Graduate University recognizes drug and alcohol dependency as treatable conditions and encourages members of the Fielding community with substance-dependency problems to obtain professional guidance. The experienced professional will help in identifying appropriate treatment resources, including counseling, treatment, or rehabilitation programs.

Because Fielding's students, faculty, and some staff live in jurisdictions across the country, it is impractical to list all treatment options for all locations. A partial listing of available resources includes:

- U.S. Substance Abuse and Mental Health Services Administration (SAMHSA). Call (800) 662-HELP (4357) or visit [findtreatment.samhsa.gov](http://findtreatment.samhsa.gov) to locate substance abuse treatment resources near you.
- Alcoholics Anonymous. Visit [www.aa.org](http://www.aa.org) to learn about chapters and meetings near you.
- Narcotics Anonymous. Visit [www.na.org](http://www.na.org) to learn about chapters and meetings near you.
- Santa Barbara County Department of Alcohol, Drug, and Mental Health Services. (888) 868-1649 (toll-free, 24 hour access)
- Employees who participate in Fielding's health insurance plan may call their primary care physician for counseling referrals.
- All Fielding employees have access to counseling services provided by Anthem Blue Cross by calling 1-800-999-7222 (not limited to those who are on the plan).
- In addition, a face-to-face confidential counseling program is available to administrative employees and family members offered through Anthem EAP. Employees can make an

appointment to use this Employee Assistance Program (EAP) by calling (800) 999-7222.

### **Disciplinary Sanctions**

Fielding Graduate University will impose sanctions on individuals who violate this policy. These sanctions will be consistently enforced within the Fielding community.

The sanctions for violation of this policy may result in a range of consequences, including verbal or written reprimand; suspension, expulsion, or required completion of an appropriate rehabilitation program; and /or referral for prosecution.

Any student, faculty, or staff person who feels that a sanction has been imposed unjustly may pursue the applicable grievance procedures afforded to them by existing Fielding policy.

Fielding Graduate University's Substance Abuse Policy is updated from time to time and reviewed biennially. That review seeks to determine the effectiveness of the Substance Abuse Policy and whether changes are warranted, and also reviews the number of drug- and alcohol-related violations and fatalities that are reported to the institution and occur in relevant geographic locations. The review also determines the number and type of sanctions described above in the paragraph entitled "Disciplinary Sanctions" that are imposed by Fielding Graduate University as a result of drug- and alcohol-related violations and fatalities in relevant geographic locations or as part of institutional activities. The review will also examine sanctions to ensure that drug- and alcohol-related sanctions are consistently enforced.

### ***Crime Log:***

Fielding Graduate University does not maintain a police department or security department and so does not maintain a crime log.

### ***Timely Warning Protocol:***

Fielding Graduate University will issue timely security notices under the following conditions:

1. Incidents that are reported to a Campus Security Authority with one or more of the following classifications:
  - **A) Criminal homicide:**
    1. (1) Murder and non-negligent manslaughter, and
    2. (2) Negligent manslaughter.
  - **(B) Sex offenses:**
    1. (1) Rape,
    2. (2) Fondling,
    3. (3) Incest, and
    4. (4) Statutory rape.
  - **(C) Robbery.**
  - **(D) Aggravated assault.**

- **(E) Burglary.**
  - **(F) Motor vehicle theft.**
  - **(G) Arson.**
2. The offense occurs at or near the facilities used for New Student Orientation or other required academic meeting; and
  3. There is a reason to believe that there is a serious or continuing threat to students and/or employees and/or when repeated offenses warrant public notice (multiple unsolved thefts with the same possible suspect(s) or established patterns);
  4. Additionally Fielding Graduate University may issue a timely security notice for any crime when there is a compelling need to get information to the Fielding community about a specific crime.
  5. Fielding will consider the following factors in determining whether and how to issue a Timely Warning: the nature of the crime, the continuing danger to the university community, and whether issuing a warning will compromise law enforcement efforts.
  6. Warnings will include all relevant information that would empower University community members to protect themselves from similar crimes, including information about the crime, any advice or information from local law enforcement, and who the student may contact in regards to that or similar crimes.
  7. Timely Warnings will be issued by text (SimpleTexting), electronic mail, and/or stated orally to University members when attending a University program, if that method will be faster and more comprehensive than electronic messaging. Warnings will always be issued in an active manner, and not simply posted to a Website where students would have to search for the warnings.
  8. Victims of crimes will not be identified in Timely Warnings.

\* In compliance with the U.S. Department of Higher Education and the Jeanne Clery Act, Security Notices are issued to provide timely warning information concerning a potentially dangerous situation on or near Fielding Graduate University's designated non-campus venues, where New Student Orientations and other required academic meetings are held. This information is provided to empower our students and employees to make decisions or take appropriate actions concerning their own personal safety.

In the event of an emergency situation On Campus that requires a building evacuation, members of Fielding's Emergency Preparedness Team (EP Team) will initiate documented evacuation proceedings. Members of the EP Team will sound bullhorns and whistles and walk through their designated areas of the buildings, signaling that an evacuation is underway. Those who are on-site will then go to the designated meeting location off-campus: 2034 De la Vina Street - and assemble in the parking lot on Padre Street.

### **Definitions:**

***Murder and Non-negligent Manslaughter*** - The willful (non-negligent) killing of one human being by another

***Negligent Manslaughter*** - The killing of another person through gross negligence

***Rape:*** Rape is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

***Fondling:*** Fondling is defined as the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age or because of his/her temporary or permanent mental incapacity.

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

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

***Robbery*** - The taking or attempting to take anything of value from the care, custody, or control of a person or persons by force or threat of force or violence and/or by putting the victim in fear.

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

***Burglary*** - The unlawful entry of a structure to commit a felony or a theft. Attempted forcible entry is included. For reporting purposes this definition includes: unlawful entry with intent to commit a larceny or felony; breaking and entering with intent to commit a larceny; housebreaking; safecracking; and all attempts to commit any of the aforementioned.

***Motor Vehicle Theft*** - The theft or attempted theft of a motor vehicle. A motor vehicle is self-propelled and runs on the surface on not on rails. Motorboats, construction equipment, airplanes, and farming equipment are specifically excluded from this category (Classify as motor vehicle theft all cases where automobiles are taken by persons not having lawful access even though the vehicles are later abandoned—including joyriding).

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

Note that only fires determined through investigation to have been willfully or maliciously set are classified as arsons. Arson is therefore the only Clery Act offense that must be investigated before it can be disclosed. If other Clery Act offenses were committed during the arson incident, the most serious is counted in addition to the arson.

***Disciplinary Referrals*** - Incidents in which a student was not arrested but was referred for campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession. Do not include disciplinary referrals for violation of university policy if there was no violation of the law. For example, if a student of legal drinking age violates a “dry campus” policy and is referred for disciplinary action, this statistic should not be included in the crime statistics.

***Liquor Law Violation*** – The violation of State and local laws or ordinances prohibiting: the manufacture, sale, transporting, furnishing, possessing of intoxicating liquor; maintaining unlawful drinking places; bootlegging; operating a still, furnishing liquor to a minor or intemperate person; using a vehicle for illegal transportation of liquor; drinking on a train or public conveyance; any attempts to commit any of the foregoing violations. This list does not include public drunkenness and driving under the influence.

***Drug Law Violation*** – The violation of State and local laws related to the possession, sale, use, growing, manufacturing, and making of narcotic drugs. The relevant substances include; opium or cocaine and their derivatives (morphine, heroin, codeine); marijuana; synthetic narcotics (Demerol, methadone); and dangerous nonnarcotic drugs (barbiturates, Benzedrine).

***Weapon Law Violation*** - Violation of laws or ordinances prohibiting the manufacture, sale, purchase, transportation, possession, concealment, or use of firearms, cutting instruments, explosives, incendiary devices or other deadly weapons. This classification encompasses weapons offenses that are regulatory in nature.

***Hate Crimes*** - Any crime that manifests evidence that the victim was intentionally selected because of the victim’s actual or perceived race; religion; gender; gender identity, sexual orientation; ethnicity, National Origin, or physical/mental disabilities.

**(The following crimes only apply to hate crime reporting):**

***Simple Assault*** - Assaults and attempted assaults where no weapon was used and which did not result in serious or aggravated injury to the victim. (This only applies in hate crime reporting)

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

*Damage, Destruction, or Vandalism of Property (except Arson)* - to willfully or maliciously destroy, damage, deface or otherwise injure real or personal property without the consent of the owner or the person having custody or control of it.

*Intimidation* - To unlawfully place another person in reasonable fear of bodily harm through the use of threatening words and/or other conduct but without displaying a weapon or subjecting the victim to actual physical attack.

### *Sex Offenses:*

#### **Policy Addressing Disclosures to Alleged Victims of Crimes of Violence and/or Sex Offenses:**

Fielding Graduate University will, upon written request, disclose to the alleged victim of a crime of violence, and/or a sex offense, the results of any disciplinary hearing conducted by the college against the student who is the alleged perpetrator of the crime or offense. If the alleged victim is deceased as a result of the crime or offense, Fielding Graduate University will provide the results of the disciplinary hearing to the victim's next of kin, if so requested.

#### **Policy on Sexual Assault, Misconduct, and Harassment:**

Fielding Graduate University values diversity of thought, expression, and experience, and is committed to providing an educational and employment environment that models equity, inclusion, and the respectful exchange of ideas. Fielding takes seriously its responsibility to maintain a learning and working environment that is free of inappropriate and disrespectful conduct and communication of a sexual nature, especially when such conduct is imposed by one person on another and adversely affects a student's learning environment or an employee's working environment.

#### *Policy Statement and Applicability*

In order to fulfill these commitments to our students and employees, and to comply with federal and state law, this policy prohibits all forms of sexual misconduct. This broad term includes, but is not limited to, acts of sexual harassment, sexual violence, sexual coercion, sexual threats or intimidation, domestic violence, dating violence, sexual assault, and stalking. This prohibition applies to:

- students
- faculty
- staff
- visitors
- independent contractors
- other third parties who are present at a Fielding-owned facility or at a Fielding-sponsored event.

Sexual assault, sexual misconduct, and sexual harassment are serious violations of the statutes of all states in which Fielding operates in the U.S. Students, faculty, or staff of Fielding who engage in such conduct are subject to internal disciplinary proceedings as well as criminal prosecution by law enforcement authorities and/or civil proceedings. It is important to note that conduct in the educational setting or workplace may not meet the legal standard for criminal behavior but may still be addressed, at the discretion of the University, as uncivil, unprofessional, and/or inappropriate behavior.

The policy applies to all of the parties listed above, regardless of sexual orientation or gender identity.

This policy covers all academic programs and all Fielding-sponsored activities including, but not limited to, student organizations and all educational or extracurricular events hosted by or at the University.

This policy covers sexual misconduct occurring between individuals in various types of relationships. These include — but are not limited to — student to student, staff to staff, faculty member to faculty member, visitor/contractor to faculty/staff, faculty member to student, staff to student, and supervisor to subordinate. Sexual misconduct may be acts committed by an individual or collective actions committed by members of a group or organization. These acts may be committed against an individual or against a group or organization. These acts may be committed by a stranger, an acquaintance, or someone with whom the victim has a social, romantic, or intimate relationship. These acts may be committed by or against any individual, regardless of sexual orientation or gender identity.

### *Definitions*

**Sexual assault** involves engaging in or attempting to engage in sexual contact with someone:

- against his or her will or without consent (consent may not be inferred from silence or passivity); or
- who is physically helpless (e.g., intoxicated, and/or under the influence of a substance(s) rendering them helpless), unconscious, or otherwise incapacitated and unable to accurately communicate unwillingness toward an act or give consent.

Sexual contact involves intentional touching of the victim's or attacker's intimate body parts, even through clothing, for the purpose of degrading or humiliating the victim or for the assailant's gratification.

Types of sexual assault include: rape, attempted rape, threats of rape, sexual coercion, and unwanted sexual contact with force or the threat of force.

**(The following crimes apply to forcible sex offenses)**

**Rape:** Rape is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**Fondling:** Fondling is defined as the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of his/her age and/or because of his/her temporary or permanent mental incapacity.

**Incest:** Incest is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. In California, such relationships require that one conducts such action knowingly against a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or half blood, uncle, aunt, nephew or niece.

**Statutory Rape:** Statutory Rape is defined as sexual intercourse with a person who is under the statutory age of consent. In California, the age of consent is eighteen years old.

**Sexual harassment in the educational setting** is defined as:

- Unwelcome conduct of a sexual nature, which can include unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature.
- Sexual harassment of a student denies or limits, on the basis of sex, the student's ability to participate in or to receive benefits, services, or opportunities in the educational institution's program.

**Sexual harassment in the employment setting** is defined as unwelcome sexual advances, requests for sexual favors, or verbal or physical conduct of a sexual nature when any of the following occurs:

- Submission to such conduct is made a term or condition of an individual's continued employment, promotion, or other condition of employment (quid pro quo).
- Submission to or rejection of such conduct is used as a basis for employment decisions affecting an employee or job applicant.
- Such conduct is intended to interfere, or results in interference, with an employee's work performance, or creates an intimidating, hostile, or offensive work environment.

Sexual violence is considered an egregious form of harassment.

**Domestic violence** refers to a felony or misdemeanor crime of violence committed by:

- a current or former spouse or intimate partner of the victim;
- a person who is the parent of a child with the victim; or
- a person cohabitating with or who has cohabitated with the victim as a spouse or intimate partner; or
- a person otherwise covered by the family and domestic relations laws of the applicable jurisdiction (for example, siblings or parent to child).

**Dating violence** refers to a violent act committed by a person who is or has been in a romantic or intimate relationship with the victim.

**Stalking** is defined as engaging in a pattern of conduct of directly, indirectly, or through third parties following, monitoring, observing, surveying, threatening, or communicating about a person, or interfering with that person's property. The conduct is directed at a specific person and causes a reasonable person to fear for his or her safety or the safety of others or causes that person to suffer substantial emotional damage.

### *Sanctions*

The sanctions available for students found by Fielding to be responsible for these violations are the following:

Sexual Assault: Expulsion

Stalking: Suspension, dismissal or expulsion

Domestic Violence: Suspension, dismissal or expulsion

Dating Violence: Suspension, dismissal or expulsion

Any student, faculty, or staff person who feels that a sanction has been imposed unjustly may pursue the applicable grievance procedures afforded to them by existing Fielding policy.

Fielding does not maintain housing and cannot therefore require any changes to housing. To the extent that a victim reports a crime under this policy and the victim and accused are scheduled to be in the same class or location where they could interact, Fielding Graduate University will make appropriate administrative changes to ensure no further contact between the victim and accused at Fielding events and educational programs. In all cases, Fielding Graduate University will endeavor to first change the program of the accused before changing the program of the victim, except in certain situations such as a victim who does not want to file a complaint or for the accused to know she or he has filed a complaint with the University.

### **Statement of Principles and Rights for Victims of Sexual Assault**

Fielding is committed to providing a safe and secure environment in which all of its members are treated with dignity and respect. To that end, the University takes the strongest possible stance against sexual assault in all its forms, including:

- sexual violence or the use of coercion
- sexual contact absent the free, knowing, and active consent of the involved parties, including but not limited to cases involving impaired judgment and physical helplessness, and

- intimidation or exploitation of others for sexual purposes.

The University is actively engaged in educating its members about these vital issues and in providing timely support and assistance to victims of sexual assault. Should a sexual assault occur, it is imperative that victims be fully supported in their efforts to heal and respond as they determine is in their own best interests. To this end the University will safeguard the victim's confidentiality to the extent permissible by law, respect the victim's privacy, and support the victim's right to make choices about resources and available options. Due to Clery Act reporting requirements, strict confidentiality about sexual assault allegations may not be possible; that is, if a victim reports a sexual assault to a campus security authority, the campus security authority is obligated to act on that report. Nevertheless, every effort will be made to protect the victim's identity and safeguard the victim's privacy so that only those with a need to know are made aware of the allegations.

In most cases it is possible for a CSA to fulfill his or her responsibilities while still maintaining victim confidentiality. CSA reports are used by the institution to compile statistics for Clery Act reporting and to help determine if there is a serious or continuing threat to the safety of the campus community that would require an alert (i.e. timely warning or emergency notification). However, those responsibilities can usually be met without disclosing personally identifying information. A CSA report does not need to automatically result in the initiation of a police or disciplinary investigation if the victim does not want to pursue this action.

All members and representatives of the Fielding community, including campus officers, administrators, faculty, professional staff, employees, and students are expected to recognize and abide by the following principles regarding victims of campus-related sexual assaults:

### **Human Dignity**

#### **Victims shall:**

- Be treated with fairness and respect for their dignity
- Have their privacy honored
- Be free from any suggestions that they must report sexual assaults to be assured recognition of any other identified principles or rights
- Have their allegations of sexual assault treated seriously
- Be free from any suggestion that they are responsible for the sexual assaults committed against them
- Be free from unwanted pressure from University employees to:
  - Report sexual assaults if they do not wish to do so;
  - Report sexual assaults as less serious offenses;
  - Refrain from reporting sexual assaults for any reason, including the fear of unwanted personal publicity.

### **Resources**

As a non-traditional institution that offers programs through a blended model that typically involves distance learning, Fielding Graduate University does not maintain a traditional campus or on-campus mental health services. Our students and faculty study and work in a variety of

jurisdictions. While it is not possible to list all possible mental health, counseling, and other services for victims in every location, any student who is the victim of a crime of sexual violence or sexual harassment of any type may call the toll-free National Sexual Assault Hotline at (800) 656-4673, or visit <https://ohl.rainn.org/online> for assistance in locating counseling and other service providers in the appropriate jurisdiction.

**Victims shall:**

- Be notified of existing community-based medical, counseling, mental health and student services for victims of sexual assault whether or not the assault is formally reported to campus or civil authorities;
- Be informed of and assisted in exercising:
  - Any rights to confidential or anonymous testing for sexually transmitted infections, HIV, and pregnancy
  - Any rights to preventive measures such as emergency contraception or HIV prophylaxis
  - Any rights that may be provided by law to obtain the communicable diseases test results of sexual assault suspects.
- Be informed of the possible availability of crime victim assistance compensation through the applicable jurisdiction.

**Disciplinary Proceedings**

**Victims have the right to:**

- Receive written and advance notice about a disciplinary hearing involving the person or persons accused of sexually assaulting them;
- Present witnesses and other evidence, and to receive notice of the process, information about procedures, and written notice of the outcome in a manner that is equivalent to the process of the accused;
- Have a person of their choice accompany them throughout the disciplinary hearing;
- Remain present during the entire proceeding, whenever possible (alternative arrangements may be made for those who do not want to be present during the disciplinary hearing). Due to the nature of Fielding's distributed educational model, such hearings may be conducted by electronic means.
- Be heard at the proceeding;
- Be assured that their irrelevant past sexual history will not be discussed during the hearing;
- Make a "victim impact statement" if the accused is found in violation of Fielding's code of conduct or other Fielding policy;
- Be informed in a timely fashion (within 60 days) of the outcome of the hearing;
- Appeal or affirm the outcome of a disciplinary hearing.

**Law Enforcement and Campus Intervention**

It is the position of Fielding Graduate University that allegations of sexual assault should be investigated and evaluated by the appropriate criminal and civil authorities of the jurisdiction in

which the sexual assault is reported; however, no University employee shall exert pressure on a victim to report a sexual assault if the victim does not wish to do so.

- Victims shall receive full and prompt cooperation and assistance of University employees in notifying the proper authorities;
- Victims shall receive full, prompt, and victim-sensitive cooperation of University employees with regard to obtaining, securing, and maintaining evidence, including
- a medical examination when it is necessary to preserve evidence of the assault;
- University employees shall take reasonable and necessary actions to prevent further unwanted contact by victims' alleged assailants;
- Victims shall be notified of the options for and provided assistance in changing academic arrangements if such changes are reasonably available.

### **Statutory Mandates**

- Nothing in this Statement of Principles and Rights shall be construed to preclude or in any way restrict the University from carrying out its duties under law to report suspected offenses to the appropriate law enforcement authorities. Except as required by law, the University will take care not to identify the victim.
- Nothing in this Statement of Principles and Rights shall be construed to preclude or in any way restrict the University from issuing a notification when the University is aware of a reported sexual assault incident that potentially puts the Fielding community at risk. The University will take care not to identify the victim in such notices.

### **Policy Statement on Harassment**

Fielding Graduate University strictly prohibits harassment of any type against an employee, student, or outside third party because of that individual's sex, age, marital status, sexual orientation, gender identity, race, color, ancestry, physical or mental disability, religion, national origin, or any other protected category identified or inferred in Title VII of the Civil Rights Act of 1964, and not specifically mentioned herein. This document also automatically incorporates any categories of discrimination and harassment that subsequently may be recognized in the future by legal precedent of federal legislation. The University disapproves of and will not tolerate any unlawful harassment of employees or students by faculty, staff, fellow students, or non-employees with whom the University has a business relationship (such as service providers or other vendors). The harassment precluded by this policy includes any harassment against an individual because that individual is perceived to have any of the characteristics mentioned above or is associated with a person who has is or perceived to have any such characteristic. The University assumes the responsibility of taking appropriate action in responding to reported instances of harassment using the complaint process outlined in the University's harassment policy. Faculty, staff, and students should report instances of harassment experienced personally as well as any third-party witnessing of harassment against other members of the Fielding community.

### **Sex Offenders:**

The Campus Sex Crimes Prevention Act (CSCPA) of 2000 is a federal law that provides for the tracking of convicted sex offenders enrolled at, or employed at, institutions of higher education. The CSCPA is an amendment to the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Act. The federal law requires that California provides Fielding with a list of

registered sex offenders who have indicated that they are enrolled, employed or carrying on a vocation at Fielding, if known.

Each state operates a registry of information on sex offenders who are required to register after a conviction. There are three levels of registry: level 1 (low risk), level 2 (medium risk), and level 3 (high risk). Most states maintain an additional directory consisting solely of level 3 offenders. Sex offender registry information may be accessed here through a national Web site with links to state Web sites relevant to the state in which the program that the student is taking is located: <http://www.nsopw.gov/>.

The CSCPA further amends the Family Educational Rights and Privacy Act of 1974 (FERPA) to clarify that nothing in the Act can prohibit an educational institution from disclosing information provided to the institution concerning registered sex offenders.

### ***Student Basic Code of Conduct Policy***

Upon their admission, Fielding students are expected to conduct themselves in a manner consistent with the Mission, Vision, and Values of the university and to treat other members of the Fielding community (faculty, staff, students, and alumni) with dignity and respect. Behaviors conflicting with Fielding's values, such as verbal or written abuse, harassment, or discrimination will not be tolerated (also refer to the harassment policy and the non-discrimination policy).

Fielding students are expected to engage with other members of the community in a professional and courteous manner both in person and online (also refer to the Netiquette Policy on MyFielding). Behavior that interferes with the academic process is considered a violation of the code of conduct. Other violations of the code of conduct include behaviors that interfere with the ability of other students or of faculty or staff to do their work.

Fielding students are expected to comply with federal, state and local laws. Violations of said laws may be considered violations of the student code of conduct and students convicted of a crime may be dismissed from the university. However, illegal behavior is not the only form of behavior that may violate the code of conduct.

Faculty, staff, or students who believe that a student has violated this code of conduct must provide their complaint in writing to the Department Chair (exception: follow the Harassment, Non Discrimination, and/or Academic Honesty policy when relevant). Students accused of violating the conduct policy will be granted procedural due process wherein they will be informed of the charges and evidence against them within five business days of the complaint being lodged. Students accused of violating the policy will be given the opportunity to respond to the complaint within ten business days. Within twenty business days of receipt of the relevant material, the charges, the evidence, and the student's response will be reviewed by a committee comprised of at least three individuals appointed by the Department Chair. The committee must include at least one student who is not in the same program as the student accused of violating the policy. The committee will determine the appropriate disciplinary actions which may include dismissal from the university. Students who are dismissed due to a code of conduct violation

may not apply for re-enrollment at the university. Students who fail to comply with Fielding's policies may be dismissed from the university without reimbursement of tuition or fees. For students accused of Domestic Violence, Dating Violence, Sexual Assault or Stalking, see below for information about how these incidents will be handled.

**Sexual and Interpersonal Violence Response Policy:**

In cases where a student is accused of sexual assault, domestic violence, dating violence or stalking as those incidents are defined below, or other violations of the law or Fielding Graduate University policy that are committed on the basis of sex, gender or status in a relationship, the following rules shall apply to the investigation and hearing process in addition to any other rules or policies of Fielding.

Fielding Graduate University, its components and its affiliated entities strictly prohibit the offenses of Domestic Violence, Dating Violence, Sexual Assault and Stalking. In addition to their impact on victims, such actions negatively impact the educational and employment environment at Fielding. Upon learning of these violations and/or crimes, Fielding will take immediate action to address the facts presented, offer resources to any victims, and take action against any student within the jurisdiction of Fielding who has been found responsible after the process established in this policy.

Students accused of the violations established in this policy shall be referred to as respondent while those who report being victims or survivors of these violations shall be referred to as complainant, regardless of whether they wish to participate in the investigation or hearing described here.

**Definitions:**

***Complainant(s):** An individual or group of individuals who report harassment or discrimination based on the generic description of such acts as outlined in this policy.*

***Complaint Adviser:** A faculty or staff member within the Fielding community who has received training that provides the individual with knowledge of the legal and Fielding policy guidelines regarding discrimination and harassment.*

***Reviewing Manager:** A Fielding manager who has been delegated authority to act on behalf of the Provost or the Human Resources Director in investigating and resolving discrimination and harassment complaints.*

***Respondent (s):** An individual or group of individuals who have been identified as perpetrating acts of discrimination or harassment or any other violation of Fielding policy based on the generic and/or specific descriptions of such acts as outlined in this policy.*

***Sexual Assault:** Sexual Assault encompasses the violations of rape, fondling, incest and statutory rape.*

**Rape:** Rape is defined as the penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

**Fondling:** Fondling is defined as the touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent.

**Consent:** is defined as affirmative consent under the laws of the State of California. Specifically, Affirmative Consent means affirmative, conscious, and voluntary mutual agreement to engage in sexual activity. It is the responsibility of each person involved in the sexual activity to ensure that he or she has the Affirmative Consent of the other participant(s) 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.

- In the evaluation of complaints in any disciplinary process, it shall not be a valid excuse to alleged lack of affirmative consent that the respondent believed that the complainant consented to the sexual activity under either of the following circumstances:
  - The respondent's belief in affirmative consent arose from the intoxication or recklessness of the respondent.
  - The respondent did not take reasonable steps, in the circumstances known to the accused at the time, to ascertain whether the complainant affirmatively consented.
- The standard used in determining whether the elements of the complaint against the accused have been demonstrated is the preponderance of the evidence.
- In the evaluation of complaints in the disciplinary process, it shall not be a valid excuse that the respondent believed that the complainant affirmatively consented to the sexual activity if the respondent knew or reasonably should have known that the complainant was unable to consent to the sexual activity under any of the following circumstances:
  - The complainant was asleep or unconscious.
  - The complainant was incapacitated due to the influence of drugs, alcohol, or medication, so that the complainant could not understand the fact, nature, or extent of the sexual activity.
  - The complainant was unable to communicate due to a mental or physical condition.

**Incest:** Incest is defined as sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law. In California, such relationships require that one conducts such action knowingly against a person whom he or she knows to be related to him or her, whether through marriage or not, as an ancestor, descendant, brother or sister of either the whole or half blood, uncle, aunt, nephew or niece.

**Statutory Rape:** *Statutory Rape is defined as sexual intercourse with a person who is under the statutory age of consent. In California, the age of consent is eighteen years old.*

**Stalking:** *Stalking is defined as engaging in a course of conduct (two or more acts by which the stalker directly, indirectly, or through third parties follows, monitors, observes, surveils, threatens, or communicates about a person or interferes with his or her property) that is directed at a specific person; and would cause a reasonable person to fear for his or her safety or the safety of others or that causes that person to suffer substantial emotional distress. Examples of stalking include, but are not limited to, repeatedly following such person(s), repeatedly committing acts that alarm, cause fear, or seriously annoy such other person(s) and that serve no legitimate purpose, and repeatedly communicating by any means, including electronic means, with such person(s) in a manner likely to intimidate, annoy, or alarm him or her.*

**Domestic Violence:** *Domestic Violence is defined as felony or misdemeanor crimes of violence committed by, between, or among current or former spouses or relationship partners, those who share a child in common or who currently live or have lived together in a relationship of a romantic or intimate nature, and those who are a family or household member as covered by California law and published in the Fielding Annual Security Report.*

**Dating Violence:** *Dating Violence is defined as violence or threats of violence by, between or among individuals who have a social relationship of a romantic or intimate nature (such relationship status to be determined based on the statement of the complainant and taking into account length or relationship, type of the relationship, and frequency of contact within the relationship). Two people may be in a romantic or intimate relationship, regardless of whether the relationship is sexual in nature; however, neither a casual acquaintance nor ordinary fraternization between two individuals in a business or social context shall constitute a romantic or intimate relationship. This definition does not include acts covered under domestic violence.*

*These violations shall be together identified as sexual and interpersonal violations.*

## **Violence Against Women Reauthorization Act (VAWA) Crimes**

The Violence Against Women Reauthorization Act of 2013 requires that institutions report incidents of sexual assault, domestic and dating violence (also known as ‘intimate partner violence’) and stalking in its annual security report. The following federal law definitions apply to this reporting requirement. In addition, VAWA requires that institutions publish state law jurisdictions of the same crimes.

### **Federal Definitions**

**Domestic Violence:** 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 the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

***Dating Violence:*** Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim.

***Stalking:*** A course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or suffer substantial emotional distress.

***"Course of conduct"*** means behavior composed of 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, engages in any of the following: monitoring, following, observing, threatening, surveilling, or communicating to or about a person, or interfering with a person's property.

***"Substantial emotional distress"*** means significant mental suffering or anguish.

## State Definitions

The following is a summary of the definitions applicable to Title IX offenses (sexual assault, dating violence, domestic violence, and stalking) under California state law.

**Consent:** 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. Nothing in this section shall affect the admissibility of evidence or the burden of proof on the issue of consent." *See* Cal. Penal Code § 261.6.

**Sexual Assault:** The California Penal Code establishes three categories of sexual assault and related offenses: rape, spousal rape, statutory rape, and sexual battery.

**Rape** is defined under section 261 of the California Penal Code as an act of sexual intercourse under certain, enumerated circumstances. The complete texts of sections 261, 261.5, and 262 of the California Penal Code are available at [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=261.&lawCode=PEN](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=261.&lawCode=PEN). These circumstances include:

- where a person is incapable, because of a mental disorder or developmental or physical disability, of giving legal consent, and this is known or reasonably should be known to the accused;

- where the accused uses force, violence, duress, menace, or fear of immediate and unlawful bodily injury;
- where any intoxicating or anesthetic substance, or any controlled substance, prevents the accuser from resisting, and this condition was known, or reasonably should have been known by the accused;
- where the accuser is at the time unconscious of the nature of the act, and this is known to the accused;
- where the accuser submits under the belief that the accused is someone known to the accuser other than the accused, and this belief is induced by any artifice, pretense, or concealment practiced by the accused, with intent to induce the belief;
- where the accused threatens to retaliate physically in the future against the accuser or any other person, and there is a reasonable possibility that the accused will execute the threat; and
- where the accused threatens to use the authority of a public official to incarcerate, arrest, or deport the accuser or another, and the accuser has a reasonable belief that the accused is a public official.

The definition of spousal rape under section 262 of the California Penal Code generally tracks the definition of rape, except that the accused is the spouse of the accuser.

Section 261.5 of the California Penal Code refers to statutory rape as “unlawful sexual intercourse.” The term means an act of sexual intercourse accomplished with a person who is not the spouse of the perpetrator, if the person is under eighteen years old. The crime is either a misdemeanor or a felony depending on whether the age difference between the accused and accuser is greater or less than three years.

Under section 243.4 of the California Penal Code, sexual battery is defined, in part, as touching the intimate part of the accused against his or her will for the purpose of sexual arousal while the accuser is either: (1) unlawfully restrained by the accused or an accomplice; (2) institutionalized for medical treatment and seriously disabled or medically incapacitated; or (3) under the impression, due to the accused’s fraudulent representations, that the touching served a professional purpose.

The complete text of section 243 of the California Penal Code is available at [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=243.&lawCode=PEN](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=243.&lawCode=PEN).

***Domestic Violence:*** Section 243(e) of the California Penal Code defines “domestic battery” to mean willful and unlawful touching that is committed against: (1) the accused’s spouse or former spouse; (2) the accused’s cohabitant or former cohabitant; (3)

the parent of the accused's child; (4) the accused's fiancé or fiancée, either former or current; or (5) someone with whom the accused has, or has had, a dating relationship (i.e. frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement independent of financial considerations). In addition, section 273.5 of the California Penal Code prohibits the willful infliction of corporal injury resulting in a traumatic condition upon an accuser who meets these same five categories.

The complete text of section 646.9 of the California Penal Code is available at [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=646.9.&lawCode=PEN](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=646.9.&lawCode=PEN).

***Dating Violence:*** California law has no criminal law that exclusively addresses dating violence. However, California domestic battery and corporal injury laws, both set forth above, encompass acts committed within the context of dating relationships.

***Stalking:*** Under section 646.9 of the California Penal Code, stalking is defined as willfully, maliciously, and repeatedly following or harassing the accuser and making a credible threat with the intent to place that person in reasonable fear for his or her safety, or the safety of his or her immediate family.

The complete text of section 273.5 of the California Penal Code is available at [https://leginfo.legislature.ca.gov/faces/codes\\_displaySection.xhtml?sectionNum=270.&lawCode=PEN](https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=270.&lawCode=PEN).

### **Statement on Sexual and Interpersonal Activity Between Members of the Fielding Community:**

All sexual activity between members of the Fielding community must be based on Affirmative Consent as defined in this policy and California law. Engaging in any sexual activity without first obtaining Affirmative Consent to the specific activity constitutes a sexual and interpersonal violation and is a violation of this policy, whether or not the conduct violates any civil or criminal law.

Sexual activity includes but is not limited to kissing, touching intimate body parts, fondling, intercourse, penetration of any body part, and oral sex.

Sexual Conduct means the intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

Sexual Misconduct is a form of Sexual Harassment and may create a sexually hostile environment that affects access to or participation in Fielding programs and activities. Fielding prohibits all such conduct whether or not it also amounts to Sexual Harassment.

**Named and Unnamed Complaints:**

Complainants may make an anonymous or unnamed report of a violation of this policy or may make a named report and request that Fielding take limited or no action. Fielding will take all steps it can to preserve the anonymity of such reporters while still complying with the law. Deciding to remain anonymous or unnamed may circumscribe Fielding's ability to take action against a potential respondent within its jurisdiction, but will not limit the ability to access resources or accommodations that only directly impact complainant.

Fielding reserves the right to continue an investigation and/or bring a conduct action against a respondent, even without the participation of the complainant in certain cases, as determined by the Title IX Coordinator or other appropriate university official. Among the factors that Fielding will consider in deciding whether to go ahead despite a request for anonymity by a complainant are (but are not limited to) the following:

- Whether the accused has a history of violent behavior or is a repeat offender;
- Whether the incident represents escalation, such as a situation that previously involved sustained stalking;
- the increased risk that the accused will commit additional acts of violence
- Whether the accused used a weapon or force;
- Whether the complainant is a minor; and
- Whether Fielding possesses other means to obtain evidence such as security footage, another witness, and/or information from third parties such as hotels and other vendors, and whether the report reveals a pattern of perpetration at a given location or by a particular person or group.

Fielding also reserves the right to make policy changes and/or provide specified or generic training based upon a report of an incident, without identifying the complainant. Members of the Fielding community may make confidential reports to individuals outside of the university, including professional and pastoral counselors and, in almost all cases, that confidential resource is not obligated to inform the university or anyone else about the contents of the report. Fielding does not currently employ any confidential resources to receive reports.

Conduct prohibited under this policy may also be criminal in nature. Individuals have the right to choose to file a criminal report. Fielding encourages individuals to consider reporting these crimes. To report a crime, individuals may contact the local police department for their location. Individuals who also wish to be complainants within the university process may request that the local police department share the report with the university.

**Including De-Identified Information in Timely Warnings and Clery Act Reports:**

Pursuant to the Clery Act, Fielding may have to issue a Timely Warning or include high-level information from a report within the statistics of the Annual Security Report. These Timely Warnings shall never identify the victim or complainant or include information that could lead to the reasonable identification of such a person, and Clery Act statistics are a simple count of certain crimes within relevant geographic locations and include no specific information about the event, location, or identity of the complainant and/or respondent.

**Reporting Procedure:**

Any student or member of the Fielding community who is the victim of domestic violence, dating violence, sexual assault or stalking should report the incident as quickly as practicable to Human Resources. Incidents may also be reported to the Department Chair, Program Directors, core faculty members, and all administrative Directors and above, who, among other things, will report the incident to Human Resources. Consistent with the Basic Code of Conduct policy, incidents should also be reported to the Department Chair.

Due to Fielding's distributed model of education wherein classes and programs are almost always conducted at different locations across the country, in all cases, medical and counseling assistance should be obtained through local and regional hospitals and medical centers, primarily by starting with 911. Fielding on-site employees will also assist students, upon request, with contacting medical and counseling resources. Please note that, depending upon state law, hospitals and medical professionals may be required to notify local or specialized law enforcement of the commission of a crime.

In the case of sexual assault and interpersonal violence, it is important that medical attention be sought as soon as possible.

If you are assaulted, go to a safe location and call 911 or if on a Fielding program at or around the time of the assault, a Fielding representative who can assist you in obtaining medical, counseling and other assistance and resources. You should also call a trusted friend or family member who can assist and support you. Preserve all physical evidence of the assault, even if you are unsure whether you want to report the crime. Do not shower, bathe, douche, eat, drink, wash your hands or brush your teeth until after you have had a medical examination. Save all the clothing you were wearing at the time of the assault and bring them and any other potential evidence to the medical exam. Place each item of clothing in a separate paper bag (do not use plastic bags if possible). Do not clean or disturb the area where the assault occurred.

You may also request medications for the prevention of sexually transmitted infections, including HIV, and emergency contraception. If you think you may have been given a rape drug, request that the hospital or clinic take a urine and blood sample. These samples need to be collected quickly as these drugs leave the system quickly.

If more than one week has passed since the assault, or if you are certain that you do not want the collection of forensic evidence, you may still talk to a Fielding Human Resources staff member about options to obtain medical care, including emergency contraception and testing for sexually transmitted infections.

Fielding policy prohibits these violations regardless of whether they occur by a stranger or an individual known to the victim. If an assailant can be identified and is within the jurisdiction of Fielding, the university will take actions under this and other policies, with the participation and input of the complainant. If the assailant is not in the Fielding community, Fielding will work with external entities, including but not limited to law enforcement, with the participation and input of the complainant.

### **Victim/Complainant Interview:**

Upon receiving a complaint, personnel from Fielding Graduate University will conduct an interview of any victim or reporting student who wishes to become a complainant to ascertain the facts of the violation, answer any questions, ascertain whether there are other witnesses who may be contacted and other available evidence, investigate and ascertain whether the violation involved the voluntary or involuntary use of legal or illegal drugs, and ensure that the person has been made aware of all available resources and options.

The interview or interviews shall take place at a mutually convenient time and Fielding will take steps to ensure that the victim or reporter can participate in a way and at a time that preserves their safety. Due to the distributed learning model, the interview may be in person, over the phone, or through Internet communications such as Zoom, Skype or Google Video.

Interviews shall be conducted by Human Resources or other appropriate institutional staff who do not have a conflict and are trained in interviewing including trauma-informed witness interviews. The interviewers will take notes but will not ordinarily record such an interview except in specific cases where both the interviewer and the victim or reporter agree in advance to recording and repeat that agreement on the recording.

Every effort shall be made wherever practicable to ensure that complainants do not have to repeat their stories to multiple interviewers throughout the process. Human Resources can act as a clearing house for accommodation and resource requests so that a complainant does not have to repeat the information to multiple Fielding parties. Please note that Fielding has no control over the interviewing process of outside entities, including law enforcement. Fielding shall, wherever practicable seek to coordinate and cooperate with law enforcement conducting a parallel investigation. Fielding's investigation is separate from any law enforcement investigation and must continue regardless of the status of the law enforcement investigation.

After interviewing the complainant, Fielding will seek to interview the accused and shall require such an interview for an accused who is a member of the Fielding community. Fielding shall also seek to interview any and all witnesses to obtain as much information as possible.

Fielding may schedule additional follow-up interviews with any person to obtain additional information, clarify a point, or respond to a statement made by another person. Notes shall be taken of all interviews but Human Resources will not ordinarily record such an interview except in specific cases where both the interviewer and the interviewee agree in advance to recording and repeat that agreement on the recording.

As indicated below in the Advisor of Choice section, the complainant and respondent may be accompanied during this part of the process by an advisor of choice, subject to the limits on participation indicated in that section.

***Amnesty for Victims and Bystanders from Drug and Alcohol Violations:***

Individuals who participate as complainants or witnesses in the reporting, investigation and hearing process for violations of domestic violence, dating violence, sexual assault or stalking shall not be subject to any Fielding discipline for violations of any drug or alcohol use policy at or near the time of the incident.

While Fielding will not take disciplinary action for drug or alcohol use violations, the voluntary use may require additional investigation or action pursuant to law and accreditation requirements of some programs.

***Investigative and Hearing Process:***

In the sole discretion of the President or designee, an investigation of a Fielding student for alleged dating violence, domestic violence, sexual assault or stalking may utilize an investigative model or a hearing process.

**Investigative Process:**

If the President or designee chooses an investigative process, personnel from Human Resources shall conduct all interviews as indicated above and review all available evidence. The investigator shall prepare an interim report and make such report available to the complainant (if the complainant is participating) and the respondent. They shall each have ten calendar days to review the report and suggest corrections or provide additional evidence or information regarding one or more findings made in the report. The investigator may extend this time frame for good cause shown, but if an extension is made for either complainant or respondent, the other shall be notified and given equal time for an extension. All such notifications shall be in writing (paper or electronic).

The investigator shall review such responses if any and consider all points and evidence raised, but is not bound to make any changes based upon such responses. The investigator shall then prepare a final report which shall be transmitted to the Department Chair.

The Department Chair will convene a committee which shall review the report and all additional information cited in the report and shall make a determination as to whether the respondent is responsible, not responsible, or whether further investigation is required. If the respondent is found responsible, the Department Chair shall assess a sanction, consistent with past sanctions in similar cases, if any, and with the gravity of the conduct, selected from among the available sanctions in this policy.

If more information is required, the Department Chair shall transmit such information in writing to the investigator with specific instructions as to what additional information is required.

If the respondent is found responsible or not responsible, the Department Chair shall simultaneously notify respondent and complainant of this result in writing [written or electronic] and shall include information about the finding and the sanction, if any, as well as the rationale for the finding and sanction, if any.

**Hearing Process:**

If the President or designee chooses a hearing process, the hearing for students accused of sexual and interpersonal violations shall be conducted as established in this document and other policies. Hearing officers shall receive annual training in issues related to Domestic Violence, Dating Violence, Sexual Assault and Stalking as well as information on investigating and conducting hearings for these violations that protects victims while ensuring a fair process and accountability for those who violate the law and/or these rules.

In consideration of the distributed learning model used by Fielding, hearings may take place in person, by telephone or through Internet communications such as Zoom, Skype or Google Video.

**Rights in a Hearing or Investigative Process:**

The following rights and responsibilities shall apply regardless of whether the investigative or hearing process is chosen.

**Advisor of Choice:**

In any such case, complainant and respondent may have the advice of an advisor of choice who may be a complaint advisor as defined in this policy, but does not have to be. The advisor may be an attorney but does not have to be. In investigations and hearings for accusations of sexual and interpersonal violations, both the respondent and the complainant may bring an advisor of choice to any hearing or meeting that is part of the process who may be legal counsel. Such advisors may be present to advise the respondent or complainant but may not participate in the proceedings in any manner.

**Timeline for the Process:**

The timeframe for investigations, hearings, and determinations in sexual and interpersonal violations shall be 60 days. Fielding will endeavor to complete the entire process within sixty days.

The respondent and the complainant may each request a one time delay of a meeting or hearing for reasons of their own schedule or the schedule of their advisor, however the maximum time allowed for such a delay request is five business days of Fielding Graduate University. If the respondent and complainant both request a delay, the Department Chair or designee may agree to a delay, but only for good cause shown. The President or designee may also provide a delay for business, medical, or other emergency reasons, in the sole discretion of the President or designee. The President or designee will notify the Respondent(s) and complainant(s) of any such delay in writing (paper or electronic).

**Participation by Complainant:**

During the investigation process and/or at the hearing, the complainant may participate at the level at which he or she is comfortable within the scope of these guidelines. That includes choosing whether or not to report to a Fielding official, report to an outside agency or law enforcement, answers questions in a hearing, testify at a hearing, and/or ask questions of other parties within the hearing as established in this policy. Fielding will not require a complainant to participate or not participate. In certain cases, Fielding may not have sufficient evidence of a

violation to move forward without the participation of the complainant, while in other cases, Fielding reserves the right to move forward in the process even without the participation of the complainant.

**Conflict Free Personnel In the Investigative and Hearing Process:**

In all such cases, the investigators and hearing officers are neutral fact finders who will make a determination of whether there is a preponderance of the evidence that the respondent has committed the violation(s) of which he or she is accused.

Investigators and hearing officers will not serve if they have an actual conflict of interest in a specific case. If either respondent, the complainant, or a hearing officer raises an actual or perceived conflict of interest, the President or designee will investigate and determine whether there is an actual conflict of interest, in which case that panel member shall be replaced. Such determinations are in the sole judgment of the President or designee.

The hearing is an educational process intended to determine if a member of the student body violated Fielding policy. Constitutional due process does not apply, and the formal rules of evidence do not apply. The Department Chair and President or designee may make reasonable changes to this process to improve the opportunity to determine facts and make proper educational judgments.

**Evidence**

Both the respondent and the complainant will have access to evidence in the case file, as determined by the President or designee. Respondent and complainant may submit any evidence that they would like considered to the Department Chair to the extent the Chair finds the evidence to be relevant and authentic, it will be submitted to the panel for consideration. All evidence must be received within 15 calendar days of the complaint.

In the hearing process, the Department Chair may decline to admit any evidence or may choose to admit the evidence while giving the other person an opportunity to review the evidence and request a delay, granting of which will be in the sole discretion of the Department Chair.

Complainant and respondent may suggest relevant witnesses that can be called in the hearing. They must provide the Department Chair with a list of these individuals at least 7 calendar days in advance of the hearing.

In a hearing, whether to call each witness identified by the university and/or complainant and respondent, and the order of witnesses, is in the sole discretion of the President or designee.

In a hearing, both the respondent and the complainant have the right to question each witness, except that they may not directly question each other. Any questions raised by one of these parties to the other must go through the Chair of the hearing process. Whether to ask the question and, if asking, whether to modify the question in any way is in the sole discretion of the Chair. The Chair will also have the right to end questioning of any witness if the questions are cumulative, harassing or abusive, or if the Chair finds it to be in the interest of the proceeding.

**Findings After a Hearing:**

At the conclusion of testimony and evidence in a hearing, the hearing officers will confer and determine whether the respondent is responsible or not responsible using the standards outlined in this policy. If the respondent is found responsible for one or more violations, the hearing officers will recommend one or more sanctions appropriate to the gravity of the violation and consistent with past sanctions, if available. The decision of the hearing officers shall be a collegial decision through reason/judgment of the committee. The decision shall not be subject to civil/criminal standards of proof.

The hearing officers will simultaneously notify the complainant and the respondent of their findings, in writing (whether paper or electronic) and if there is a finding of responsible, the notification will include the sanctions. The written notification shall include the rationale for the result and, if there is a finding of responsibility, the sanction.

**Appeals:**

The outcome of an investigation or hearing is final and is not subject to appeal.

**Mandatory Sanctions:**

The sanctions available for students found by Fielding to be responsible for these violations are the following:

Sexual Assault: Expulsion

Stalking: Suspension, dismissal or expulsion

Domestic Violence: Suspension, dismissal or expulsion

Dating Violence: Suspension, dismissal or expulsion

**Retaliation:**

No member of the Fielding community, including but not limited to faculty and staff, respondent, complainant and their families, friends, and acquaintances, shall retaliate, intimidate, threaten, coerce or otherwise discriminate against a person who files a report under this process, serves as a witness, or assists or participates in a proceeding in any manner. Participants who experience retaliation should report the incident to the Director of Human Resources.

**Interim Actions:**

At any time during the preliminary investigation process or, the hearing process the President or designee may suspend or remove a student from normal academic activities if such action is deemed to be in the interest of maintaining the normal function and atmosphere of the university. Such suspension or removal shall automatically be reviewed at the time of the next proceeding in any case and a recommendation for its continuation or termination made to the President.

In cases of sexual and interpersonal violations, the Department Chair or designee may also issue a no contact order wherein the respondent may not contact the complainant in any manner. The President or designee may also take other interim actions, not defined here, that will maintain

order at Fielding and allow all students the ability to benefit from the educational and employment environment. Such interim measures may be assigned at any time in the process.

Interim suspension will become effective immediately, without prior notice, and may be terminated by the President at any time prior to or after the outcome of disciplinary proceedings. Students placed on an interim suspension will not be permitted to participate in any of the university's activities, nor will they be allowed to take examinations or submit papers or other course work. Interim suspension will remain in effect until the investigation or hearing process is concluded.

### ***Fielding Graduate University Discrimination, Harassment, and Retaliation Prevention Policy and Complaint Procedure for Employees***

#### **Preface**

This policy prohibits illegal harassment, discrimination and retaliation against Fielding Graduate University (Fielding) employees and contractors, including all staff and faculty. Where illegal harassment, discrimination or retaliation has occurred, the University will act to stop it immediately, prevent its recurrence, discipline or take other appropriate action against those responsible, and remediate any current effects of past misconduct. Title VII of the Civil Rights Act of 1964 and similar state laws provide protection from illegal harassment and discrimination to employees and contractors. Title IX of the Education Amendments Act of 1972 provides similar protections to students. Members of the Fielding community share a vision of a society in which individuals are able to pursue their academic and professional goals with respect and dignity. We look forward to a society in which unlawful harassment or discrimination are nonexistent. We believe that we are a catalyst for change by assisting individuals to achieve their professional, academic and personal goals in an environment which does not make artificial or arbitrary distinctions. This policy on harassment is presented as part of that commitment to being a catalyst for change, with the hope and conviction that, someday, it will not be necessary to have a policy prohibiting such conduct. Further, Fielding seeks to create an environment that supports personal development, the discovery and transmission of knowledge, and a positive work experience. All members of the Fielding community are expected to contribute to maintaining this environment by adhering to high professional standards of conduct and ethical principles. As part of Fielding's commitment to creating such an environment, this policy prohibits unlawful discrimination and harassment.

#### **Authority**

Approved by the President.

#### **Distribution**

This policy is to be distributed to all new employees as they join the organization. It is also available to all employees and contractors online here:

<https://my.fielding.edu/TechAdmin/HR/Pages/default.aspx> and is available in Fielding's Employee Handbook.

#### **Policy Statement**

Fielding Graduate University strictly prohibits illegal discrimination or harassment against employees and contractors (including staff and faculty). Fielding will investigate and remediate,

as appropriate, concerns about illegal harassment or discrimination. Fielding also prohibits retaliation against any person for raising concerns about illegal harassment or discrimination, opposing or resisting illegal harassment or discrimination, or participating in an investigation of concerns regarding illegal harassment or discrimination. Harassment or discrimination is illegal when it based on one of the following legally-protected characteristics:

- sex/gender (including pregnancy, childbirth, breastfeeding, or related medical conditions) gender, gender identity, gender expression, transgender status (including transgender expression, because an individual has transitioned to live as the gender with which they identify, is transitioning, or is perceived to be transitioning), and/or sex stereotyping
- age (40 or over)
- marital or domestic partner status or spousal affiliation
- family care status
- sexual orientation
- race (including, but not limited to, hair texture and protected hairstyles. Protected hairstyles includes, but is not limited to, such hairstyles as braids, locks and twists)
- color
- ancestry
- national origin (includes language use and possession of a driver's license issued to persons unable to prove their presence in the United States is authorized under federal law)
- disability (mental, physical, HIV and AIDS)
- medical condition or information (genetic characteristics, cancer or a record or history of cancer)
- religion or religious creed (includes religious dress and grooming practices)
- military, veteran, or military care giver status
- protected medical leaves
- enrollment in a public assistance program
- engaging in protected communications regarding employee wages or otherwise exercising rights protected under the California Fair Pay Act
- requesting a reasonable accommodation on the basis of disability or bona fide religious belief or practice
- emergency rescue personnel status
- unpaid intern or volunteer status
- status as a victim of domestic violence, sexual assault, or stalking, or any other basis protected by law (collectively "unlawful harassment").

This policy also automatically incorporates any categories of discrimination and harassment that subsequently may be recognized in the future by legal precedent or federal or applicable state legislation. The University:

- Has zero tolerance for any unlawful discrimination or harassment of employees by any person without limitation (including students, faculty, staff or non-employees with whom the University has a business relationship such as service providers or contractors).

- Prohibits illegal discrimination against or harassment of an individual because that individual is perceived to have any of the characteristics mentioned above or is associated with a person who has or is perceived to have any such characteristic.
- Will take appropriate action in responding to concerns regarding illegal discrimination or harassment using the Complaint Process outlined in this policy.
- Asks faculty, staff, students and all others who participate in Fielding's programs and activities to report instances of illegal discrimination or harassment of which they are aware, regardless of whether they personally experienced the discrimination or harassment.
- Requires that faculty and staff who have supervisory authority over staff or students promptly report witnessed or alleged instances of unlawful discrimination or harassment to the Title IX Coordinator or the HR Director in the Office of Human Resources.

### **Commitment to Freedom of Expression and a Respectful Workplace**

Fielding is committed to the principles of free inquiry and free expression. Vigorous discussion and debate are fundamental to the University, and this policy is not intended to stifle teaching methods or freedom of expression generally, nor will it be used to do so. However, illegal discrimination or harassment is prohibited by federal and state law, and the interests of academic freedom must in some cases yield to the protections afforded by the laws pertaining to discrimination and harassment. The University is committed to both the elimination of unlawful harassment and discrimination, and also to academic integrity, a tradition of intellectual freedom, and the values of social justice and community that are promoted thereby.

### **Retaliation**

No hardship, loss, benefit or penalty may be imposed on an employee in response to:

- Filing or responding to a bona fide complaint of discrimination or harassment.
- Participating in the investigation of a complaint.
- Serving as an investigator of a complaint.

Lodging a bona fide complaint will in no way be used against the complainant or have an adverse impact on the individual's employment or student status. "Bona fide" means a complaint made in good faith by one who has a reasonable basis to believe it to be true. However, filing knowingly groundless or malicious complaints is a violation of this policy.

### **Definitions**

**Illegal discrimination** in employment is specifically defined, limited in context, and refers to actions taken against an individual because the individual belongs to one or more protected class of people. To discriminate means to treat a person in a protected class less favorably than a person who is not in the same protected class, and that there is a causal connection between the protected class and the differential treatment.

**Illegal harassment** is any conduct, directed toward an individual based on one or more of the legally protected categories listed above, which is sufficiently severe or pervasive to create an environment that a reasonable person would find hostile or intimidating. Harassment on the basis of any legally protected characteristic is a form of discrimination. Harassing conduct can be physical, verbal (including electronic), or nonverbal. Further, this harassment policy is extended to prohibit abhorrent behavior such as persistent antagonistic, aggressive, or threatening acts or

behaviors exhibited through any means (including electronic media) related to a legally protected characteristic that have the effect of creating a hostile or intimidating environment.

**Sexual Harassment** is defined as unwelcome sexual advances; offering employment benefits in exchange for sexual favors; leering; gestures; or displaying sexually suggestive objects, pictures, cartoons, or posters, derogatory comments, epithets, slurs or jokes; graphic comments, sexually degrading words, or suggestive or obscene messages or invitations; physical touching or assault, as well as impeding or blocking movements. An individual may experience a hostile work environment if exposed to illegal harassment, even if the offensive conduct was directed at another person.

There are two types of sexual harassment.

- Quid Pro Quo (Latin for “this for that”) sexual harassment is when someone conditions a job, promotion, or other work benefit on another’s submission to sexual advances or other conduct based on sex.
- Hostile Work Environment sexual harassment occurs when unwelcome comments or conduct based on sex unreasonably interfere with a person’s work performance or create an environment that a reasonable person would find intimidating, hostile, or offensive.

The harassment must be severe or pervasive to be unlawful. A single act of harassment rarely creates a hostile work environment, but it is possible that a single, especially egregious act of harassment might be sufficiently severe to be unlawful.

Examples of unwelcome sexual advances that could constitute sexual harassment include: persistent, unwelcome attempts to develop a romantic or sexual relationship; repeated intimations, hints, or suggestions that sexual relations would provide an academic or professional advantage, or repeated flirting and/or sexual joking.

Fielding has zero tolerance for sexual harassment. This policy prohibits sexual harassment even if it is not sufficiently severe or pervasive enough to meet the legal definition of sexual harassment. This means that offensive conduct can violate Fielding’s anti-harassment policy even when it is insufficient to create legal liability.

### **Discrimination and Harassment Complaint Reporting Procedures**

The Office of Human Resources investigates employee complaints of harassment or discrimination. When Human Resources becomes aware of allegations which, if substantiated, would constitute a violation of this policy, it will conduct an impartial, timely, and reasonable investigation that:

- provides a fair process and protects the rights of the parties and witnesses involved to the greatest extent possible consistent with a fair and thorough investigation
- tracks and documents its progress to a timely closure
- reaches reasonable conclusions based on the evidence collected
- recommends appropriate options for remedial action and resolution
- maintains confidentiality to the extent possible

The Director of HR or a designee will be the point of contact for complaints involving vendors or individuals external to the immediate Fielding community, or for complaints in which individuals other than Fielding students, faculty or staff have been identified as alleged harassers.

### **Complaints**

Complaints should be made as soon as possible after the alleged incident. Delay is harmful to the fact-finding process and delays appropriate resolutions.

Complaints do not have to be in writing. Complaints made in writing may, but are not required to, be made using the Complaint form, which is located online here:

<https://my.fielding.edu/TechAdmin/HR/Pages/default.aspx>

Complaints should be submitted to:

- Dawn Upham, Title IX Coordinator [titleixcoordinator@fielding.edu](mailto:titleixcoordinator@fielding.edu) or [dupham@fielding.edu](mailto:dupham@fielding.edu)  
805.898.4083; 2020 De la Vina Street, Santa Barbara, CA 93105 or
- Dino Ferrare, Human Resources Director/Title IX Coordinator [dferrare@fielding.edu](mailto:dferrare@fielding.edu);  
805.898.4018; 2020 De la Vina Street, Santa Barbara, CA 93105
- Any supervisory or management employee of Fielding.

Fielding has a legal obligation to address all claims of unlawful sexual harassment, whether the complainant chooses to pursue addressing such behaviors or not. The University will consider complaints to be private, and will maintain confidentiality to the extent that maintaining such confidentiality is consistent with an appropriate investigation and remediation process. As part of a basic fair process, persons who are accused of harassment or discrimination will be informed of the substance of the accusations and given an opportunity to respond. In most cases, it will not be possible to prevent the person who is accused from learning the identity of the person who made the accusations during the investigation process. No retaliation, however, will be permitted, and Fielding will always seek to honor requests for confidentiality to the extent it can consistent with its legal obligation to investigate and provide a fair process to the accused.

An individual who believes they are experiencing discrimination or harassment has the option to deal directly with the alleged offender with the intent of communicating their distress and resolve that the situation will not be repeated. The individual should not feel obligated to choose this option if they are not comfortable directly approaching the alleged offender and/or if the alleged behavior is severe in nature. It is important to keep a record of all events or incidents that comprise the offending behavior and any subsequent communication about the behavior.

If a complainant would like assistance in resolving the concern directly with the alleged offender or prefers not to engage directly with the alleged offender, they may take their concern or complaint to the Office of Human Resources. The purpose for doing so may be to:

- ask for resolution;
  - obtain assistance with problem solving;
  - apprise the University so that the authorities of the University may take appropriate measures;
- or
- all of the above.

At any point during the complaint process, individuals may pursue complaints directly with the government agencies that deal with unlawful harassment, discrimination, and retaliation claims, e.g., the U. S. Equal Employment Opportunity Commission (EEOC), the State of California Department of Fair Employment and Housing (DFEH) or the appropriate investigative agency within another state, and /or the U. S. Department of Education Office for Civil Rights (OCR).

Any complainant or participant in an investigation who feels they have been subjected to retaliation should immediately contact the Director of Human Resources.

### **Remediation of Policy Violations**

If this policy has been violated, Fielding will take remedial measures that are effective and timely. Effective means that the remedial measures prevent any harassment in the future and, to the extent possible, address the present effects of past harassment or discrimination. Individuals who violate this policy are subject to discipline up to and including written warning, final written warning, mandatory remedial counseling or training, demotion, reassignment to a different position, discharge, suspension, removal, and/or other appropriate sanction or action, depending on the circumstances. Fielding will take the remedial action that it deems appropriate under all the circumstances.

### **Complaints involving Vendors or Others outside of Fielding**

Cases involving complaints lodged by someone from within the Fielding community (students, faculty, staff) against vendors providing products or services to Fielding or against other persons who are external to the Fielding community (i.e., those who are not students, faculty, or staff) should be directed to the Director of HR. The Director of HR will seek a resolution within a reasonable timeline and take effective remedial action if a violation of this policy is substantiated. Depending on the outcome of this process, Fielding may ultimately terminate or limit a vendor relationship as appropriate if the harassment has not stopped or if a suitable remedy is not proposed by the vendor.

### **Training**

Supervisors, managers, and others with similar authority over others are required to complete two hours of harassment prevention training every two years. Newly hired or promoted supervisors who have not received training within two years of the hire/promotion date must be trained within six months of hire/promotion date. All other employees are required to complete one hour of harassment prevention training every two years.

### ***Crime and Referral Statistics for the 2017, 2018 and 2019 Calendar Years:***

The Clery Act requires that colleges and universities report in the ASR crimes that occur in four geographic locations: (1) on campus, (2) in residence halls on campus, (3) in non-campus properties, and (4) on public property adjacent to, and accessible from, the campus. The University maintains no residence halls on campus or elsewhere. Pursuant to Clery Act definitions, the University has extremely limited On Campus property and, therefore, also has limited public property adjacent to and accessible from On Campus property.

The University's Non-campus property includes those properties owned or leased by the University that are not adjacent to University headquarters that are used to further or are related to the College's mission and are frequently used by students.

| <b>On-Campus Property</b>                    | <b>On-Campus Buildings</b> |      |      |
|--|----------------------------|------|------|
| <b>Criminal Offense</b>                      | 2017                       | 2018 | 2019 |
| Murder/Non-negligent Manslaughter            | 0                          | 0    | 0    |
| Negligent Manslaughter                       | 0                          | 0    | 0    |
| Sex Offenses – Forcible (Rape)               | 0                          | 0    | 0    |
| Sex Offenses – Forcible (Fondling)           | 0                          | 0    | 0    |
| Sex Offenses - Non-forcible (Incest)         | 0                          | 0    | 0    |
| Sex Offences – Non-forcible (Statutory Rape) | 0                          | 0    | 0    |
| Robbery                                      | 0                          | 0    | 0    |
| Aggravated Assault                           | 0                          | 0    | 0    |
| Burglary                                     | 0                          | 0    | 0    |
| Motor Vehicle Theft                          | 0                          | 0    | 0    |
| Arson  | 0                          | 0    | 0    |

| <b>Arrests</b>             | <b>On-Campus Buildings</b> |      |      |
|----------------------------|----------------------------|------|------|
|                            | 2017                       | 2018 | 2019 |
| Liquor Law Violations      | 0                          | 0    | 0    |
| Drug Law Violations        | 0                          | 0    | 0    |
| Illegal Weapons Possession | 0                          | 0    | 0    |

| <b>Student Conduct Referrals for Discipline</b> | <b>On-Campus Buildings</b> |      |      |
|---|----------------------------|------|------|
|   | 2017                       | 2018 | 2019 |
| Liquor Law Violations                           | 0                          | 0    | 0    |
| Drug Law Violations                             | 0                          | 0    | 0    |
| Illegal Weapons Possession                      | 0                          | 0    | 0    |

| <b>Violence Against Women Act (VAWA) Crimes</b> | <b>On-Campus Buildings</b>  |      |      |
|---|-----------------------------|------|------|
|   | 2017                        | 2018 | 2019 |
| Stalking  | 0                           | 0    | 0    |
| Domestic Violence                               | 0                           | 0    | 0    |
| Dating Violence                                 | 0                           | 0    | 0    |
| <b>Non-Campus Property</b>                      |                             |      |      |
| <b>Criminal Offense</b>                         | <b>Non-Campus Buildings</b> |      |      |
|   | 2017                        | 2018 | 2019 |
| Murder/Non-negligent Manslaughter               | 0                           | 0    | 0    |
| Negligent Manslaughter                          | 0                           | 0    | 0    |
| Sex Offenses – Forcible (Rape)                  | 0                           | 0    | 0    |
| Sex Offenses – Forcible (Fondling)              | 0                           | 0    | 0    |
| Sex Offenses - Non-forcible (Incest)            | 0                           | 0    | 0    |
| Sex Offenses – Non-forcible (Statutory Rape)    | 0                           | 0    | 0    |
| Robbery   | 0                           | 0    | 0    |
| Aggravated Assault                              | 0                           | 0    | 0    |
| Burglary  | 0                           | 0    | 1    |
| Motor Vehicle Theft                             | 0                           | 0    | 0    |
| Arson   | 0                           | 0    | 0    |

| <b>Arrests</b>             | <b>Non-Campus Buildings</b> |      |      |
|----------------------------|-----------------------------|------|------|
|                            | 2017                        | 2018 | 2019 |
| Liquor Law Violations      | 0                           | 0    | 0    |
| Drug Law Violations        | 0                           | 0    | 0    |
| Illegal Weapons Possession | 0                           | 0    | 0    |

| <b>Student Conduct Referrals for Discipline</b> | <b>Non-Campus Buildings</b> |      |      |
|---|-----------------------------|------|------|
|   | 2017                        | 2018 | 2019 |
| Liquor Law Violations                           | 0                           | 0    | 0    |
| Drug Law Violations                             | 0                           | 0    | 0    |
| Illegal Weapons Possession                      | 0                           | 0    | 0    |

| Violence Against Women Act (VAWA) Crimes | Non-Campus Buildings |      |      |
|--|----------------------|------|------|
|  | 2017                 | 2018 | 2019 |
| Stalking                                 | 0                    | 0    | 0    |
| Domestic Violence                        | 0                    | 0    | 0    |
| Dating Violence                          | 0                    | 0    | 0    |

When a hate crime is reported, it will be labeled with the following categories of prejudice: R=race; G=gender; REL=religion; SO=sexual orientation; GI=gender identify; NO=National Origin, E=ethnicity; and/or D=disability. In addition to the criminal offenses listed on the chart, the following crimes need to be reported if they are hate crimes: larceny-theft; simple assault; intimidation; destruction, damage, vandalism of property, making graffiti, or any other crime involving bodily injury. There were no hate crimes reported in 2019. There were no hate crimes reported in 2017, and there were no hate crimes reported in 2017.

**On Campus Buildings or Property:**

**2019**

Fielding Graduate University  
 2020 De la Vina Street  
 Santa Barbara, CA 93105

**2018**

Fielding Graduate University  
 2020 De la Vina Street  
 Santa Barbara, CA 93105

**2017**

Fielding Graduate University  
 2020 De la Vina Street  
 Santa Barbara, CA 93105

**Non Campus Buildings or Property includes:**

**2019**

Hilton Santa Barbara Beachfront Resort  
 Hyatt Santa Barbara  
 Private  
 Private  
 Private

633 E. Cabrillo Blvd.  
 1111 E. Cabrillo Blvd.  
 200 W. Green St.  
 1909 W. Springfield Ave.  
 20 South Prospect Avenue

Santa Barbara, CA  
 Santa Barbara, CA  
 Champaign, IL  
 Champaign, IL  
 Park Ridge, IL

|  |                                   |                   |
|--|-----------------------------------|-------------------|
| Private                                    | 7101 Chestnut St.                 | Rosemont, IL      |
| Healing Arts Center                        | 1800 Market St NW                 | Seattle, WA       |
| Home2Suites, Seattle Airport               | 6955 Fort Dent Way                | Tukwila, WA       |
| Westin O'Hare Hotel                        | 6100 N. River Rd.                 | Rosemont, IL      |
| Hilton Alexandria Mark Center              | 5000 Seminary Rd.                 | Alexandria, VA    |
| Sheraton Baltimore North                   | 903 Dulaney Valley Rd.            | Towson, MD        |
| Private                                    | 315 West 57 <sup>th</sup> Street  | New York, NY      |
| The Doubletree Club Hotel                  | 7 Hutton Centre Drive             | Santa Ana, CA     |
| Private                                    | 40 Beacon Street                  | Melrose, MA       |
| Google Community Space                     | 188 The Embarcadero               | San Francisco, CA |
| George Ranch Memorial Library              | 1001 Golfview Drive               | Richmond, TX      |
| First Colony Library                       | 2121 Austin Pkwy                  | Sugar Land, TX    |
| Private                                    | 21903 Venture Park Drive          | Richmond TX       |
| Cinco Ranch Library                        | 2620 Commercial Center Blvd.      | Katy, TX          |
| Private                                    | 3223 Ortega St.                   | San Francisco, CA |
| Meeting Space                              | 5000 Sir Francis Drake Blvd. #169 | Woodacre, CA      |
| Private                                    | 940 N. Buckner Blvd.              | Dallas, TX        |
| Meeting Space                              | 2900 Live Oak                     | Dallas, TX        |
| Edina Public Library                       | 5280 Grandview Square             | Edina , MN        |
| Lunds and Byerly's Grocery Comm. Mtg. Room | 5725 Duluth Street                | Golden Valley, MN |
| Lunds and Byerly's Grocery Comm. Mtg. Room | 3777 Park Center Blvd             | St Louis Park, MN |
| Maple Grove Library Meeting Room           | 8001 Main St,                     | Maple Grove, MN   |
| Home2Suites Conference Room                | 380 Upland Dr.                    | Tukwila, WA       |
| Las Vegas Convention Center                | 3150 Paradise Rd                  | Las Vegas, NV     |
| Austin Convention Center                   | 500 E Cesar Chavez St             | Austin, TX        |
| Georgia Tech                               | Georgia Tech, North Ave NW        | Atlanta, GA       |
| Skirball Center                            | 2701 N Sepulveda Blvd             | Los Angeles, CA   |
| Washington Hilton Hotel                    | 1919 Connecticut Ave NW           | Washington, DC    |
| Santa Clara Convention Center              | 5001 Great American Pkwy          | Santa Clara, CA   |
| Hyatt Regency McCormick Place              | 2233 S Martin Luther King Dr D    | Chicago, IL       |
| Grand Hyatt Washington                     | 1000 H St NW                      | Washington, DC    |
| Private                                    | 501 E. 32nd St.                   | Austin, Texas     |
| Private                                    | 7320 NW 47 <sup>th</sup> Court    | Gainesville, FL   |
| Private                                    | 2889 McFarlane Rd.                | Miami, FL         |
| Episcopal Seminary of the Southwest        | 501 E. 32 <sup>nd</sup>           | Austin, TX        |
| The Ecumenical Counseling Center           | 8310 Ewing Halsell Drive          | San Antonio, TX   |
| San Antonio Counseling Center              | 4242 Medical Dr. Suite 6200       | San Antonio, TX   |
| Private                                    | 52 Old Town Crossing              | Mount Kisco, NY   |
| Mount Kisco Holiday Inn                    | 1 Holiday Inn Drive               | Mount Kisco, NY   |
| Private                                    | 1503 Sheridan Walk NE             | Atlanta, GA       |
| Superstition Springs Corporate Plaza       | 1234 S. Power Rd.                 | Mesa, AZ          |
| Private                                    | 1939 Spreckels Lane               | Redondo Beach, CA |
| Private                                    | 465 Bay Ridge Parkway             | Brooklyn, NY      |
| Panera Bread                               | 9587 Mentor Ave.                  | Mentor, OH        |
| Willowick Public Library                   | 263 E 305th St.                   | Willowick, OH     |
| Private                                    | 3681 S. Green Road                | Beachwood, OH     |
| Bally's Las Vegas Hotel                    | 3645 S Las Vegas Blvd             | Las Vegas, NV     |
| SD Biomedical Library                      | 9500 Gilman Dr.                   | La Jolla, CA      |
| Starbucks                                  | 8750 Genesee Ave #244             | San Diego, CA     |
| Iona Sr. Services                          | 4125 Albemarle St.                | NW Washington, DC |

**2018**

|         |                              |               |
|---------|------------------------------|---------------|
| Private | 465 Bay Ridge Parkway        | Brooklyn, NY  |
| Private | 503 W. 16 <sup>th</sup> Ave. | Vancouver, BC |
| Private | 40 Beacon Street             | Melrose, MA   |

|  |                                   |                        |
|--|-----------------------------------|------------------------|
| Private                                    | 1590 Dapple Ave.                  | Camarillo, CA          |
| Superstition Springs Corporate Plaza       | 1234 S. Power Rd.                 | Mesa, AZ               |
| Private                                    | 5210 McKinney Ave.                | Dallas, TX             |
| Episcopal Seminary of the Southwest        | 501 E. 32 <sup>nd</sup>           | Austin, TX             |
| Panera Bread                               | 9587 Mentor Ave.                  | Mentor, OH             |
| Private                                    | 2932 Sherbrooke Valley Ct.        | Willoughby Hills, OH   |
| Private                                    | 52 Old Town Crossing              | Mount Kisco, NY        |
| Mount Kisco Holiday Inn                    | 1 Holiday Inn Drive               | Mount Kisco, NY        |
| Private                                    | 315 West 57 <sup>th</sup> Street  | New York, NY           |
| The Doubletree Club Hotel                  | 7 Hutton Centre Drive             | Santa Ana, CA          |
| Private                                    | 1939 Spreckels Lane               | Redondo Beach, CA      |
| The Ecumenical Counseling Center           | 8310 Ewing Halsell Drive          | San Antonio, TX        |
| Hilton Santa Barbara Beachfront Resort     | 633 E. Cabrillo Blvd.             | Santa Barbara, CA      |
| Hyatt Santa Barbara                        | 1111 E. Cabrillo Blvd.            | Santa Barbara, CA      |
| Westin O'Hare Hotel                        | 6100 N. River Rd.                 | Rosemont, IL           |
| Sheraton Baltimore North                   | 903 Dulaney Valley Rd.            | Towson, MD             |
| Hotel Fairmont San Francisco               | 950 Mason St.                     | San Francisco, CA      |
| Grand Hyatt                                | 100 H St. NW                      | Washington, DC         |
| Skirball Cultural Center                   | 2701 N. Sepulveda Blvd.           | Los Angeles, CA        |
| The Colleges of Law – Santa Barbara Campus | 20 E. Victoria St.                | Santa Barbara, CA      |
| Santa Clara Convention Center              | 5001 Great American Pkwy          | Santa Clara, CA        |
| Moscone Center                             | 747 Howard St.                    | San Francisco, CA      |
| Westin Alexandria Old Town                 | 400 Courthouse Square             | Alexandria, VA         |
| PARQ Hotel and Casino                      | 39 Smithe St.                     | Vancouver, BC, Canada  |
| Harvard University                         | 1 Oxford St.                      | Cambridge, MA          |
| Cold Spring Harbor Laboratory              | 1 Bungtown Rd                     | Cold Spring Harbor, NY |
| Point Lookout                              | 67 Atlantic Hwy                   | Northport, ME          |
| Sheraton Baltimore North Hotel             | 903 Dulaney Valley Rd             | Towson, MD             |
| Private                                    | 1801 Wedemeyer St                 | San Francisco, CA      |
| Google Community Space                     | 188 The Embarcadero               | San Francisco, CA      |
| Private                                    | 3223 Ortega St.                   | San Francisco, CA      |
| Meeting Space                              | 5000 Sir Francis Drake Blvd. #169 | Woodacre, CA           |
| Meeting Space                              | 2900 Live Oak                     | Dallas, TX             |
| Private                                    | 7320 NW 47 <sup>th</sup> Court    | Gainesville, FL        |
| Public Safety Psychology Group             | 8341 Washington St.               | Albuquerque, NM        |
| Private                                    | 1503 Sheridan Walk NE             | Atlanta, GA            |
| Willowick Public Library                   | 263 E 305th St.                   | Willowick, OH          |
| Private                                    | 2889 McFarlane Rd.                | Miami, FL              |
| Private                                    | 4210 Tuscany Ct.                  | Baltimore, MD          |

**2017**

|  |                                       |                   |
|--|---------------------------------------|-------------------|
| Hyatt Santa Barbara                        | 1111 E. Cabrillo Blvd.                | Santa Barbara, CA |
| Fess Parker's Doubletree Resort            | 633 E. Cabrillo Blvd.                 | Santa Barbara, CA |
| Ventura College of Law                     | 20 E. Victoria St.                    | Santa Barbara, CA |
| Westward Look Wyndham Grand Resort & Spa   | 245 E. Ina Rd.                        | Tucson, AZ        |
| Hilton Alexandria Mark Center              | 5000 Seminary Rd.                     | Alexandria, VA    |
| Houston Marriott West Loop by The Galleria | 1750 W. Loop S.                       | Houston, TX       |
| Private                                    | 315 West 57 <sup>th</sup> Street #401 | New York, NY      |
| The Doubletree Club Hotel                  | 7 Hutton Centre Drive                 | Santa Ana, CA     |
| Private                                    | 40 Beacon Street                      | Melrose, MA       |
| National Parks Facility                    | 1801 Wedemeyer Street                 | San Francisco, CA |
| Meeting Space                              | 5000 Sir Francis Drake Blvd. #169     | Woodacre, CA      |
| Private                                    | 5210 McKinney Ave.                    | Dallas, TX        |
| Meeting Space                              | 2900 Live Oak                         | Dallas, TX        |
| Episcopal Seminary of the Southwest        | 501 East 32 <sup>nd</sup>             | Austin, TX        |

|  |   |                        |
|--|---|------------------------|
| Private  | 7320 NW 47 <sup>th</sup> Court                              | Gainesville, FL        |
| Private  | 4201 N. Ocean Drive   | Hollywood, FL          |
| The Ecumenical Counseling Center                 | 8310 Ewing Halsell Drive                                    | San Antonio, TX        |
| Texas Neuro Rehab Center                         | 1106 W. Dittmar Road  | Austin, TX             |
| La Copa Inn                                      | 350 Padre Blvd.   | South Padre Island, TX |
| Private  | 52 Old Town Crossing  | Mount Kisco, NY        |
| Mount Kisco Holiday Inn                          | 1 Holiday Inn Drive   | Mount Kisco, NY        |
| Private  | 1503 Sheridan Walk, NE                                      | Atlanta, GA            |
| Private  | 1590 Dapple Ave.  | Camarillo, CA          |
| Private  | 1234 S. Power Road, Suite 254                               | Mesa, AZ               |
| Hostos Community College                         | Hostos Community College,<br>Bldg C, 500 Grand Concourse    | Bronx, NY              |
| Private  | 1939 Spreckels Lane   | Redondo Beach, CA      |
| Private  | 465 Bay Ridge Parkway                                       | Brooklyn, NY           |
| Private  | 2932 Sherbrooke Valley Ct.                                  | Willoughby Hills, OH   |
| The Willoughby Hills Community Center            | 35400 Chardon Rd  | Willoughby Hills, OH   |
| Willowick Public Library                         | 263 E 305th St.   | Willowick, OH          |
| Arabica's Coffee House                           | 4138 Erie Street  | Willoughby, OH         |
| Panera Bread                                     | 9587 Mentor Ave.  | Mentor, OH             |
| Bohemian National Hall                           | The Czech Center & Consulate<br>321 E. 73 <sup>rd</sup> St. | New York, NY           |
| Skirball Center                                  | 2701 N. Sepulveda Blvd                                      | Los Angeles, CA        |
| Fordham University Lincoln Center                | 113 W 60th St.  | New York, NY           |
| Hilton San Diego Bayfront Hotel                  | 1 Park Blvd.  | San Diego, CA          |
| Santa Clara Convention Center                    | 5001 Great America Parkway                                  | Santa Clara, CA        |
| Santa Barbara City Hall                          | 735 Anacapa St.   | Santa Barbara, CA      |
| Roosevelt University                             | 430 S. Michigan Ave.  | Chicago, IL            |
| The Palais Convention Center & Exhibition Centre | 1001 Jean Paul Riopelle Place                               | Montreal, QC, Canada   |
| Walter E. Washington Convention Center           | 801 Mount Vernon Place NW                                   | Washington, DC         |
| Omni Shoreham Hotel                              | 2500 Calvert St NW  | Washington, DC         |
| Private  | 2889 McFarlane Rd.  | Miami, FL              |
| Hilton Atlanta Airport                           | 1031 Virginia Ave.  | Atlanta, GA            |
| SD Biomedical Library                            | 9500 Gilman Dr.   | La Jolla, CA           |
| Golden Nugget Hotel                              | 129 Fremont Street  | Las Vegas, NV          |
| Private  | 4210 Tuscany Ct.  | Baltimore, MD          |

Fielding Graduate University reports in the ASR statistics for Hate Crimes that occur in a reportable geographic location. A hate crime occurs when a person is victimized intentionally because of his or her actual or perceived race, gender, religion, sexual orientation, ethnicity, gender identity, national origin, or disability. The hate crimes in this ASR are those offenses that appear in the Crime Statistics Chart as Part I offenses, and also includes other offenses that resulted in bodily injury of the victim, as well as larceny, damage, destruction or vandalism of property, simple assault and intimidation.

*Emergency Preparedness Plan for Fielding Graduate University Students,  
Faculty and Staff at Off-Site Locations*

Last Updated September 2020

Fielding Graduate University is committed to the safety and security of all members of the Fielding community. Emergencies can come without warning at any time. It is your responsibility, as well as Fielding's and the conference facility's, to be prepared physically and psychologically for unexpected accidents or disasters. If a disaster occurs while Fielding employees and students are attending a Fielding-sponsored event at a facility that does not belong to Fielding, the emergency guidelines set forth by Fielding managers must be followed.

This plan has been developed to assist in minimizing effects from such events. Please read the contents thoroughly. Once you are familiar with the information, you will be better prepared to protect yourself and perhaps save the life of someone else.

**YOUR SAFETY IS OF PRIMARY IMPORTANCE.**

During the time of Coronavirus, Fielding follows the recommendations set forth by the CDC, and adheres to Federal, State and Local ordinances. Any in-person interaction with members of the Fielding community must be approved by Fielding leadership.

General safety precautions include:

- Wear a mask to protect yourself and others and stop the spread of COVID-19.
- Stay at least 6-feet (about 2-arms length) from others who don't live with you, and avoid crowds.
- Wash your hands regularly with soap and water for 20 seconds or use hand sanitizer with at least 60% alcohol.
- Stay informed about COVID-19: <https://www.cdc.gov/coronavirus/2019-ncov/index.html>
- To slow the spread and help with virus-tracing, please inform your supervisor and the HR Director if there is a chance that you could have exposed others to COVID-19 (ex: going into the Santa Barbara offices, then finding out that you have been exposed to someone outside of Fielding who has tested positive with the virus).

The information included in this plan is intended to cover most emergency actions, but it is not all-inclusive. What's provided here is a quick reference for efficient action during emergencies. The first thing to do in any emergency situation is to remember that your safety is of primary importance. Common sense must prevail when instructions are not available. No matter what the crisis, THINK before you ACT, then act swiftly to minimize your exposure to danger.

## **WHAT YOU CAN DO TO BE PREPARED:**

- When you first arrive at a hotel, conference center, or other meeting site, locate the floor plans or a map of the exterior doors, fire extinguishers, and Automatic External Defibrillator (AED) machines. Floor plans can generally be found at the front desk of a hotel and behind the door of your sleeping room. If floor plans of the public areas of the facility are not readily available, ask where the external doors, fire extinguishers, and AED machines (if available) are located.
- Review the floor plans or walk through the facility.
- Confirm with the hotel/conference center that you can dial 911 directly from their landlines.
- Keep a flashlight with you at all times.
- Keep Fielding's Emergency Preparedness Quick Guide for Students, Faculty and Staff with you so that they are available in case of an emergency. During National Session and NSO, a copy of the full Emergency Preparedness Plan is kept at the Fielding Registration Desk.
- Most of Fielding's events are held at venues that have designated evacuation locations. If you arrive prior to the event and the facility does not have a designated evacuation meeting location, establish an open space that you can evacuate to, if needed. Try to avoid being too close to trees, telephone poles, buildings and other objects that could fall on you.
- For National Session and NSO, a member of Fielding's Conference and Event Service Department will announce the evacuation location at the first group meeting. If you miss the announcement for any reason, please speak with a representative of the venue and/or someone from Fielding's Registration Desk to find out where the designated evacuation location is. The Quick Guide for the event will also include this information.
- The Quick Guide will note where the emergency/disaster supply kits are located in the hotel or conference center. This information is also available at the Fielding Registration Desk.
- Guidance for in-person

### ***Emergency Evacuation Plan***

#### **When to Evacuate**

Every hotel/conference center will have a unique evacuation plan and notification system. Many facilities have designated alarm systems to alert people when an emergency evacuation is necessary. If the plan is not clear to you, ask the front desk for details. They might direct you to security, sales and catering, or a member of management. For National Session and NSO, this information will also be available at the Fielding Registration Desk.

#### **How to Evacuate**

Follow the facility's recommended evacuation procedures and meet at the designated assembly area. If you are not on the first floor of the building, take the stairs down. **Do not take the elevator.** Check the door for heat and smoke before entering a stairwell.

### **What YOU need to do in an Evacuation:**

1. Stay calm, do not run or panic.
2. Exit the area through the closest designated emergency exit door. *In the event that the designated emergency exit is impassable, proceed to the secondary emergency exit.*
3. Assist other occupants whose disabilities could slow their evacuation or awareness of an emergency. *Unless imminent life threatening conditions exist in the immediate area occupied by a disabled person, relocation of the individual should be limited to a safe area on the same floor, in close proximity to an evacuation stairwell.*
4. Move quickly to the designated assembly area.
5. Locate Fielding employees and fellow students and discuss where missing people could be located.
6. Stay in the assigned assembly area so you can be accounted for as safe.
7. Report missing and/or unaccounted people to emergency response professionals, as soon as they arrive on the scene.
8. DO NOT re-enter the building until advised by an authorized person from the hotel/conference center and the local emergency authorities.
9. Follow the Crisis Communication Cascade to notify others. For large events, this always starts with individuals who manage the Fielding Registration Desk. Their first point of contact is either the Provost/President and the Department Chair. If they are unavailable, then the program leader(s), HR Director, Associate Director of Media and Communications and the Director of Events.

### **For Fielding Registration Desk Staff - Primary points of contact:**

- Monique Snowden, Provost & Sr. VP: 805.898.4154 (bus); 832.229.3035 (cell); msnowden@fielding.edu
- Katrina Rogers, President: 805.898.2924 (bus); 203.874.0005 (cell); krogers@fielding.edu
- Debbie Lemke, Director of Conference and Event Services: 805.898.4057 (bus); 805.680.1938 (cell); dlemke@fielding.edu

***Remember: Use ONLY stairs for emergency exits - not elevators.***

## **Earthquake Preparedness & Survival Procedures**

### **Before An Earthquake**

Earthquakes strike suddenly, violently and without warning. By identifying potential hazards and with advanced planning you can reduce the dangers of serious injury or loss of life from an earthquake.

### **Prepare and Practice**

- Become familiar with emergency exits. Review floor plans and maps of emergency exit routes.
- Know about the plans made and the routes chosen.
- Know and practice alternate routes that may need to be used.
- **If a hotel or other meeting facility participates in an emergency evacuation drill or exercise when you are there, drop what you are doing and follow the procedure.**
- Practice taking cover and exiting the building. Drop – Cover – Hold On

- Know the location of the emergency/disaster supply kits in each building. *Check with the hotel for these items.*

### **Check For Hazards**

- Place large or heavy objects on lower shelves.
- Store breakable items such as bottled foods and glass in low, closed cabinets with latches.
- Hang heavy items such as pictures and mirrors away from anywhere people sit.
- Report defective electrical wiring and leaky gas connections for repair, as these are potential fire risks.
- Store flammable products securely in closed cabinets with latches and on bottom shelves.
- Ensure doorways, hallways and pathways to and from exits are clear and free of blockage.

**Please use the designated evacuation routes, and know alternate routes, to avoid as many hazards as possible.**

### **Identify Safe Places in Each Room to Prepare to Drop – Cover – Hold On**

- Under sturdy furniture such as a heavy desk or table.
- Against an inside wall.
- Away from where glass could shatter around windows, mirrors, or pictures.
- Away from heavy bookcases or other heavy furniture that could fall over.
- On the floor between beds, if necessary.

### **Locate Safe Places Outdoors**

- A safe place is in the open. Stay away from buildings, trees, telephone and electrical lines, overpasses, or elevated expressways.

### **Emergency Communication Plan**

- Call 911, police, or fire department and tune into local radio station for emergency information (this will usually be an AM station).
- Initiate the Crisis Communication CASCADE by contacting the Fielding Registration Desk.
- Locate other members of the Fielding community, if it is safe to do so.

### **Things to Consider During An Earthquake**

- Evacuation should NEVER be automatic.
- There may be more danger outside of the building or facility than there is inside.
- There may be no safe assembly area outside.
- There may be no clear routes to get outside, and alternate routes may need to be cleared.
- The lighting inside of the room will probably be out--it may be DARK.

### **If Indoors**

- Stay inside.
- The most dangerous thing to do during the shaking of an earthquake is to try to leave the building because of falling objects.
- There is no need to panic. The shaking will stop in a few seconds. **STAY CALM AND KEEP THINKING. REMAIN ORDERLY.**

- Immediately get under a sturdy piece of furniture and hold on. Move as little as possible. This will provide some protection from falling objects that can injure you during an earthquake. Protect your head and eyes. Keep body protected at all times during the shaking.
- Stay there until the emergency is over and you are sure that it is safe to move, or until subsequent instructions are given. Such instructions will depend upon circumstances and the extent of damage to the buildings. It may take some time for emergency personnel to arrive so make the best, most rational decision before attempting to move from your current location.
- Keep away from windows, bookshelves and heavy equipment.
- Turn off equipment immediately if possible.
- Exit according to the predetermined routes.
- DO NOT use elevators; use stairwell exits only when safe.
- Do not attempt to restrain falling objects unless they endanger a life.
- Walk carefully and quickly. (There may be broken glass or other fallen debris). DO NOT RUN. Do not delay exiting from the building by looking for belongings or other people.
- Do not tie up the phones.
- Do not go “sightseeing.” Do not re-enter the building.
- Remember the safety of others and cooperate with onsite and offsite safety officials, who will be easily distinguishable.
- Regroup at the designated assembly areas and wait for further instructions. Do not obstruct fire hydrants or responding fire/rescue workers and their equipment.

### **If Outdoors**

- The safest place to be is in the open. If outdoors, stay there and WALK to an open area away from buildings, trees, power poles, brick or block walls and other objects that could fall. Drop to the ground and protect head and eyes.
- Stay in the open until the earthquake is over, or until further directions are given.
- Stay away from places under which large gas mains run.
- Stay away from areas near chain link fences (which can be an electric shock hazard if touched by live wires).
- Stay away from hazardous materials storage areas.
- Regroup at the designated assembly areas and wait for further instructions. Do not obstruct fire hydrants or responding fire/rescue workers and their equipment.
- Do not re-enter the building until it has been deemed safe by a building official.
- If you are in a vehicle, pull over to a clear location and stop. Avoid bridges, overpasses and power lines, if possible. Stay inside with your seatbelt fastened until the shaking stops. Then, drive carefully, avoiding bridges and ramps that may have been damaged.
- If a power line falls on your vehicle, do not get out. Wait for assistance.
- If you are in a mountainous area or near unstable slopes or cliffs, be alert for falling rocks and other debris. Landslides are often triggered by earthquakes.

### **After An Earthquake**

- Remember the aftershocks. If in a safe place, remain there. The buildings will be inspected as soon as possible. When safe to do so, exit to the designated assembly areas unless otherwise instructed.

- If applicable, expect and prepare for landslides or even a tsunami. Tsunamis are often generated by earthquakes.
- In circumstances in which you wait a long time without hearing anything, you will have to make decisions yourself.
- Check yourself for injuries and get first aid, if necessary, before helping injured or trapped persons.
- Put on long pants, and a long-sleeved shirt, sturdy shoes and work gloves to protect against injury from broken objects.
- No one is to re-enter the building for any reason until the buildings are declared safe.
- Do not touch electrical wires that may have fallen.
- Do not turn on/off any light switch and/or light any fires after the earthquake until the area is declared safe.
- Do not move seriously injured persons unless they are in immediate danger of further injury. Call for help.
- Listen to a battery-operated radio station, or television for the latest emergency information.
- Remember to help other Fielding community members who may require special assistance-- infants, the elderly, and people with disabilities.
- Stay out of damaged buildings. Return to building, office or home only when authorities say it is safe and as directed.
- Identify and report any spilled medicines, bleaches or gasoline or other flammable liquids so they are addressed and cleaned up immediately.
- Leave the area if you smell gas or fumes from other chemicals. Report to fire/emergency response professionals and/or appropriate hotel/building management.
- Open closet and cupboard doors cautiously.
- Inspect the entire length of chimneys carefully for damage. Unnoticed damage could lead to a fire.
- If in an unsafe area - the ceiling has collapsed, wires are crackling, broken glass or chemicals are all over the floor, there is a smell of gas or smoke – it is necessary to leave, BUT inspect for damage before moving to safety. Once in a safe location, communicate location to fire/rescue workers by whatever method that you can.
- If it is necessary to leave an injured person, try to protect him/her from items that might fall during aftershocks. Post a large visible sign indicating the person is there. Find an emergency response professional and report this information.
- The lights will probably be out and it may be dark, ALWAYS have a flashlight that works.
- Be alert while going down stairwells or corridors to anything (dangling lights and ceiling struts, broken glass, slippery floors) that could injure.
- In an aftershock, duck and cover until the shaking stops.
- Although smaller than the main shock, aftershocks cause additional damage and may bring weakened structures down. Aftershocks can occur in the first hours, days, weeks, or even months after the quake.

### **Inspecting Utilities**

- If there is a smell of gas or a blowing or hissing noise, open a window and quickly leave the building. Immediately notify an emergency response professional or, if not available, someone

who works at the facility. If the gas is turned off for any reason, a professional must turn it back on.

- Look for electrical system damage. If there are sparks or broken or frayed wires, or the smell of hot insulation, notify a fire/emergency response professional. They will turn off the electricity at the main fuse box or circuit breaker.
- If there is sewage and/or water line damage, notify an employee of the building and/or an emergency response professional. If the sewage lines are damaged, avoid using the toilets. Avoid using water from the tap. Plug sink drains to prevent sewage back up.

### **Let Your Family Know You're Safe**

If the community experiences an earthquake, or any disaster, register on the American Red Cross Safe and Well Web site available through RedCross.org to let your family and friends know about your welfare. If you don't have Internet access, call 1-866-GET-INFO to register yourself and your family.

### ***Emergency Medical Procedures***

Dial 911 in any circumstance in which someone is unconscious or otherwise appears to have a serious medical emergency. If you do not know CPR, ask bystanders if they are certified in First Aid and CPR.

### ***Protection against Hazards***

#### **Injury**

There is a certain routine to follow in the event of an injury. Memorizing this sequence of events will help you respond quickly and properly.

- **Call for medical help.** If someone nearby knows first aid and/or CPR, explain the kind of injury. There is no time to waste in an emergency, and often no way for you to know how serious the emergency is. So be calm and act fast.
- **Check to see if the victim is breathing.**
- **Bring help to the victim.** Don't bring the victim to help.
- **Don't move an injured person** unless it is necessary to save his or her life.
- **Ask someone to find a first aid kit.**
- **At any point, if unsure of what to do,** make the phone call for professional help (911) and wait.

### ***Safety procedures:***

#### **Bleeding**

If someone is bleeding heavily, stop the flow until medical help arrives.

- To do this, push on the wound with a cloth or hand.
- For deeper cuts, elevate the wound while applying pressure.
- For more serious cuts, add a third action: push on pressure points on the inside of the upper arm and the crease of the groin. Don't use a tourniquet unless the bleeding won't stop and the person is dying.

## **Amputated Limb**

Place the limb in a plastic bag with ice and rush it to the hospital with the victim.

## **Shock**

A seriously injured person will frequently go into shock that in some cases can be fatal. While waiting for medical help, lay the person down, cover, and raise the feet above heart level. Don't provide anything to drink and check regularly for breathing.

## **Broken Bones**

Don't move any person who may have broken bones unless it's absolutely necessary. The wrong move could be deadly. Keep the person still and wait for expert help.

## **Eye Injuries**

Eye injuries should be treated immediately. If chemicals were splashed in the eye, flush with water for at least 15 minutes. Then close the eyes, cover them with a clean cloth, and get medical help. If something is stuck in the eye, just keep the person calm until medical help arrives.

## **Electrical Shock**

Electrical shock can be deadly to the victim and also kill others if the wrong move is made when they are trying to help.

- Don't touch the person in contact with a live electrical current.
- Turn off the main electric switch or fuse, or get an electrician to do it if one can be found quickly.
- If you **MUST** move a person from a live wire, stand on something dry and use a dry stick or board to push the person off the wire. Don't use anything metal, wet or damp.
- After the person has been moved from the electricity, check for heartbeat and breathing. If necessary and you know how, administer CPR.

## **Burns**

The way to treat a burn depends on the kind and degree of burn it is:

**Chemical Burns** - treat by flushing the burned part of the skin with water for 15 minutes and carefully remove contaminated clothing.

Other burns are classified on three levels:

- **First-degree burns** - the least serious, the skin is red.
- **Second-degree burns** - the skin is red and there are blisters.
- **Third-degree burns** - the most serious, the skin is destroyed, tissues are damaged and there is charring.

## **What to Do to Help a Burn Victim**

- Wrap the person who is on fire in a blanket or coat, or make the victim drop and roll.

- Cut away loose clothing, but don't touch clothing that is stuck to a burn.
- Don't rub the body.
- Immerse first- and second-degree burns in cold water to relieve pain, then cover the skin with a moist sterile dressing. Elevate burned limbs.
- Treat the victim for shock and check for breathing problems.
- Don't use ice, lotion, or ointment on a burn.

## **Chemical Exposure**

If someone has inhaled, swallowed, or been splashed with a hazardous chemical, refer to the chemical's label to determine proper treatment. There are, however, some general approaches that apply in most instances:

- **Eyes and skin.** Flush with water for 15 minutes.
- **Inhalation.** Move to fresh air and administer CPR if necessary.
- **Swallowing.** Get medical assistance and call the poison control center. Don't give an unconscious person fluids.

## **Protecting Against Hazards**

### *Illness*

There are a number of different kinds of illness you might encounter, including:

- Not breathing
- Choking
- Fainting
- Chemical exposure
- Heatstroke
- Heart attack
- Stroke
- Epileptic seizure

## ***Safety procedures***

### **Not Breathing**

When a person stops breathing, death could come in minutes. Here is how to help:

- Shout at and shake the victim to determine if he or she is unconscious. Don't, however, shake him/her if there is a possible neck or back injury.
- If the person doesn't respond, look, listen, and feel for signs of breathing.
- Lie a person who's not breathing on his or her back, loosen clothes around the neck, and make sure nothing is blocking the mouth or throat.

### **High-quality CPR is key and consists of doing the following:**

1. First, open the person's airway to check if they are breathing (don't begin CPR if person is breathing). Then get help by sending someone to call for help. If you are alone, quickly call 911 before starting CPR.
2. Position the heel of your hand in the center of the chest.

3. Interlock fingers, keep your arms straight, keep fingers raised so they don't touch the patient's chest of rib cage.
4. Give 30 chest compressions.
5. Keep compression rate of at least 100 per minute for all persons.
6. Keep compression depth of between 2-2.4 inches for adults and children, and about 1.5 inches for infants.
7. Allow complete chest recoil after each compression.
8. Open the airway. Tilt head and lift chin to open the airway and let the mouth fall open slightly.
9. Give one rescue breath.
10. Repeat steps 8 and 9 one more time.
11. Repeat chest compressions and rescue breaths again.
  - Minimize interruptions in CPR, except to use an AED or to change rescuer positions.
  - Do not over ventilate.
  - Provide CPR as a team when possible.
  - Feel for a pulse for 10 seconds; if a pulse is absent or if you are not sure you feel a pulse, then begin compressions. Even trained clinicians cannot always reliably tell if they can feel a pulse.
  - For infants, use a manual defibrillator if available. If not available, an AED with pediatric dose attenuator should be used for an infant. If an AED with dose attenuator is not available, then use an adult AED, even for an infant.

### **Shock**

A seriously ill person will frequently go into shock, and that can be fatal. While waiting for medical help, lay the person down and cover. Don't provide anything to drink; check regularly for breathing.

### **Choking**

It doesn't take long for someone to choke to death, so take this common occurrence seriously. Ask the person loudly, "Are you choking?" If he or she can't respond:

1. Have someone **CALL 911**
2. Obtain consent
3. Lean the person forward and give 5 back blows with the heel of your hand.
4. Give **5** quick, upward abdominal thrusts.
  - (NOTE: Give chest thrusts to a choking person who is pregnant or too big for you to reach around).
  - (NOTE: You can give yourself abdominal thrusts by using your hands, just as you would do to another person, or lean over and press your abdomen against any firm object such as the back of a chair).
5. Continue back blows and abdominal thrusts until –

- a. Object is forced out.
- b. Person can breathe or cough forcefully.
- c. Person becomes unconscious.

To deliver abdominal thrusts:

- Stand behind the victim and put both arms around his or her waist. Make a fist with one hand and place it, thumb side in, against the victim's stomach between the navel and the ribs.
- Grab your fist with the other hand.

Pull in and up sharply and repeat as necessary.

Whatever approach, do not stop until the object is removed or medical help arrives.

### **Fainting**

In case of fainting lay the victim flat with feet slightly raised. Loosen clothing and check regularly for breathing. If the person isn't conscious within a few minutes, get help.

### **Heart Attack**

It's not always easy to know when someone's having a heart attack. Signals of a heart attack are: Persistent chest pain or pressure (a primary signal of a heart attack) that lasts longer than 3 to 5 minutes or goes away and comes back, chest pain spreading to the shoulders, neck, jaw stomach or arms. Shortness of breath or trouble breathing, nausea or vomiting, dizziness, light-headedness or fainting, pale, ashen (grayish) or bluish skin, sweating, denial of signals. Both men and women experience the most common heart attack signal, which is chest pain or discomfort But women are somewhat more likely than men to experience some of the other warning signals, particularly shortness of breath, nausea/vomiting and back or jaw pain. Women also tend to delay telling others about their signals to avoid bothering or worrying others.

If someone is having a heart attack:

- Call 911
- Have the person stop what he or she is doing and rest comfortably
- Loosen any tight or uncomfortable clothing.
- Closely watch the person until emergency medical services (EMS) arrives. Notice any changes in the person's appearance or behavior.
- Try to obtain information about the person's condition.
- Comfort the person.
- Assist with medication, if prescribed.
- Offer an aspirin if medically appropriate.
- Be prepared to give cardiopulmonary resuscitation (CPR) if the person's heart stops beating and use an automated external defibrillator (AED) if one is available and you are trained to do so.

### **Heatstroke**

Heatstroke, often referred to as sunstroke, is the most serious form of heat stress. It can lead to delirium, convulsions, or unconsciousness-even death if the body doesn't cool down. So it's important to recognize the symptoms:

- Dry (or moist), hot, reddish skin

- Changes in the level of consciousness.
- Vomiting
- Strong and rapid pulse
- Chills

Heatstroke is *very dangerous!* Call a doctor immediately. While waiting, cool the person as much as possible. Hose down or soak the clothing with water and fan the body. Do not give an unconscious victim fluids. If the person refuses water, vomits or starts to lose consciousness:

1. Send someone to call 911
2. Place the person on his or her side
3. Continue to cool the person by using ice or cold packs on their wrists, ankles, groin and neck, and in the armpits.
4. Continue to check signs of life (movement and breathing)

### **Stroke**

A stroke can be hard to identify, but can be fatal, so medical attention is a must. Sometimes a stroke victim is unconscious. Other times, symptoms such as heavy breathing, inability to speak or be understood, and apparent weakness in the face or the limbs on one side of the body may be visible.

- If any of these signs appear, call 911 and do not give the person anything to eat or drink before EMS arrives.

### **Epileptic Seizure**

Move a person who appears to be having a seizure away from any dangerous objects. Check for breathing, but don't put anything in the victim's mouth. Try to keep the person as comfortable as possible and keep other people away while waiting for medical attention.

### ***Fire/Explosion Procedures***

Fire is the most common of all the hazards. Every year fires cause thousands of deaths and injuries and billions of dollars in property damage.

### **Fire Prevention practices**

- Store flammable liquids in approved safety containers and cabinets.
- Dispense and use flammable liquids in accordance with established safety standards.
- Store all combustible waste in solid metal or approved plastic containers.
- Do not obstruct aisles that lead to exit doors.
- Do not place an item in a corridor used as an exit.

### **If you discover a fire or smoke anywhere in or about the building;**

1. Keep calm
2. Size up the situation to determine if this is an emergency or non-emergency situation.
3. Note location of fire.
4. Close the door behind you to any room involved in fire.
5. Advise other people in the vicinity.

6. All alarms and /or an emergency sounding devices should be taken seriously. If you hear an alarm or a message, evacuate the building immediately via the nearest exit route.
7. Do not use building elevators.
8. Do not break windows.
9. Do not use water on electrical fires.
10. Go to the nearest safe telephone and call 911. Give your name, telephone number, location of the building, and the nature of the emergency.
11. Always stand between the fire and the exit.
12. DO NOT ENDANGER YOURSELF.
13. Do not re-enter the building to get personal belongings.
14. If appropriate, select the correct fire extinguisher and dispense the contents on the fire -ONLY IF APPROPRIATE. Never attempt to fight a fire larger than wastebasket size. A small fire can generate enough smoke to cause serious injury.
15. Locations of fire extinguishers are often clearly marked at larger hotels and conference centers. They are generally marked on floor plans, as well.

### **Fire Extinguisher Instructions**

P\* PULL safety pin from handle  
 A\* AIM at the base of the fire  
 S\* SQUEEZE the trigger handle  
 S\* SWEEP from side to side

16. Use designated emergency exits, if needed.
17. If clothes catch fire, STOP, DROP, AND ROLL!!!
18. If aware that someone is trapped in a burning structure, inform the firefighters immediately.
19. If you are trapped, stay low to the ground while attempting to exit.
20. Do not open any doors that feel hot.
21. Use wet towels or clothes to protect from flames and smoke.
22. DO NOT return to the building. The fire department official in charge of the scene will instruct staff when specific areas of the building may be re-occupied.

### **Fire Emergency Procedures for Mobility-Impaired Persons**

- Learn about fire safety
- Plan ahead for fire emergencies
- Be aware of individual capabilities and limitations

### **When the fire alarm sounds, do the following:**

1. If on the ground floor, exit by normal means and proceed to designated assembly area or other safe location.
2. If above or below the ground floor:
  - a.) Look for "areas of refuge" like stair enclosures or other side of corridor fire doors. Elevators are not safe during fires. Sometimes it may be safer to stay in the room.
  - b.) If there is an immediate threat to safety, ask others nearby for assistance. If no help is available, seek refuge in a room with a window or stairway. If possible call 911 to report location and receive instructions from the Emergency Operator.
  - c.) After safely exiting, proceed to the designated assembly area or other safe location.

## ***Bomb Threat Procedures***

Bomb threats usually come on the telephone and generally are made by individuals who want to create an atmosphere of general anxiety or panic. All bomb threats should be assumed to pose legitimate danger to the Fielding population.

### **By Telephone**

1. Take the caller seriously, but remain calm.
2. Use the checklist below as a guide for questions to ask.
3. Take notes on everything said and on observations about background noise, voice characteristics, etc.
4. If possible, get someone nearby to call 911 in order to continue talking to the caller.
5. If nobody is around, call Emergency 911 immediately after the call.
6. Notify Fielding community members and hotel/conference center officials immediately.
7. If evacuation is required, move a safe distance from the building, a minimum of 300 feet. Follow the evacuation procedures. *See page 5*
8. Contact Fielding Registration Desk to initiate the Crisis Communication Cascade.
9. Do not re-enter the building until instructed to do so by emergency response officials.

### **Suspicious Package/Object**

1. If a suspicious package or foreign device is received or discovered, **DO NOT TOUCH IT, TAMPER WITH IT OR MOVE IT, UNDER ANY CIRCUMSTANCES!**
2. Report it immediately to Police at 911.
3. Notify Fielding community members in the vicinity and facility officials.

### **Bomb Threat Report – Questions to Ask**

1. Exact wording of threat: \_\_\_\_\_
2. When is the bomb going to explode? \_\_\_\_\_
3. Where is it right now? \_\_\_\_\_
4. What does it look like? \_\_\_\_\_
5. What kind of bomb is it? \_\_\_\_\_
6. What will cause it to explode? \_\_\_\_\_
7. Did you place the bomb? \_\_\_\_\_
8. Why? \_\_\_\_\_
9. What is your name? \_\_\_\_\_

## What To Be Aware Of

*Circle all that apply:*

### Caller's Voice

- |                                   |                                  |  |                                    |                                   |  |
|-----------------------------------|----------------------------------|--|------------------------------------|-----------------------------------|--|
| <input type="checkbox"/> Calm     | <input type="checkbox"/> Ragged  | <input type="checkbox"/> Slurred       | <input type="checkbox"/> Disguised | <input type="checkbox"/> Soft     | <input type="checkbox"/> Crying          |
| <input type="checkbox"/> Stutter  | <input type="checkbox"/> Nasal   | <input type="checkbox"/> Cracked Voice | <input type="checkbox"/> Lisp      | <input type="checkbox"/> Deep     | <input type="checkbox"/> Clearing Throat |
| <input type="checkbox"/> Laughter | <input type="checkbox"/> Excited | <input type="checkbox"/> Slow          | <input type="checkbox"/> Familiar  | <input type="checkbox"/> Distinct | <input type="checkbox"/> Breathing       |
| <input type="checkbox"/> Accent   | <input type="checkbox"/> Normal  | <input type="checkbox"/> Rapid         | <input type="checkbox"/> Raspy     | <input type="checkbox"/> Loud     | <input type="checkbox"/> Angry           |

If voice is familiar, who did it sound like? \_\_\_\_\_

Sex of caller:: \_\_\_\_\_ Age: \_\_\_\_\_ Race: \_\_\_\_\_

Length of call: \_\_\_\_\_ Time of Day: \_\_\_\_\_ Date: \_\_\_\_\_

Number at which call was received: \_\_\_\_\_

*Circle all that apply:*

### Background Sounds

- |  |  |                                    |                                 |   |
|--|--|------------------------------------|---------------------------------|---|
| <input type="checkbox"/> Street Noises     | <input type="checkbox"/> Long Distance | <input type="checkbox"/> Voices    | <input type="checkbox"/> Booth  | <input type="checkbox"/> Local          |
| <input type="checkbox"/> Music             | <input type="checkbox"/> Animal Noise  | <input type="checkbox"/> Noises    | <input type="checkbox"/> Static | <input type="checkbox"/> Office Machine |
| <input type="checkbox"/> Factory Machinery | <input type="checkbox"/> House         | <input type="checkbox"/> PA System | <input type="checkbox"/> Motor  | <input type="checkbox"/> Other          |

### Threat Language

- |   |   |                                |
|---|---|--------------------------------|
| <input type="checkbox"/> Well Spoken (Educated) | <input type="checkbox"/> Incoherent                   | <input type="checkbox"/> Taped |
| <input type="checkbox"/> Irrational             | <input type="checkbox"/> Message Read by Threat Maker | <input type="checkbox"/> Foul  |

## ***Utility Emergency Procedures***

### **Gas Leak**

Natural gas is lighter than air and has a very high ignition temperature. The Gas Company adds a very distinctive odor to natural gas so that leaks are easily detected. If you smell natural gas:

- DO call the fire department at **911**
- DO get everyone out of the building immediately
- DO call the local Gas company
- DO NOT panic
- DO NOT light a match, candle or cigarette
- DO NOT turn electrical appliances or lights on or off
- DO NOT use phones in the immediate area of the gas leak

### **Power Outage**

In the event of an electrical power failure or an emergency situation necessitating the shutdown of electrical power:

- DO have the hotel or conference center call the local power company.
- DO have them shut off power if there are power lines down or damaged.
- DO have them shut off power if gas lines have been damaged.
- DO have them shut off power if water lines are damaged and there is significant flooding in the Building.
- DO use flashlights when monitoring the power outage and / or executing the shutdown procedures.
- DO NOT use matches or candles.
- DO NOT turn on electrical switches if there is any damage.

Finally, check for fires and fire hazards as a result of electrical damage, ***AND ABOVE ALL DO NOT TOUCH ANY POWER LINES, ABOVE OR ON THE GROUND.***

## ***Flood Procedures***

In the event of flooding, evacuation may be necessary.

- Call 911 if it is an emergency. Turn on the radio. Follow instructions from the local traffic control and emergency response officials.
- If there is time before a potential evacuation, try to move important papers, equipment, etc. off the floor and/or off of lower shelves to help alleviate potential damage from floodwaters.
- Upon returning, assess and report damages to Fielding's Registration Desk.

## ***Hazardous Materials Incidents***

### **Exposures/Contamination**

1. Remove exposed/contaminated individual(s) from the area, unless it is unsafe to do so because of
  - (a) medical condition of the victim(s), or
  - (b) potential hazard to rescuer(s).
2. AT ALL TIMES notify emergency 911 if immediate medical attention is required.
3. Notify hotel/conference center officials and 911.
4. Administer First Aid where appropriate.
5. Remove any contaminated clothing.
6. Flush eyes with eyewash if eyes are contaminated.
7. Stand by to provide information or assistance, including material safety data.
8. Notify Fielding's Registration Desk when it is safe to do so.

### **Contamination of Equipment/Facilities**

1. Do not attempt any clean up or decontamination procedures alone or without wearing proper protective attire, including appropriate respiratory protection where airborne hazards may exist. (You must be trained and certified before using respiratory protection). Unless the incident is a small spill of a relatively innocuous material, **DO NOT ATTEMPT SPILL CLEAN UP WITHOUT APPROVAL OF EMERGENCY RESPONSE PROFESSIONALS.**
2. Restrict access to the equipment/area only to individuals who are properly protected and trained to deal with the type of hazard which exists (e.g., radioactive, corrosive, flammable, biological) to avoid contamination.
3. Report details and/or request assistance from the hotel/venue officials.
4. Attempt to decontaminate the equipment/area using appropriate methods under direction. If material is radioactive, assess radiation levels with appropriate monitoring devices before and after decontamination.
5. Provide information to the Fielding's Registration Desk

### **Release to the Environment (Air, Water, Soil)**

1. Report offensive odors from ventilation systems or other systems to venue employee.
2. Notify Emergency 911 based on findings.
3. Stop the release, if safe to do so.
4. Follow procedures described above for contamination of equipment/facility.

## ***Violence at Off-Site Locations***

Defining workplace violence has generated considerable discussion. Definitions range from any language or actions that make one person uncomfortable in the workplace to any bodily injury inflicted by one person on another. A reasonable working definition of workplace violence is as follows: violent acts, including physical assaults and threats of assault, directed toward persons at work or on duty.

Workplace violence has been gaining discussion because it is on the rise. According to the FBI, workplace violence is the number one growing homicide in the United States. An average of 20 workers are murdered each week in the United States. The majority of these murders are robbery-related crimes. In addition, an estimated one million workers are assaulted annually in U.S. workplaces. Most of these assaults occur in service settings such as hospitals, nursing homes, and social service agencies.

### ***What YOU can do:***

#### **Know the Facts**

Know the Characteristics of people who commit acts of violence in academic settings and the workplace.

1. History of Violence- *Individuals who participate in the following types of activities: Criminal Acts, Domestic Abuse, Anti-social Behavior, Verbal Abuse*
2. Romantic Obsession- *The object of attraction may not know the degree of obsession and usually holds a higher status.*
3. Chemical Dependence-*Alcohol and Drugs*
4. Depression
5. Pathological Blamer-*Individuals who accept no responsibility for their actions*
6. Elevated Frustration with the Environment, *i.e. family, peers, co-workers*
7. Obsession with weapons

Know the Indicators- *Each of these behaviors is a clear sign that something is wrong. None should be ignored. By identifying the problem and dealing with it appropriately, you may be able to prevent violence from happening at Fielding.*

1. Direct or veiled threats of harm;
2. Intimidating, belligerent, harassing, bullying, or other inappropriate and aggressive behavior;
3. Numerous conflicts with students, Fielding employees, etc.;
4. Bringing a weapon to the academic event, brandishing a weapon at the academic event, making inappropriate references to guns, or fascination with weapons;
5. Statements showing fascination with incidents of school or workplace violence, statements indicating approval of the use of violence to resolve a problem or statements indicating identification with perpetrators of school or workplace homicides;
6. Statements indicating desperation (over family, financial, and other personal problems) to the point of contemplating suicide;
7. Drug/alcohol abuse; and
8. Extreme changes in behavior

**Always Take Threats Seriously** - All threats are a cry for help.

***Building Closure Procedures:***

Whenever a building closes due to an emergency situation, leave the premises immediately. Do not enter the building again until it has officially reopened.

For status updates during **emergency closures at Fielding Graduate University's administrative offices**, please check your email for messages from Fielding or call 800.340.1099 or 805.687.1099 and press "10" in the menu options.

***General Personal Safety Tips:***

1. Lock the doors anytime you're alone in a meeting room after hours, and whenever you're in your hotel room.
2. Always lock your car when you leave it, look into it before entering it, and lock it right away when you get in.
3. If someone comes into your study/work area, trust your instincts. If you are alone, ask strangers who they are looking for and then step out to a public area as if you're leading them in the right direction.
4. If you've called 911, attempt to alert the people around you (only if you can do so safely).
5. Report anyone who seems out of place to the hotel front desk or to a Fielding representative.
6. If you ever feel unsafe with a person, do not agree to meet with him/her alone. Ask someone to join you.
7. It is okay to leave the room if you feel unsafe and the person will not leave.
8. If you are walking anywhere at night, be aware of your surroundings, keep your head up and move briskly to your destination.